

4434--B

2013-2014 Regular Sessions

I N S E N A T E

April 1, 2013

Introduced by Sens. MAZIARZ, ADDABBO, AVELLA, CARLUCCI, ESPAILLAT, GIPSON, HOYLMAN, LARKIN, LATIMER, MARTINS, O'BRIEN, PARKER, RIVERA, SAVINO, SERRANO, TKACZYK -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, 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
14 CALLING CARDS, CONNECTING COLLECT CALLS, BUSY LINE VERIFICATION OR RELAY
15 CENTERS FOR THE HEARING IMPAIRED, PROVIDING REQUESTED LOCAL AND NATIONAL
16 TELEPHONE NUMBERS, REVERSE NUMBER SEARCHES AND TAKING REQUESTS FOR AND
17 COMPLETING THE PUBLISHING AND NON-PUBLISHING OF A TELEPHONE NUMBER, AND
18 PROVIDING ASSISTANCE TO PAYPHONE CUSTOMERS; AND

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

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

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

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

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

14 S 399-YYY. CALL CENTER SERVICE ASSISTANCE. 1. EVERY TELECOMMUNICATION
15 COMPANY CERTIFIED BY THE PUBLIC SERVICE COMMISSION AND THEIR SUBSID-
16 IARIES PROVIDING CALL CENTER SERVICE ASSISTANCE INCLUDING, BUT NOT
17 LIMITED TO OPERATOR SERVICES, DIRECTORY ASSISTANCE BUREAUS AND CALL
18 COMPLETION SERVICES FOR THE FOLLOWING:

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

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

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

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

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

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

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