



General Assembly

Amendment

January Session, 2005

LCO No. 7670

HB0512607670HDO

Offered by:

REP. FONTANA, 87th Dist.

SEN. FONFARA, 1st Dist.

To: Subst. House Bill No. 5126

File No. 219

Cal. No. 205

**"AN ACT CONCERNING CELLULAR MOBILE TELEPHONE
NUMBER DIRECTORIES AND INFORMATION ON CUSTOMER
SERVICE."**

1 Strike sections 1 to 3, inclusive, in their entirety, renumber the
2 remaining section accordingly and substitute the following in lieu
3 thereof:

4 "Section 1. Section 16-247s of the general statutes is repealed and the
5 following is substituted in lieu thereof (*Effective from passage*):

6 (a) For purposes of this section, "carrier" means a cellular mobile
7 telephone carrier, a reseller of service provided by a cellular mobile
8 telephone carrier or a retailer of a mobile service, as mobile service is
9 defined in 47 USC 153.

10 (b) Each certified telecommunications provider, as defined in
11 section 16-1, that provides local exchange service to customers in the
12 state shall provide without charge to a telephone company serving

13 more than one hundred thousand customers for directory assistance
14 purposes all listings for its Connecticut customers other than those
15 listings that are nonpublished. Such telephone company, or its agent or
16 affiliate as applicable, shall, in accordance with the terms and
17 conditions set forth in the federal Telecommunications Act of 1996, as
18 from time to time amended, and any applicable order or regulation
19 adopted by the Federal Communications Commission thereunder,
20 including the availability and timing of updates and applicable rates,
21 compile all such listings and all listings for its own Connecticut
22 customers other than those that are nonpublished in a directory
23 assistance database and make all such listings contained in such
24 database available in electronic format to directory assistance
25 providers. If a customer requests a customer listing from a certified
26 telecommunications provider that does not provide directory
27 assistance, such provider shall connect the customer at no charge with
28 an entity that provides directory assistance to the customer. Each such
29 certified telecommunications provider shall indemnify a telephone
30 company for any damages caused by that certified telecommunications
31 provider's negligence in misidentifying a nonpublished customer.

32 (c) Unless required by law, no carrier may disclose the cellular
33 telephone number, name or address of a customer to another person
34 for use as a listing in a directory assistance data base or for publication
35 or listing in a directory unless such customer authorizes such
36 disclosure in accordance with the provisions of subsection (d) of this
37 section.

38 (d) The customer's authorization permitted under subsection (c) of
39 this section shall be obtained through a separate question, given orally,
40 by written record or by electronic means, provided such carrier shall
41 maintain a record or copy of such authorization for as long as the
42 person is a customer of such carrier.

43 (e) A customer who gives the authorization permitted under
44 subsection (c) of this section may revoke such authorization at any
45 time. A carrier shall comply with a request to revoke authorization no

46 later than sixty days after receiving such a request.

47 (f) No carrier may charge a fee to a customer or refuse to provide
48 service to a person for declining to give the authorization permitted
49 under subsection (c) of this section.

50 (g) No person may distribute a directory containing the name or
51 cellular mobile telephone number information of a customer of a
52 carrier who has not given an authorization in accordance with the
53 provisions in subsection (d) of this section.

54 (h) Failure to comply with any provisions of subsections (c) to (g),
55 inclusive, of this section shall constitute an unfair or deceptive trade
56 practice under section 42-110b.

57 Sec. 2. (NEW) (*Effective October 1, 2005*) (a) For purposes of this
58 section and section 16-49 of the general statutes, as amended by this
59 act, "carrier" means a cellular mobile telephone carrier or a reseller of
60 service provided by a cellular mobile telephone carrier.

61 (b) The Department of Public Utility Control shall receive customer
62 inquiries and complaints regarding cellular mobile telephone service
63 in the state. For purposes of this section, complaints do not include
64 customer complaints not previously referred to such customer's
65 carrier. Not later than January 1, 2006, the Department of Public Utility
66 Control shall provide a toll-free telephone number and Internet web
67 site at which members of the public may submit to the department
68 their information inquiries and complaints regarding activations,
69 disputed bills, collections, deactivations, equipment problems,
70 network trouble and other service problems. The department shall also
71 accept such inquiries and complaints by mail.

72 (c) Not later than January 1, 2006, each carrier shall notify each of its
73 customers concerning such toll-free telephone number, Internet web
74 site address and the address of the department for submitting such
75 inquiries and complaints. Beginning not later than January 1, 2006,
76 and, ending on January 1, 2008, each such carrier shall disclose to all

77 new customers at the point of sale or contract the toll-free telephone
78 number, Internet web site address and the address of the department
79 for submitting such inquiries and complaints.

80 (d) Not later than March 1, 2007, and March 1, 2008, the department
81 shall prepare a report for the preceding calendar year containing
82 information on carrier customer inquiries and complaints. Such report
83 shall include information on consumer complaints regarding
84 activations, disputed bills, collections, deactivations, equipment
85 problems, network trouble and other service problems of carriers as
86 may be relevant for the purposes of the report, provided the report
87 may not include any information that may be a violation of section 42-
88 110b of the general statutes. The information may include an analysis
89 of such complaints and recommendations to address problems raised
90 by customers. The department shall make the report available to the
91 Attorney General and the public, on request and on the department's
92 Internet web site.

93 (e) The department shall, within available appropriations, carry out
94 its responsibilities under this section."