

STATE OF NEW YORK

4350

2017-2018 Regular Sessions

IN ASSEMBLY

February 2, 2017

Introduced by M. of A. ROSENTHAL, COLTON, CAHILL, SKOUFIS, CUSICK, MOSLEY, JAFFEE, KIM, BENEDETTO, GOTTFRIED, THIELE, ABINANTI, ENGLE-BRIGHT, RAMOS, OTIS, ROZIC, SANTABARBARA, STEC, DINOWITZ, RYAN, MAYER, LUPARDO, GUNTHER, BARRETT, MOYA, WEPRIN, SIMOTAS, LIFTON, BRONSON, GALEF, BRINDISI, HOOPER, BUCHWALD, TITONE, M. G. MILLER, ZEBROWSKI, RAIA, BRAUNSTEIN, FAHY -- Multi-Sponsored by -- M. of A. ABBATE, ARROYO, COOK, CRESPO, DenDEKKER, GARBARINO, GLICK, HEVESI, JOHNS, KEARNS, LENTOL, LUPINACCI, McKEVITT, PAULIN, PERRY, RIVERA, RODRIGUEZ, SEPULVEDA, SKARTADOS, SOLAGES -- read once and referred to the Committee on Ways and Means

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:

Section 1. Section 65 of the public service law is amended by adding a new subdivision 16 to read as follows:

16. (a) Every telecommunication service provider and its subsidiaries furnishing traditional landline telephone service, fiber optic service, voice over internet protocol (VoIP), data circuits, cable or internet services shall provide call center service assistance including, but not limited to operator services, directory assistance bureaus and call completion services for the following: (1) explaining company rates, regulations, policies, procedures, equipment, customer service options and common practices; (2) determining customer financial responsibility, required deposits, billing rates, or handling payment and other credit arrangements such as obtaining deposits, financial statements and payment plans; (3) taking requests for new or additional services, including, but not limited to, emergency service, completing assistance with dialing, using calling cards, connecting collect calls, busy line verification or relay centers for the hearing impaired, providing requested local and national telephone numbers, reverse number searches

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

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1 and taking requests for and completing the publishing and non-publishing
2 of a telephone number, and providing assistance to payphone customers;
3 and (4) preparing installation and repair service orders and obtaining
4 access to subscriber's premises.

5 (b) No telecommunication service provider nor its subsidiaries shall
6 close a call center or other facility providing the customer assistance
7 set forth in paragraph (a) of this subdivision or relocate such customer
8 assistance to another area of New York state or outside of New York
9 state without notice and public hearing before the commission. Upon
10 receipt of the notice required pursuant to this paragraph, the commis-
11 sion shall provide notice of the proceeding to interested parties and
12 the public; and shall promptly fix a date for the commencement of a
13 public hearing thereon not less than sixty days after such receipt. The
14 testimony presented at such hearing may be presented in writing or oral-
15 ly, provided that the commission may make rules designed to exclude
16 repetitive, redundant or irrelevant testimony while giving all inter-
17 ested parties the opportunity to present their documentary and/or testi-
18 monial evidence. The commission shall make a record of all testimony in
19 all contested hearings. For purposes of this section "public hearing"
20 means a public forum at a physical location, attended by commission
21 members or their designees, where oral testimony is accepted and written
22 testimony may be submitted for inclusion in the record. Such forum shall
23 be open to parties to the proceeding and the general public for the
24 presentation of comments that shall be limited to relevant facts direct-
25 ly related to the proceeding in question. Such hearing shall be
26 commenced upon proper notice to the parties to the proceeding and the
27 public at least thirty days prior to the scheduled date. Should the
28 commission rule in favor of closing a call center or other facility
29 providing the customer assistance set forth in paragraph (a) of this
30 subdivision or relocating such customer assistance to another area of
31 New York state then the telecommunication service provider or its
32 subsidiaries shall provide notification one hundred eighty calendar days
33 in advance of closing or relocation.

34 (c) This subdivision shall not apply to the collection of debt where
35 by company policy such debt is directed to a collection agency or simi-
36 lar service companies.

37 § 2. The general business law is amended by adding a new section 399-
38 yyy to read as follows:

39 § 399-yyy. Cable service provider. 1. Every cable service provider and
40 its subsidiaries furnishing traditional landline telephone service,
41 fiber optic service, voice over internet protocol (VoIP), data circuits,
42 cable or internet services shall provide call center service assistance
43 including, but not limited to operator services, director assistance
44 bureaus and call completion services for the following: (a) explaining
45 company rates, regulations, policies, procedures, equipment, customer
46 service options and common practices; (b) determining customer financial
47 responsibility, required deposits, billing rates, or handling payment
48 and other credit arrangements such as obtaining deposits, financial
49 statements and payment plans; (c) taking requests for new or additional
50 services, including, but not limited to, emergency service, completing
51 assistance with dialing, using calling cards, connecting collect calls,
52 busy line verification or relay centers for the hearing impaired,
53 providing requested local and national telephone numbers, reverse number
54 searches and taking requests for and completing the publishing and non-
55 publishing of a telephone number, and providing assistance to pay phone

1 customers; and (d) preparing installation and repair service orders and
2 obtaining access to subscriber's premises.

3 2. No cable service provider nor its subsidiaries shall close a call
4 center or other facility providing the customer assistance set forth in
5 subdivision one of this section or relocate such customer assistance to
6 another area of New York state or outside of New York state without
7 notice and public hearing before the commission. Upon receipt of the
8 notice required pursuant to this subdivision, the commission shall
9 provide notice of the proceeding to interested parties and the public;
10 and shall promptly fix a date for the commencement of a public hearing
11 thereon not less than sixty days after such receipt. The testimony
12 presented at such hearing may be presented in writing or orally,
13 provided that the commission may make rules designed to exclude repeti-
14 tive, redundant or irrelevant testimony while giving all interested
15 parties the opportunity to present their documentary and/or testimonial
16 evidence. The commission shall make a record of all testimony in all
17 contested hearings. For purposes of this section "public hearing" means
18 a public forum at a physical location, attended by commission members or
19 their designees, where oral testimony is accepted and written testimony
20 may be submitted for inclusion in the record. Such forum shall be open
21 to parties to the proceeding and the general public for the presentation
22 of comments that shall be limited to relevant facts directly related to
23 the proceeding in question. Such hearing shall be commenced upon proper
24 notice to the parties to the proceeding and the public at least thirty
25 days prior to the scheduled date. Should the commission rule in favor
26 of closing a call center or other facility providing the customer
27 assistance set forth in subdivision one of this section or relocating
28 such customer assistance to another area of New York state then the
29 cable service provider or its subsidiaries shall provide notification
30 one hundred eighty calendar days in advance of closing or relocation.

31 3. This section shall not apply to the collection of debt where by
32 company policy such debt is directed to a collection agency or similar
33 service companies.

34 § 3. This act shall take effect immediately.