

7144--B

2013-2014 Regular Sessions

I N   A S S E M B L Y

May 2, 2013

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Introduced by M. of A. ROSENTHAL, COLTON, CAHILL, STIRPE, SKOUFIS, CUSICK, SCARBOROUGH, MAISEL, MOSLEY, HENNESSEY, JAFFEE, KIM, SCHIMEL, BENEDETTO, GOTTFRIED, LAVINE, THIELE, ABINANTI, ENGLEBRIGHT, RAMOS, OTIS, ROBERTS, ROZIC, SANTABARBARA, STECK, GIBSON, DINOWITZ, RYAN, JACOBS, MAYER, LUPARDO, GUNTHER, KELLNER, BARRETT, MOYA, WEPRIN, RUSSELL, SIMOTAS, BROOK-KRASNY, LIFTON, BRONSON, GALEF, BRINDISI, HOOPER, BUCHWALD -- Multi-Sponsored by -- M. of A. ARROYO, CLARK, COOK, CRESPO, GARBARINO, GLICK, JOHNS, LENTOL, LUPINACCI, MARKEY, McDONALD, MILLMAN, NOLAN, PAULIN, PERRY, RIVERA, ROBINSON, RODRIGUEZ, SEPULVEDA, SKARTADOS, SOLAGES, SWEENEY, WEISENBERG -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law and the general business law, in relation to call centers

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

1     Section 1. Section 65 of the public service law is amended by adding a  
2     new subdivision 16 to read as follows:  
3     16. (A) EVERY TELECOMMUNICATION COMPANY CERTIFIED BY THE COMMISSION  
4     AND THEIR SUBSIDIARIES PROVIDING CALL CENTER SERVICE ASSISTANCE INCLUD-  
5     ING, BUT NOT LIMITED TO OPERATOR SERVICES, DIRECTORY ASSISTANCE BUREAUS  
6     AND CALL COMPLETION SERVICES FOR THE FOLLOWING:  
7     (1) EXPLAINING COMPANY RATES, REGULATIONS, POLICIES, PROCEDURES,  
8     EQUIPMENT, CUSTOMER SERVICE OPTIONS AND COMMON PRACTICES;  
9     (2) DETERMINING CUSTOMER FINANCIAL RESPONSIBILITY, REQUIRED DEPOSITS,  
10    BILLING RATES, OR HANDLING PAYMENT AND OTHER CREDIT ARRANGEMENTS SUCH AS  
11    OBTAINING DEPOSITS, FINANCIAL STATEMENTS AND PAYMENT PLANS;  
12    (3) TAKING REQUESTS FOR NEW OR ADDITIONAL SERVICES, INCLUDING, BUT NOT  
13    LIMITED TO, EMERGENCY SERVICE, COMPLETING ASSISTANCE WITH DIALING, USING

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

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1 CALLING CARDS, CONNECTING COLLECT CALLS, BUSY LINE VERIFICATION OR RELAY  
2 CENTERS FOR THE HEARING IMPAIRED, PROVIDING REQUESTED LOCAL AND NATIONAL  
3 TELEPHONE NUMBERS, REVERSE NUMBER SEARCHES AND TAKING REQUESTS FOR AND  
4 COMPLETING THE PUBLISHING AND NON-PUBLISHING OF A TELEPHONE NUMBER, AND  
5 PROVIDING ASSISTANCE TO PAYPHONE CUSTOMERS; AND

6 (4) PREPARING INSTALLATION AND REPAIR SERVICE ORDERS AND OBTAINING  
7 ACCESS TO SUBSCRIBER'S PREMISES.

8 (B) NO TELECOMMUNICATION COMPANY CERTIFIED BY THE COMMISSION OR THEIR  
9 SUBSIDIARIES SHALL CLOSE A CALL CENTER OR OTHER FACILITY PROVIDING THE  
10 CUSTOMER ASSISTANCE SET FORTH IN PARAGRAPH (A) OF THIS SUBDIVISION OR  
11 RELOCATE SUCH CUSTOMER ASSISTANCE TO ANOTHER AREA OF NEW YORK STATE OR  
12 OUTSIDE OF NEW YORK STATE WITHOUT NOTICE AND HEARING BEFORE THE COMMIS-  
13 SION.

