

Assembly Bill No. 535

CHAPTER 384

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

[Approved by Governor September 15, 1999. Filed with Secretary of State September 15, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

AB 535, 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 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 offer that subscriber blocking options for 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 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.

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

SECTION 1. Section 2889.4 is added to the Public Utilities Code, to read:

2889.4. (a) A local exchange service provider that offers and charges for pay per use features that do not require an access code to be dialed to activate the service shall 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 representatives of a provider shall offer that subscriber blocking options for those features.

(b) (1) A local exchange service provider that offers the features described in subdivision (a) shall 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 shall inquire as to whether the subscriber would like to block any or all of the features.

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

(B) The notice shall contain a toll-free number for further information and shall contain a noticeable postcard size bill insert that may be returned in the subscriber's bill envelope if they wish to block any or all of the per use features described in subdivision (a).

(c) A local exchange service subscriber that has not blocked per use features in accordance with this section is entitled to a one-time bill adjustment which shall equal the sum of the charges for every incident that occurred during the first billing cycle pursuant to which the subscriber notifies the local exchange service provider that inadvertent or unauthorized activation occurred with regard to those per use services that do not require coded dialing to activate. The one-time bill adjustment shall include an adjustment for any additional usage charges occurring as a result of inadvertent or unauthorized activation. The adjustment shall take the form of a credit to the subscriber's account if the existing technology or facilities of the local exchange service provider measure usage and permit a usage credit to be determined and provided.

(d) Nothing in this section prohibits a local exchange service provider from providing additional bill adjustments at its discretion in connection with charges imposed for features described in subdivision (a).

