

AMENDED IN SENATE MAY 20, 2002

AMENDED IN SENATE APRIL 23, 2002

**SENATE BILL**

**No. 1903**

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**Introduced by Senator O'Connell**

February 22, 2002

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An act to add Section 2890.2 to the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

SB 1903, as amended, O'Connell. Commercial mobile radio service providers: subscriber protection.

Existing law requires any person, corporation, or billing agent that charges subscribers for products or services on a telephone bill to, among other things, include in the telephone bill the amount being charged for each product or service, including any taxes or surcharges, and a clear and concise description of the service or product.

This bill would require a provider of commercial mobile radio service, as defined, to provide subscribers with a means by which a subscriber can obtain current information on the subscriber's calling plan or plans and service usage. The bill would require the commission to adopt regulations *that become effective no later than January 1, 2004*, to implement this provision.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) Commercial mobile radio service subscribers are currently  
4 unable to monitor their call time minutes and, as a result, they face  
5 higher rates because they unknowingly exceed the number of  
6 minutes allowed under their plan.

7 (b) Commercial mobile radio service subscribers need  
8 reasonably accurate information relative to their current service  
9 usage in order to enable them to better utilize their particular  
10 calling plan.

11 (c) Providing commercial mobile radio service subscribers  
12 with a reasonable estimate that includes a differentiation between  
13 the types of minutes covered by their plan, such as “peak” versus  
14 “free” minutes, will enable subscribers to make informed  
15 decisions about their commercial mobile radio service.

16 (d) The Legislature intends to require the provision of  
17 reasonably available usage information only from those  
18 commercial mobile radio service providers that do not currently  
19 provide that information to their subscribers.

20 (e) Technology exists to provide commercial mobile radio  
21 service subscribers with reasonably accurate information relative  
22 to their current service usage, and this type of information is  
23 regularly being made available by other providers of  
24 communications and information services, such as cellular  
25 telephone providers, Internet Web sites, and traditional telephone  
26 customer service providers, such as 1-800 telephone number  
27 providers.

28 (f) The Legislature intends that current usage information to be  
29 provided to commercial mobile radio service subscribers be a  
30 reasonable estimate of the cumulative usage during the billing  
31 cycle as of a specific time on the prior business day, such as 5:00  
32 p.m. on the previous day, irrespective of the day during the billing  
33 cycle on which that information is requested.

34 (g) Notwithstanding subdivision (f), the Legislature intends  
35 that the Public Utilities Commission take appropriate  
36 consideration, and address, “roaming” minutes incurred when a  
37 commercial mobile radio service subscriber is outside his or her  
38 plan coverage area, and there is a delay in the subscriber’s minutes



1 being reported back to the subscriber's commercial mobile radio  
2 service provider by another provider.

3 SEC. 2. Section 2890.2 is added to the Public Utilities Code,  
4 to read:

5 2890.2. (a) A provider of commercial mobile radio service,  
6 as defined in Section 2892, shall provide subscribers with a means  
7 by which a subscriber can obtain current information on the  
8 subscriber's calling plan or plans and service usage.

9 (b) The commission shall adopt regulations, as it determines to  
10 be necessary, *that become effective no later than January 1, 2004*,  
11 to implement the requirement in subdivision (a).

