STATE OF NEW YORK

5967--B

Cal. No. 203

2019-2020 Regular Sessions

IN ASSEMBLY

February 20, 2019

Introduced by M. of A. PAULIN, BUCHWALD, DE LA ROSA, GALEF, JEAN-PIERRE, ABINANTI, DINOWITZ, ENGLEBRIGHT, EPSTEIN, HUNTER, GOTTFRIED, JAFFEE, PICHARDO, McDONOUGH, REILLY, COOK, STECK, RAIA -- Multi-Sponsored by -- M. of A. DeSTEFANO, MANKTELOW, MIKULIN, SIMON, THIELE -- read once and referred to the Committee on Corporations, Authorities and Commissions -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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:

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

§ 104. Notice to customers on fiber optic-based telephone lines. 1. The commission shall require each telephone corporation that provides local exchange service to provide a notice containing information to customers on the differences between copper-based telephone lines and fiber optic-based telephone lines prior to when such telephone corporation initiates a change in such customer's telephone service from copper-based telephone lines to fiber optic-based telephone lines. Except (i) in cases of an emergency, including but not limited to restoration or repair of service, or (ii) upon the request of the customer, such notice shall be provided to the customer at least forty-five days before such telephone corporation initiates a change in such customer's telephone service from copper-based telephone lines to fiber optic-based telephone lines. Such notice shall include, but not be limited to the following: a description of the differences between copper-based tele-

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

LBD09213-08-9

phone lines and fiber optic-based telephone lines; the differences between the effect a power outage would have on the telephone service provided by copper-based and fiber optic-based telephone lines, including the availability of battery back-up options; an explanation of whether the service will continue to be regulated by the commission; and a phone number and contact information for customers who seek additional information or wish to make a complaint to the commission.

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

3. Every telephone corporation shall file with the commission the notice established pursuant to this section and obtain approval as to the form and content thereof prior to providing such notice to customers. Notwithstanding the foregoing, any such notice shall be deemed to be approved by the commission ninety days after such corporation applies to the commission for approval, unless the commission, or its designee, rejects the notice and requires specific changes within such ninety day period. Upon a material change to the form and content of an approved notice, a telephone corporation shall again file with the commission such notice and obtain approval pursuant to this section. The commission may establish what shall constitute a material change to the form and content of the notice that would necessitate commission approval.

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