

SENATE BILL REPORT

SB 6669

As of January 31, 2000

Title: An act relating to timelines for businesses ordering telecommunications service.

Brief Description: Providing timelines for businesses ordering telecommunications service.

Sponsors: Senators Finkbeiner, Brown, Rossi, Shin and Jacobsen.

Brief History:

Committee Activity: Energy, Technology & Telecommunications: 2/1/2000.

SENATE COMMITTEE ON ENERGY, TECHNOLOGY & TELECOMMUNICATIONS

Staff: Andrea McNamara (786-7483)

Background: Current law places a general obligation on telecommunications companies to furnish, upon reasonable notice, suitable and proper facilities, connections, and services as demanded by customers.

What constitutes reasonable notice is not defined in law, nor are remedies provided for if a company fails to furnish the requested facilities or services within a reasonable time.

State administrative rules, adopted by the Washington Utilities and Transportation Commission (WUTC) require that local exchange companies complete at least 90 percent of orders for up to five residential or business primary exchange access lines within five business days, and 99 percent of all orders for primary exchange lines must be completed within 90 days.

In 1996, the WUTC initiated a customer service guarantee program for U.S. West which was revised in 1998. Under the program, U.S. West must offer cellular service (or credits) to any customer whose basic service is delayed longer than five business days (previously 30 days). The commission has declined to provide liquidated damages for residential or business customers who experience delays in service but requires U.S. West to pay customers \$50 if it misses an installation appointment without notice.

Summary of Bill: Timelines are set by which telecommunications companies have an obligation to provide telecommunications services ordered by business customers locating or relocating in existing commercial spaces.

For basic service (dial tone), if a business submits an application for service at least seven calendar days before they need service, the company must meet the scheduled date. For services other than basic service, carriers must meet installation dates that are scheduled at least 30 calendar days before the customer needs service.

If a telecommunications company cannot meet the scheduled date, it must promptly notify the customer, in writing, that there will be a delay, the reason(s) for the delay, and give a revised date when service will be provided.

In addition, for missed basic service dates, carriers must also provide cellular service or credit for cellular service for the same number of access lines as the customer had ordered until service is installed.

For missed advanced service installation dates, telecommunications companies must provide credit against future charges for any delays lasting longer than three days. Credits are to be calculated as the prorated amount of the monthly charge for the service times the number of days service is delayed.

Failure by a telecommunication company to comply with the basic service provisions entitles customers to elect liquidated damages in the amount of \$500 per violation, plus costs and attorney fees. Failure by a telecommunication company to comply with the advanced service provisions entitles customers to elect liquidated damages in the amount of \$1000 per violation plus costs and attorney fees.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.