STATE OF NEW YORK

5272--A

2023-2024 Regular Sessions

IN SENATE

March 1, 2023

Introduced by Sen. PARKER -- 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 covered entities to publicly report on franchise fees, consumer complaints and denials of requests for service

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 28 to read as follows:

§ 28. Publication of reports. 1. Within ninety days of the effective date of this section, the department shall direct all covered entities, to report publicly on its website or websites all franchise fees paid to the municipality or municipalities served, all consumer complaints, and any denials of requests for service from residents of such municipalities during the term of the current franchise. Covered entities shall report such information without unreasonably exposing consumers' personally identifiable information in a manner that violates public service law, department practice, or federal law. Such reports shall be updated quarterly.

2. For the purposes of this section, a covered entity shall include any broadband, telephone and cable service company:

(a) with annual gross revenues of at least two hundred fifty thousand dollars; or

(b) which serves any municipality as an overbuilder and provides competitive services to an incumbent cable company, except in municipalities with a population of one million or more. For the purposes of this section, an "overbuilder" shall mean any cable provider that constructs new wireline facilities to end-users in the traditional service territory of a legacy telephone or cable incumbent.

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

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3. Upon a written request for an investigation into the covered entity's compliance with its franchise terms and applicable state and federal law, signed by (a) twenty-five or more customers, or (b) the chief executive officer of the municipality, or (c) the county legislature of the county within which the system is located, the department shall conduct an investigation into such allegations contained in a complaint letter.

§ 2. This act shall take effect immediately.