STATE OF NEW YORK

338--A

Cal. No. 23

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. PAULIN, OTIS, VANEL, COLTON, SAYEGH, ZINERMAN -- read once and referred to the Committee on Corporations, Authorities and Commissions -- ordered 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 telephone companies to disclose information to subscribers regarding the backup power solution for their voice service equipment; and providing for the repeal of such provisions upon expiration thereof

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-a to read as follows:

§ 104-a. Corporation disclosure obligation concerning backup power solutions. 1. At minimum annually, every regulated telephone corporation which has provided a current subscriber with a backup power solution for a facilities-based, fixed voice service offered as residential service that is not line powered, provided by such corporation, shall provide such subscriber with either a written notice or, if the subscriber has elected, an electronic notice, disclosing the following information:

(a) service limitations with and without backup power;

(b) purchase and replacement information, including cost;

(c) expected backup power duration;

(d) proper usage and storage conditions, including the impact on duration of backup power life if failing to adhere to proper usage and storage conditions;

(e) suggestions on how to maximize backup power during a prolonged power outage; and

(f) subscriber backup power self-testing and self-monitoring instructions.

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

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Such notice shall be sent to the subscriber separately from his or her monthly billing statements or invoice.

2.(a) The commission may promulgate rules and regulations adding additional requirements for the content of the disclosure as required in subdivision one of this section.

(b) The commission shall further promulgate rules and regulations regarding the form of the written notice in order to promote readability by requiring that the notice:

(1) be written in a clear and coherent manner;

(2) be written in at least eleven-point font size; and

(3) wherever practicable, use words with common and everyday meanings.

3. The commission shall establish procedures to assure, to the fullest extent practicable, that residential subscribers receiving fixed voice service from one telephone corporation, but using a backup power solution provided by a different telephone corporation, shall receive the notice required by this section, or a similar notice detailing the information required by this section, from one of the providers.

4. The disclosure required by 47 CFR 9.20(d) may satisfy the notice requirement of subdivision one of this section, provided it complies with the commission's rules and regulations regarding format as required by paragraph (b) of subdivision two of this section.

§ 2. This act shall take effect one year after it shall have become a law and shall expire and be deemed repealed December 31, 2026.