14 (C) THIS SUBDIVISION SHALL NOT APPLY TO THE COLLECTION OF DEBT WHERE  
15 BY COMPANY POLICY SUCH DEBT IS DIRECTED TO A COLLECTION AGENCY OR SIMI-  
16 LAR SERVICE COMPANIES.

17 S 2. The general business law is amended by adding a new section 399-  
18 yyy to read as follows:

19 S 399-YYY. CALL CENTER SERVICE ASSISTANCE. 1. EVERY TELECOMMUNICATION  
20 COMPANY CERTIFIED BY THE PUBLIC SERVICE COMMISSION AND THEIR SUBSID-  
21 IARIES PROVIDING CALL CENTER SERVICE ASSISTANCE INCLUDING, BUT NOT  
22 LIMITED TO OPERATOR SERVICES, DIRECTORY ASSISTANCE BUREAUS AND CALL  
23 COMPLETION SERVICES FOR THE FOLLOWING:

24 (A) EXPLAINING COMPANY RATES, REGULATIONS, POLICIES, PROCEDURES,  
25 EQUIPMENT, CUSTOMER SERVICE OPTIONS AND COMMON PRACTICES;

26 (B) DETERMINING CUSTOMER FINANCIAL RESPONSIBILITY, REQUIRED DEPOSITS,  
27 BILLING RATES, OR HANDLING PAYMENT AND OTHER CREDIT ARRANGEMENTS SUCH AS  
28 OBTAINING DEPOSITS, FINANCIAL STATEMENTS AND PAYMENT PLANS;

29 (C) TAKING REQUESTS FOR NEW OR ADDITIONAL SERVICES, INCLUDING, BUT NOT  
30 LIMITED TO, EMERGENCY SERVICE, COMPLETING ASSISTANCE WITH DIALING, USING  
31 CALLING CARDS, CONNECTING COLLECT CALLS, BUSY LINE VERIFICATION OR RELAY  
32 CENTERS FOR THE HEARING IMPAIRED, PROVIDING REQUESTED LOCAL AND NATIONAL  
33 TELEPHONE NUMBERS, REVERSE NUMBER SEARCHES AND TAKING REQUESTS FOR AND  
34 COMPLETING THE PUBLISHING AND NON-PUBLISHING OF A TELEPHONE NUMBER, AND  
35 PROVIDING ASSISTANCE TO PAY PHONE CUSTOMERS; AND

36 (D) PREPARING INSTALLATION AND REPAIR SERVICE ORDERS AND OBTAINING  
37 ACCESS TO SUBSCRIBER'S PREMISES.

38 2. NO TELECOMMUNICATION COMPANY CERTIFIED BY THE PUBLIC SERVICE  
39 COMMISSION OR THEIR SUBSIDIARIES SHALL CLOSE A CALL CENTER OR OTHER  
40 FACILITY PROVIDING THE CUSTOMER ASSISTANCE SET FORTH IN SUBDIVISION ONE  
41 OF THIS SECTION OR RELOCATE SUCH CUSTOMER ASSISTANCE TO ANOTHER AREA OF  
42 NEW YORK STATE OR OUTSIDE OF NEW YORK STATE WITHOUT NOTICE AND HEARING  
43 BEFORE THE PUBLIC SERVICE COMMISSION.

44 3. THIS SECTION SHALL NOT APPLY TO THE COLLECTION OF DEBT WHERE BY  
45 COMPANY POLICY SUCH DEBT IS DIRECTED TO A COLLECTION AGENCY OR SIMILAR  
46 SERVICE COMPANIES.

47 S 3. This act shall take effect on the one hundred eightieth day after  
48 this act shall have become a law.