



General Assembly

Amendment

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LCO No. 8750

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Offered by:

REP. REED, 102nd Dist.

SEN. DUFF, 25th Dist.

SEN. BYE, 5th Dist.

To: Subst. House Bill No. 6401

File No. 129

Cal. No. 111

"AN ACT CONCERNING INTERCONNECTED VOICE OVER INTERNET PROTOCOL SERVICE AND INTERNET PROTOCOL-ENABLED SERVICE."

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

3 "Section 1. (NEW) (*Effective July 1, 2013*) (a) For the purposes of this
4 section:

5 (1) "Interconnected voice over Internet protocol service" means any
6 service that (A) enables real-time, two-way voice communications that
7 originate or terminate from the user's location using Internet protocol
8 or a successor protocol, (B) uses a broadband connection from the
9 user's location, and (C) permits users generally to receive calls that
10 originate on the public-switched telephone network and to terminate
11 calls to the public-switched telephone network; and

12 (2) "Internet protocol-enabled service" means any service, capability,

13 functionality or application provided using Internet protocol or a
14 successor protocol, other than interconnected voice over Internet
15 protocol service, that enables an end user to send or receive a
16 communication in Internet protocol format or a successor format,
17 regardless of whether the communication is voice, data or video.

18 (b) Except as set forth in subsections (c) to (e), inclusive, of this
19 section, and notwithstanding any other provision of the general
20 statutes or any special act, no department, authority, agency,
21 commission or political subdivision of the state shall enact, adopt or
22 enforce, either directly or indirectly, any law, rule, regulation,
23 ordinance, standard, order or other provision having the force or effect
24 of law that regulates, or has the effect of regulating, the entry, rates,
25 terms or conditions of interconnected voice over Internet protocol
26 service or Internet protocol-enabled service.

27 (c) Subsection (b) of this section shall not be construed to affect the
28 authority of the Attorney General to apply and enforce the Connecticut
29 Unfair Trade Practices Act, sections 42-110a to 42-110q, inclusive, of
30 the general statutes, or other consumer protection laws of general
31 applicability.

32 (d) Subsection (b) of this section shall not be construed to (1) affect,
33 mandate or prohibit the assessment of enhanced 9-1-1 fees,
34 telecommunications relay service fees or lifeline service fees on
35 interconnected voice over Internet protocol service or any other voice
36 over Internet protocol service, or (2) affect the authority of the Public
37 Utilities Regulatory Authority pursuant to subsection (a) of section 16-
38 247e or section 16-32e of the general statutes.

39 (e) Subsection (b) of this section shall not be construed to (1) modify
40 or affect (A) the rights, duties, obligations or authority of any entity
41 pursuant to the provisions of 47 USC 251, 47 USC 252, any applicable
42 tariff, or any state law, rule, regulation or order related to wholesale
43 rights, duties and obligations, including the rights, duties and
44 obligations of local exchange carriers to interconnect and exchange

45 voice traffic, or (B) the enforcement and other power of the Public
46 Utilities Regulatory Authority with respect to subparagraph (A) of this
47 subdivision, (2) modify or affect the power of the Public Utilities
48 Regulatory Authority to implement, carry out and enforce such
49 provisions, tariff, rights, duties or obligations through arbitration
50 proceedings or other available mechanisms and procedures, (3) affect
51 the payment of switched network access rates or other intercarrier
52 compensation rates, as applicable, (4) modify or affect any duty or
53 obligation with respect to the provision of video or cable service by
54 any entity pursuant to chapter 289 of the general statutes or any other
55 applicable law or regulation, or (5) affect the establishment or
56 enforcement of standards, requirements or procedures, including
57 procurement policies, applicable to any department, authority, agency,
58 commission or political subdivision of the state, or to the employees,
59 agents or contractors of a department, authority, agency, commission
60 or political subdivision of the state, solely relating to the protection of
61 intellectual property, provided nothing in this subdivision shall have
62 the affect of regulating interconnected voice over Internet protocol
63 service or Internet protocol-enabled service pursuant to subsection (b)
64 of this section.

65 Sec. 2. (NEW) (*Effective January 1, 2014*) (a) The Public Utilities
66 Regulatory Authority shall conduct a performance review proceeding
67 for each person, entity or company holding a certificate of public
68 convenience and necessity to provide community antenna television
69 service, a certificate of cable franchise authority or a certificate of video
70 franchise authority, as such terms are defined in section 16-1 of the
71 general statutes, to ensure compliance with the terms and conditions of
72 any such certificate. The authority may consolidate such proceedings.
73 During each such proceeding, the authority may review issues relating
74 to compliance with applicable laws and regulations regarding
75 customer service, customer notification, community access support,
76 management of outages and cooperation with the authority.

77 (b) The authority may conduct subsequent review proceedings of
78 any such person, entity or company at intervals of not less than five

79 years. Any such subsequent review proceeding shall be limited to a
 80 review of those conditions or requirements specifically set forth in the
 81 general statutes.

82 (c) Any proceeding conducted pursuant to subsection (a) or (b) of
 83 this section shall be an uncontested case and shall include an
 84 opportunity for a public hearing. The Attorney General and the Office
 85 of Consumer Counsel shall be parties to any such proceeding.

86 Sec. 3. (NEW) (*Effective January 1, 2014*) Each person, entity or
 87 company providing video or cable service pursuant to chapter 289 of
 88 the general statutes shall include on each customer's bill the mailing
 89 address and telephone number of the Public Utilities Regulatory
 90 Authority for questions or complaints.

91 Sec. 4. (NEW) (*Effective January 1, 2014*) Each person, entity or
 92 company providing video or cable service pursuant to chapter 289 of
 93 the general statutes shall inform customers of the terms and either the
 94 length or termination date of any promotion for services accepted by a
 95 customer at least once within each twelve-month period from the
 96 inception of the promotion. This requirement does not apply to any
 97 promotion that is equal to or less than three months in length."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	New section
Sec. 2	<i>January 1, 2014</i>	New section
Sec. 3	<i>January 1, 2014</i>	New section
Sec. 4	<i>January 1, 2014</i>	New section