

AMENDED IN SENATE JULY 8, 1999
AMENDED IN ASSEMBLY MAY 6, 1999
AMENDED IN ASSEMBLY APRIL 7, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 535

Introduced by Assembly Member Reyes

February 18, 1999

An act to add Section 2889.4 to the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 535, as amended, Reyes. Telecommunications: services.

Existing law requires telephone corporations to provide specified customer and subscriber services.

This bill would require a local exchange service provider that offers ~~per use custom calling or enhanced features and charges for pay per use features that do not require an access code to be dialed to activate the service~~ to provide a new residential subscriber, including an existing residential customer ordering an additional line, during the verbal service order process, with information about those features. The bill would require the representatives of a provider to ~~advise offer~~ that subscriber ~~of the availability of~~ blocking options for these features, ~~and to inquire as to whether the subscriber would like to block any or all of these features.~~ The bill would require a local exchange service provider that offers

these features to advise an existing *residential* subscriber who inquires about the features, or who seeks a bill adjustment for the inadvertent or unauthorized use of *those* per use custom calling features, that the features can be blocked, and to inquire as to whether the subscriber would like to block any or all of the features. The bill would require a local exchange service provider that offers these features to provide a prescribed notice to all existing *residential* subscribers not later than ~~January 31, 2000~~ *May 1, 2000*, describing all features provided on a per use basis, the charge for each activation, any additional charges, and detailed information about the ability to block these features. *The bill would provide that a local exchange service subscriber that has not blocked per use features is entitled to a one-time bill adjustment, as specified.*

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. Section 2889.4 is added to the Public
 2 Utilities Code, to read:
 3 2889.4. (a) A local exchange service provider that
 4 ~~offers per use custom calling or enhanced features shall~~
 5 ~~offers and charges for pay per use features that do not~~
 6 ~~require an access code to be dialed to activate the service~~
 7 ~~shall provide a new residential subscriber, including an~~
 8 ~~existing residential customer ordering an additional line,~~
 9 ~~during the verbal service order process, with information~~
 10 ~~about those features. The representatives of a provider~~
 11 ~~shall advise offer that subscriber of the availability of~~
 12 ~~blocking for these features and shall inquire as to~~
 13 ~~whether the subscriber would like to block any or all of~~
 14 ~~the features.~~ *blocking options for those features.*
 15 (b) (1) A local exchange service provider that offers
 16 the features described in subdivision (a) shall advise an
 17 existing *residential* subscriber who inquires about the
 18 features, or who seeks a bill adjustment for the
 19 inadvertent or unauthorized use of *those* per use custom
 20 calling features, that the features can be blocked and shall

1 inquire as to whether the subscriber would like to block
2 any or all of the features.

3 (2) (A) A local exchange service provider that offers
4 the features described in subdivision (a) shall provide
5 notice to all existing *residential* subscribers not later than
6 ~~January 31, 2000~~ *May 1, 2000*, describing all features
7 provided on a per use basis, the charge for each
8 activation, any additional usage or other charges, and
9 detailed information about the ability to block these
10 features.

11 (B) The notice shall contain a toll-free number for
12 further information and shall contain a ~~pre-paid postcard~~
13 ~~that subscribers may return~~ *noticeable postcard size bill*
14 *insert that may be returned in the subscriber's bill*
15 *envelope* if they wish to block any or all of the per use
16 features *described in subdivision (a)*.

17 ~~(e) Nothing in subdivisions (a) or (b) precludes a local~~
18 ~~exchange service subscriber that has not blocked per use~~
19 ~~features from obtaining a bill adjustment for the~~
20 ~~inadvertent or unauthorized activation of those per use~~
21 ~~services that do not require coded dialing to access,~~
22 ~~including any additional usage charges associated with~~
23 ~~accessing two calls at one time.~~

24 (c) *A local exchange service subscriber that has not*
25 *blocked per use features in accordance with this section*
26 *is entitled to a one-time bill adjustment which shall equal*
27 *the sum of the charges for every incident that occurred*
28 *during the first billing cycle pursuant to which the*
29 *subscriber notifies the local exchange service provider*
30 *that inadvertent or unauthorized activation occurred*
31 *with regard to those per use services that do not require*
32 *coded dialing to activate. The one-time bill adjustment*
33 *shall include an adjustment for any additional usage*
34 *charges occurring as a result of inadvertent or*
35 *unauthorized activation. The adjustment shall take the*
36 *form of a credit to the subscriber's account if the existing*
37 *technology or facilities of the local exchange service*

- 1 *provider measure usage and permit a usage credit to be*
- 2 *determined and provided.*

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