S T A T E O F N E W Y O R K

885--A

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. BONACIC -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

Section 1. The public service law is amended by adding a new section 92-h to read as follows:

S 92-H. NOTICE OF SERVICE OUTAGE. 1. THE COMMISSION SHALL, BY REGULATIONS ADOPTED OR AMENDED PURSUANT TO THIS SECTION, ESTABLISH NOTICE REQUIREMENTS THAT SHALL APPLY TO ALL TELECOMMUNICATIONS SERVICE PROVIDERS, RELATING TO SERVICE OUTAGES THAT LAST FOR TWENTY-FOUR HOURS OR LONGER AND WHICH AFFECT FIVE CUSTOMERS PER ONE HUNDRED ACCESS LINES OR MORE. FOR THE PURPOSES OF THIS SECTION, "TELECOMMUNICATIONS SERVICE PROVIDER" OR "PROVIDER OF TELECOMMUNICATIONS SERVICES" SHALL MEAN A TELEPHONE CORPORATION CERTIFIED IN THE STATE WITH THE AUTHORITY TO PROVIDE INTRASTATE TOLL AND LOCAL EXCHANGE SERVICE USING EITHER ITS OWN OR LEASED FACILITIES. THE COMMISSION SHALL INCLUDE WITH THE NOTICE REQUIREMENTS, METHODOLOGIES FOR MONITORING COMPLIANCE WITH AND ENFORCEMENT OF SUCH STANDARDS.

2. THE TERMS USED IN THIS SECTION EXCEPT WHERE EXPRESSLY INDICATED OTHERWISE SHALL MEAN AND BE DEFINED AS SET FORTH IN 16 NEW YORK CODE RULES AND REGULATIONS SECTION 603.3.

3. EVERY PROVIDER OF TELECOMMUNICATIONS SERVICES SHALL PROVIDE NOTICE TO THE COMMISSIONER AS SOON AS PRACTICABLE BUT IN NO EVENT LATER THAN A

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

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TIME CERTAIN TO BE DETERMINED BY THE COMMISSION, WHICH SHALL INCLUDE, AT A MINIMUM:

(A) THE APPROXIMATE NUMBER OF OUT-OF-SERVICE CUSTOMERS BY CITY, TOWN OR OTHER LOCALIZED GEOGRAPHIC LOCATION DETERMINED BY THE COMMISSION; AND

(B) AN ESTIMATE OF THE DURATION OF SUCH OUTAGE.

4. EVERY PROVIDER OF TELECOMMUNICATIONS SERVICES SHALL, TO THE EXTENT PRACTICABLE, MAKE INFORMATION RELATING TO ESTIMATED DURATION OF SUCH OUTAGE AVAILABLE TO CUSTOMERS THROUGH THE PROVIDER'S WEBSITE, LOCAL MEDIA OR ANY OTHER MEDIUM DETERMINED BY THE COMMISSION.

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