

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Energy & Utilities
2 Subcommittee

3 Representative Fine offered the following:

4
5 **Amendment**

6 Between lines 121 and 122, insert:

7 (c) If a customer of a telecommunications company requests
8 that service be discontinued on a date before the end of the
9 customer's normal billing period, the customer charge for that
10 period shall be calculated by identifying the number of days
11 that service is provided in the billing period, up to and
12 including the date that service is discontinued, dividing that
13 number by the number of days in the billing period, and
14 multiplying the resulting fraction by the normal charge for the
15 billing period. The telecommunications company shall credit the
16 customer's account or issue a refund for any overpayment to

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17 reflect the amount due as calculated pursuant to this paragraph.
18 The credit or refund must be provided within 30 days after the
19 service is discontinued or the date of the customer's next
20 regular bill following discontinuance, whichever is later.
21 Notwithstanding any other provision of law to the contrary, the
22 Department of Agriculture and Consumer Services shall impose an
23 administrative fine equal to 10 times the credit or refund
24 amount upon any telecommunications company that fails to provide
25 a credit or refund as specified in this paragraph. This
26 provision does not reduce any applicable contractual penalty or
27 fee that applies when a customer discontinues service during the
28 term of a contract if such customer has agreed to take service
29 from the telecommunications company at a specified rate for the
30 full term of the contract and the term of the contract includes
31 more than one billing period.

32 (d) Fines collected by the department under this section
33 shall be remitted to its General Inspection Trust Fund.

34 (e) The department may adopt rules to implement paragraphs
35 (b) and (c) of this subsection.
36