



General Assembly

**Amendment**

January Session, 2009

LCO No. 7092

\*HB0660807092HRO\*

Offered by:

REP. WILLIAMS, 68<sup>th</sup> Dist.

REP. HAMZY, 78<sup>th</sup> Dist.

To: Subst. House Bill No. 6608

File No. 519

Cal. No. 348

**"AN ACT CONCERNING CONSUMER PROTECTION IN  
TELECOMMUNICATIONS COMPANIES."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

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 Section 16-247p of the general statutes is repealed and the  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

5 (a) [Not later than April 1, 2000, the Department of Public Utility  
6 Control shall, by regulations adopted pursuant to chapter 54, establish  
7 quality-of-service standards that shall apply to all telephone  
8 companies and certified telecommunications providers and to all  
9 telecommunications services. Such standards shall include, but not be  
10 limited to, measures relating to customer trouble reports, service  
11 outages, installation appointments and repeat problems as well as  
12 timeliness in responding to complaints or reports. The department  
13 shall include with the quality of service standards methodologies for  
14 monitoring compliance with and enforcement of such standards. Such  
15 monitoring shall include input from employees of telephone

16 companies and certified telecommunications providers, including  
17 members of collective bargaining units.] Each telephone company and  
18 certified telecommunications provider shall subject its retail basic local  
19 exchange service to the following monthly quality-of-service  
20 standards:

21 (1) Receiving no more than two and one-quarter trouble reports per  
22 hundred working access lines, excluding (A) service trouble reports  
23 originating outside the company's or provider's network, including,  
24 but not limited to, customer-owned wiring and equipment, and (B)  
25 subsequent trouble reports regarding the same incident;

26 (2) Meeting no less than ninety per cent of maintenance  
27 appointments, which percentage shall be calculated by dividing the  
28 number of appointments missed by the total number of initial service  
29 trouble reports, excluding service trouble reports originating outside  
30 the company's or provider's network, including, but not limited to,  
31 customer-owned wiring and equipment;

32 (3) Meeting no less than ninety per cent of installation  
33 appointments, which percentage shall be calculated by dividing the  
34 number of appointments missed by the total number of installation  
35 service orders;

36 (4) Completing no less than ninety-five per cent of such service  
37 orders within five business days unless the customer agrees to a  
38 different installation date;

39 (5) Clearing no less than ninety per cent of out-of-service repair  
40 requests received by such company or provider from its customers in  
41 any given twenty-four-hour period within twenty-four hours,  
42 excluding from the percentage calculation service outages (A) for  
43 which adverse weather conditions impede repairs, (B) caused by third-  
44 party actions, (C) for which such company or provider cannot gain  
45 access to the customer's premises, (D) for which the customer agrees to  
46 a repair appointment more than twenty-four hours after the initial  
47 service call, (E) that affect service to the offices of such company or

48 provider, or an affiliate thereof, or to any customer who is not charged  
 49 for the service provided, and (F) related to problems with customer-  
 50 owned wiring and equipment or other problems outside the network  
 51 of such company or provider. For purposes of this subdivision, the  
 52 twenty-four-hour repair period does not include hours from 8:00 p.m.  
 53 until 8:00 a.m., Sundays, and holidays observed by the state.

54 (b) [Not later than April 1, 2000, the department shall, by  
 55 regulations adopted pursuant to chapter 54, establish comprehensive  
 56 performance standards and performance based reporting requirements  
 57 for functions provided by a telephone company to a certified  
 58 telecommunications provider, including, but not limited to, telephone  
 59 company performance relating to customer ordering, preordering,  
 60 provisioning, billing, maintenance and repair. Such service standards  
 61 shall be sufficiently comprehensive to ensure that a telephone  
 62 company meets its obligations under 47 USC 251. Such regulations  
 63 may also contain provisions the department deems necessary to  
 64 prevent anticompetitive actions by any telephone company or certified  
 65 telecommunications provider.] After failing to meet any standard  
 66 established pursuant to subsection (a) of this section for any  
 67 consecutive two-month period or any three months in a twelve-month  
 68 period, the department shall impose a significant daily fine equal to a  
 69 standard percentage of the company's annual gross revenue earned in  
 70 the state. The fine shall continue to be assessed until the company  
 71 meets the standard. The department shall transfer the proceeds from  
 72 such fines to the General Fund. Any company providing wholesale  
 73 service that causes its wholesale customer to fail to meet the retail  
 74 standards established pursuant to subsection (a) of this section shall  
 75 pay any fines incurred by such wholesale customer pursuant to this  
 76 subsection."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	16-247p
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