

Bill No. CS for SB 640

Amendment No.     

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Scott moved the following amendment:

13 **Senate Amendment**

14 On page 11, line 29,  
15 through page 13, line 24, delete those lines

17 and insert:

18 Section 7. Part III of chapter 364, Florida Statutes,  
19 consisting of sections 364.601, 364.602, 364.603, and 364.604,  
20 Florida Statutes, is created to read:

21 364.601 Short title.--This part may be cited as the  
22 "Telecommunications Consumer Protection Act."

23 364.602 Definitions.--For purposes of this part:

24 (1) "Billing party" means any telecommunications  
25 company that bills an end user consumer on its own behalf or  
26 on behalf of an originating party.

27 (2) "Commission" means the Florida Public Service  
28 Commission.

29 (3) "Customer" means any residential subscriber to  
30 services provided by a telecommunications company.

31 (4) "Originating party" means any person, firm,

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1 corporation, or other entity, including a telecommunications  
 2 company or a billing clearinghouse, that provides any  
 3 telecommunications service or information service to a  
 4 customer or bills a customer through a billing party, except  
 5 the term "originating party" does not include any entity  
 6 specifically exempted from the definition of  
 7 "telecommunications company" as provided in s. 364.02(12).

8 (5) "Information service" means telephone calls made  
 9 to 900 or 976 type services, but does not include internet  
 10 services.

11 364.603 Methodology for changing telecommunications  
 12 provider.--

13 (1) The commission shall adopt rules to prevent the  
 14 unauthorized changing of a subscriber's telecommunications  
 15 service. Such rules shall be consistent with the  
 16 Telecommunications Act of 1996, provide for specific  
 17 verification methodologies, provide for the notification to  
 18 subscribers of the ability to freeze the subscriber's choice  
 19 of carriers at no charge, allow for a subscriber's change to  
 20 be considered valid if verification was performed consistent  
 21 with commission's rules, provide for remedies for violations  
 22 of the rules, and allow for the imposition of other penalties  
 23 available in chapter 364.

24 364.604 Billing practices.--

25 (1) Each billing party must clearly identify on its  
 26 bill the name and toll-free number of the originating party,  
 27 the telecommunications service or information service billed,  
 28 and the specific charges, taxes, and fees associated with each  
 29 telecommunications or information service. The originating  
 30 party is responsible for providing the billing party with all  
 31 required information. The toll-free number of the originating

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1 party or its agent must be answered by a customer service  
2 representative or a voice response unit. If the customer  
3 reaches a voice response unit, the originating party or its  
4 agent must initiate a response to a customer inquiry within 24  
5 hours, excluding weekends and holidays. Each  
6 telecommunications carrier shall have until June 30, 1999, to  
7 comply with this subsection.

8 (2) A customer shall not be liable for any charges for  
9 telecommunications or information services that the customer  
10 did not order or that were not provided to the customer.

11 (3) Every billing party shall provide a free blocking  
12 option to a customer to block 900 or 976 telephone calls.

13 (4) A billing party shall not disconnect a customer's  
14 Lifeline local service if the charges, taxes, and fees  
15 applicable to basic local exchange telecommunications service  
16 are paid.

17 (5) Pursuant to s. 120.536, the commission may adopt  
18 rules to implement this section.

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