MAINE STATE LEGISLATURE

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STATE OF MAINE HOUSE OF REPRESENTATIVES 115TH LEGISLATURE FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "H" to H.P. 1134, L.D. 1659, Bill, "An Act to Protect Consumers from Unfair and Deceptive Telephone Practices"

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Amend the bill in section 1 in that part designated "§3508." in the first line (page 1, line 5 in L.D.) by striking out the following: "§3508." and inserting in its place the following: '§3-508.'

Further amend the bill in section 7 in that part designated "§801." in subsection 1 in the 2nd line (page 2, line 35 in L.D.)

by striking out the following: "provided on a pay-per-call" and inserting in its place the following: 'for which, in addition to any message toll service charge, a fee is levied on a per-call' and in the 6th line (page 2, line 39 in L.D.) by inserting after the following: "charge" the following: ', in addition to any

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Further amend the bill in section 8 by striking out all of that part designated "§802."

Further amend the bill in section 8 by striking out all of that part designated "§803." and inserting in its place the following:

'§803. Disconnection prohibited

message toll service charges,'

A collecting utility may not disconnect a customer's basic telephone service or send to a customer any notice of basic telephone service disconnection because of a customer's failure to pay an audiotext service charge.'

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Further amend the bill in section 8 in that part designated "§804." in the first paragraph in the first line (page 4, line 15

| | in L.D.) by striking out the following: "Collecting utilities" |
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| 2 | and inserting in its place the following: 'Where facilities are |
| | available, a collecting utility' and by inserting after the |
| 4 | following: "all" the following: 'one-party residential and |
| | one-line and 2-line business' |
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| | Further amend the bill in section 8 in that part designated |
| 8 | "§804." in the first paragraph by inserting at the end the |
| | following: 'By April 1, 1992, collecting utilities must, where |
| 10 | facilities are available, offer multiline business customers the |
| | opportunity to block access at a reasonable cost. The commission |
| 12 | may, for good cause shown, extend this deadline.' |
| . . | |
| 14 | Further amend the bill in section 8 by striking out all of |
| 16 | that part designated " <u>\$805.</u> " |
| 16 | Fouther smand the hill in eaction 0 in that must designated |
| 18 | Further amend the bill in section 8 in that part designated "§806." in the first paragraph in the last line (page 5, line 15 |
| 10 | in L.D.) by inserting after the following: "shall" the |
| 20 | following: 'either delete the charges from the customer's |
| | telephone bill or' |
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| | Further amend the bill in section 8 in that part designated |
| 24 | "§806." in subsection 4 in the 2nd line (page 6, line 21 in L.D.) |
| | by striking out the following: "complaint" and inserting in its |
| 26 | place the following: 'dispute resolution' |
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| 28 | Further amend the bill in section 8 by renumbering the |
| | sections to read consecutively. |
| 3 0 | |
| • • | Further amend the bill by inserting before the statement of |
| 32 | fact the following: |
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| 34 | ·FISCAL NOTE |
| 36 | , INDCADINOID |
| J 0 | The Public Utilities Commission will be required to adopt |
| 38 | rules and process tariff modifications from telecommunications |
| - | utilities, the costs of which can be absorbed within current |
| 40 | budgeted resources.' |
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| | STATEMENT OF FACT |
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| | This amendment makes the following changes to the bill: |
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| | 1. Clarifies the definition of audiotext services so that it |
| 48 | is clear that toll calls are excluded from the definition; |
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| 50 | 2. Strikes the section of the bill requiring audiotext |
| E 2 | providers to register with the Department of Professional and |
| 52 | Financial Regulation; |

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- 3. Clarifies that a telephone utility may not disconnect basic telephone service for nonpayment by the customer of audiotext service bills;
- Amends the provision of the bill regarding audiotext service blocking. Telephone utilities that do not have the technical capability to block audiotext service calls 8 exempted from having to provide blocking service. This amendment 10 requires telephone utilities to provide blocking only one-party residential, one-line and two-line business and multiline business customers. With the exception of multiline 12 business customers, telephone customers must be provided, free of charge, the opportunity to have their telephone lines blocked 14 once and unblocked once to the access of audiotext service 16 providers. Thereafter, blocking or unblocking must be provided at a cost not to exceed \$5. By April 1, 1992, multiline business 18 customers must be provided the opportunity to block access at a reasonable cost;
- 5. Strikes the section of the bill concerning the billing procedures of telephone utilities on behalf of audiotext service providers;
- 6. Allows a telephone utility the option to delete audiotext charges from a customer's bill in the event the customer complains concerning the audiotext services bill. Under the bill, the utility has the option of conducting a review of the audiotext service provider's compliance with the law. If the utility finds the customer's complaint to be unjustified, the utility is not required to remove the charge from the customer's bill;
 - 7. Makes certain other technical changes; and
- 36 '8. Adds a fiscal note.

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Reported by the Committee on Utilities
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