

Bill No. CS for SB 1542

Barcode 125302

CHAMBER ACTION

Senate

House

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The Committee on Transportation and Economic Development
Appropriations (Dockery) recommended the following amendment:

Senate Amendment (with title amendment)

On page 3, line 7, through
page 4, line 15, delete those lines

and insert:

(6) To receive and investigate complaints that involve
communications services, as that term is defined in s.
202.11(2), and that are not within the jurisdiction of the
Public Service Commission. If the Public Counsel believes the
practice forming the basis of a complaint constitutes an
unfair or deceptive trade practice or other unlawful practice
as defined in s. 501.204, either standing on its own or when
considered with other similar, actual practices or potentially
systemic practices, the Public Counsel may appear in the name
of the residents of the State of Florida to petition the
Circuit Court of Leon County, or any other circuit court of
the state in which the practice was identified, to enjoin the
practice as an unfair and deceptive trade practice, and to

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1 petition for a judgment for actual damages for aggrieved
 2 consumers, for civil penalties of not more than \$10,000 for
 3 each willful unfair and deceptive trade practice or not more
 4 than \$15,000 for each willful unfair and deceptive trade
 5 practice that meets the criteria of s. 501.2077, and to
 6 recover attorney's fees and costs of investigation and court
 7 costs. Any moneys collected under this subsection, other than
 8 moneys recovered for consumer damages, shall be deposited as
 9 received into the General Revenue Fund unallocated.

10 (7) To appear before state and federal agencies,
 11 including, but not limited to, the Florida Public Service
 12 Commission, the Department of Environmental Protection, the
 13 Department of Community Affairs, the Federal Energy Regulatory
 14 Commission, the Federal Communications Commission, and the
 15 Federal Trade Commission, in the name of the state or its
 16 residents, and on behalf of the State of Florida and its
 17 political subdivisions in their capacity as consumers of
 18 communications services and utility services, for any purpose
 19 that in the discretion of the Public Counsel would enhance
 20 terms and conditions of utility and communications services
 21 afforded to the residents of the State of Florida or to the
 22 state or its political subdivisions as consumers or would lead
 23 to more affordable rates charged by utility and communications
 24 providers. The Public Counsel may also challenge any fee, tax,
 25 or other assessment levied by any state or federal authority
 26 which the Public Counsel believes will have a substantial
 27 detrimental effect on the utility or communications services
 28 provided or on the price charged to Florida residents or to
 29 the State of Florida as a consumer.

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, line 11, delete that line

4

5 and insert:

6 services not within the jurisdiction of the

7 Public Service

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