

6346

I N S E N A T E

January 31, 2012

Introduced by Sen. BONACIC -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to requiring telecommunication service providers to provide notice relating to service outages

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The public service law is amended by adding a new section
2 92-g to read as follows:
3 S 92-G. NOTICE OF SERVICE OUTAGE. 1. THE COMMISSION SHALL, BY REGULATIONS ADOPTED OR AMENDED PURSUANT TO THIS SECTION, ESTABLISH NOTICE
4 REQUIREMENTS THAT SHALL APPLY TO ALL TELECOMMUNICATIONS SERVICE PROVIDERS, RELATING TO SERVICE OUTAGES THAT LAST FOR TWENTY-FOUR HOURS OR
5 LONGER AND WHICH AFFECT FIVE CUSTOMERS PER ONE HUNDRED ACCESS LINES OR
6 MORE. FOR THE PURPOSES OF THIS SECTION, "TELECOMMUNICATIONS SERVICE
7 PROVIDER" OR "PROVIDER OF TELECOMMUNICATIONS SERVICES" SHALL MEAN A
8 TELEPHONE CORPORATION CERTIFIED IN THE STATE WITH THE AUTHORITY TO
9 PROVIDE INTRASTATE TOLL AND LOCAL EXCHANGE SERVICE USING EITHER ITS OWN
10 OR LEASED FACILITIES. THE COMMISSION SHALL INCLUDE WITH THE NOTICE
11 REQUIREMENTS, METHODOLOGIES FOR MONITORING COMPLIANCE WITH AND ENFORCE-
12 MENT OF SUCH STANDARDS.
13 2. THE TERMS USED IN THIS SECTION EXCEPT WHERE EXPRESSLY INDICATED
14 OTHERWISE SHALL MEAN AND BE DEFINED AS SET FORTH IN 16 NEW YORK CODE
15 RULES AND REGULATIONS SECTION 603.3.
16 3. EVERY PROVIDER OF TELECOMMUNICATIONS SERVICES SHALL PROVIDE NOTICE
17 TO THE COMMISSIONER AS SOON AS PRACTICABLE BUT IN NO EVENT LATER THAN A
18 TIME CERTAIN TO BE DETERMINED BY THE COMMISSION, WHICH SHALL INCLUDE, AT
19 A MINIMUM:
20 (A) THE APPROXIMATE NUMBER OF OUT-OF-SERVICE CUSTOMERS BY CITY, TOWN
21 OR OTHER LOCALIZED GEOGRAPHIC LOCATION DETERMINED BY THE COMMISSION; AND
22 (B) AN ESTIMATE OF THE DURATION OF SUCH OUTAGE.
23 4. EVERY PROVIDER OF TELECOMMUNICATIONS SERVICES SHALL, TO THE EXTENT
24 PRACTICABLE, MAKE INFORMATION RELATING TO ESTIMATED DURATION OF SUCH
25
26

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 OUTAGE AVAILABLE TO CUSTOMERS THROUGH THE PROVIDER'S WEBSITE, LOCAL
2 MEDIA OR ANY OTHER MEDIUM DETERMINED BY THE COMMISSION.

3 S 2. This act shall take effect on the ninetieth day after it shall
4 have become a law; provided, however, that the public service commission
5 is immediately authorized and directed to take any and all actions,
6 including but not limited to the promulgation of any rules, necessary to
7 fully implement the provisions of this act on its effective date.