

STATE OF NEW YORK

4029--A

2019-2020 Regular Sessions

IN SENATE

February 25, 2019

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- 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 certain notices to be provided to customers receiving telephone service through fiber optic-based telephone lines

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The public service law is amended by adding a new section
2 104 to read as follows:

3 § 104. Notice to customers on fiber optic-based telephone lines. 1.
4 The commission shall require each telephone corporation that provides
5 local exchange service to provide a notice containing information to
6 customers on the differences between copper-based telephone lines and
7 fiber optic-based telephone lines prior to when such telephone corpo-
8 ration intends to change such customer's telephone service from copper-
9 based telephone lines to fiber optic-based telephone lines. Except (i)
10 in cases of an emergency, or (ii) upon the request of the customer, such
11 notice shall be provided to the customer at least forty-five days before
12 such telephone corporation intends to change such customer's telephone
13 service from copper-based telephone lines to fiber optic-based telephone
14 lines. Such notice shall include, but not be limited to the following:
15 a description of the differences between copper-based telephone lines
16 and fiber optic-based telephone lines; the differences between the
17 effect a power outage would have on the telephone service provided by
18 copper-based and fiber optic-based telephone lines, including the avail-
19 ability of battery back-up options; an explanation of whether the
20 service will continue to be regulated by the commission; and a phone
21 number and contact information for customers who seek additional infor-
22 mation or wish to make a complaint to the commission.

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

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1 2. The commission shall have the power to prescribe the form and
2 content of the notice established pursuant to this section. The commis-
3 sion may from time to time prescribe, by order, changes in the notice
4 thereof. The commission shall also have power to establish rules and
5 regulations for such notice and may from time to time modify the same.

6 3. Every telephone corporation shall file with the commission the
7 notice established pursuant to this section and obtain approval as to
8 the form and content thereof prior to providing such notice to custom-
9 ers. Notwithstanding the foregoing, any such notice shall be deemed to
10 be approved by the commission ninety days after such corporation applies
11 to the commission for approval, unless the commission, or its designee,
12 determines within such ninety day period that the public interest
13 requires the commission's review and its written order.

14 § 2. This act shall take effect on the one hundred eightieth day after
15 it shall have become a law.