

STATE OF NEW YORK

7615

2017-2018 Regular Sessions

IN ASSEMBLY

May 4, 2017

Introduced by M. of A. ROSENTHAL -- 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 Assem-
bly, 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 service provider and their subsid-
4 iaries furnishing traditional landline telephone service, fiber optic
5 service, voice over internet protocol (VoIP), data circuits, cable or
6 internet services shall provide call center service assistance includ-
7 ing, but not limited to operator services, directory assistance bureaus
8 and call completion services for the following: (1) explaining company
9 rates, regulations, policies, procedures, equipment, customer service
10 options and common practices; (2) determining customer financial respon-
11 sibility, required deposits, billing rates, or handling payment and
12 other credit arrangements such as obtaining deposits, financial state-
13 ments and payment plans; (3) taking requests for new or additional
14 services, including, but not limited to, emergency service, completing
15 assistance with dialing, using calling cards, connecting collect calls,
16 busy line verification or relay centers for the hearing impaired,
17 providing requested local and national telephone numbers, reverse number
18 searches and taking requests for and completing the publishing and non-
19 publishing of a telephone number, and providing assistance to payphone
20 customers; and (4) preparing installation and repair service orders and
21 obtaining access to subscriber's premises.

22 (b) No telecommunication service provider and their subsidiaries shall
23 close a call center or other facility providing the customer assistance
24 set forth in paragraph (a) of this subdivision or relocate such customer
25 assistance to another area of New York state or outside of New York

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

LBD11210-01-7

1 state without notice and public hearing before the commission. Upon
2 receipt of the notice required pursuant to this paragraph, the commis-
3 sion shall provide notice of the proceeding to interested parties and
4 the public; and shall promptly fix a date for the commencement of a
5 public hearing thereon not less than sixty days after such receipt. The
6 testimony presented at such hearing may be presented in writing or oral-
7 ly, provided that the commission may make rules designed to exclude
8 repetitive, redundant or irrelevant testimony while giving all inter-
9 ested parties the opportunity to present their documentary and/or testi-
10 monial evidence. The commission shall make a record of all testimony in
11 all contested hearings. For purposes of this section "public hearing"
12 means a public forum at a physical location, attended by commission
13 members or their designees, where oral testimony is accepted and written
14 testimony may be submitted for inclusion in the record. Such forum shall
15 be open to parties to the proceeding and the general public for the
16 presentation of comments that shall be limited to relevant facts direct-
17 ly related to the proceeding in question. Such hearing shall be
18 commenced upon proper notice to the parties to the proceeding and the
19 public at least thirty days prior to the scheduled date. Should the
20 commission rule in favor of closing a call center or other facility
21 providing the customer assistance set forth in paragraph (a) of this
22 subdivision or relocating such customer assistance to another area of
23 New York state then the telecommunication service provider or their
24 subsidiaries shall provide notification one hundred eighty calendar days
25 in advance of closing or relocation.

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

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

31 § 399-yyy. Cable service provider. 1. Every cable service provider and
32 their subsidiaries furnishing traditional landline telephone service,
33 fiber optic service, voice over internet protocol (VoIP), data circuits,
34 cable or internet services shall provide call center service assistance
35 including, but not limited to operator services, director assistance
36 bureaus and call completion services for the following: (a) explaining
37 company rates, regulations, policies, procedures, equipment, customer
38 service options and common practices; (b) determining customer financial
39 responsibility, required deposits, billing rates, or handling payment
40 and other credit arrangements such as obtaining deposits, financial
41 statements and payment plans; (c) taking requests for new or additional
42 services, including, but not limited to, emergency service, completing
43 assistance with dialing, using calling cards, connecting collect calls,
44 busy line verification or relay centers for the hearing impaired,
45 providing requested local and national telephone numbers, reverse number
46 searches and taking requests for and completing the publishing and non-
47 publishing of a telephone number, and providing assistance to pay phone
48 customers; and (d) preparing installation and repair service orders and
49 obtaining access to subscriber's premises.

50 2. No cable service provider and their subsidiaries shall close a call
51 center or other facility providing the customer assistance set forth in
52 subdivision one of this section or relocate such customer assistance to
53 another area of New York state or outside of New York state without
54 notice and public hearing before the commission. Upon receipt of the
55 notice required pursuant to this subdivision, the commission shall
56 provide notice of the proceeding to interested parties and the public;

1 and shall promptly fix a date for the commencement of a public hearing
2 thereon not less than sixty days after such receipt. The testimony
3 presented at such hearing may be presented in writing or orally,
4 provided that the commission may make rules designed to exclude repeti-
5 tive, redundant or irrelevant testimony while giving all interested
6 parties the opportunity to present their documentary and/or testimonial
7 evidence. The commission shall make a record of all testimony in all
8 contested hearings. For purposes of this section "public hearing" means
9 a public forum at a physical location, attended by commission members or
10 their designees, where oral testimony is accepted and written testimony
11 may be submitted for inclusion in the record. Such forum shall be open
12 to parties to the proceeding and the general public for the presentation
13 of comments that shall be limited to relevant facts directly related to
14 the proceeding in question. Such hearing shall be commenced upon proper
15 notice to the parties to the proceeding and the public at least thirty
16 days prior to the scheduled date. Should the commission rule in favor
17 of closing a call center or other facility providing the customer
18 assistance set forth in subdivision one of this section or relocating
19 such customer assistance to another area of New York state then the
20 cable service provider or their subsidiaries shall provide notification
21 one hundred eighty calendar days in advance of closing or relocation.

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

25 § 3. This act shall take effect immediately.