1	L.D. 1932				
2	Date: (Filing No. H-)				
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4	Reproduced and distributed under the direction of the Clerk of the House.				
5	STATE OF MAINE				
6	HOUSE OF REPRESENTATIVES				
7	131ST LEGISLATURE				
8	SECOND REGULAR SESSION				
9 10	COMMITTEE AMENDMENT " " to H.P. 1240, L.D. 1932, "An Act to Requi Broadband Internet Access Service Providers to Prorate Customer Bills"				
11 12	Amend the bill by striking out everything after the enacting clause and inserting the following:				
13	'Sec. 1. 10 MRSA c. 237 is enacted to read:				
14	CHAPTER 237				
15	BROADBAND INTERNET ACCESS SERVICE				
16	§1500-U. Broadband Internet access service				
17 18	1. Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.				
19 20 21 22	A. "Broadband Internet access service" or "service" means a mass-market retail service by wire that provides the capability to transmit data to and receive data from all o substantially all Internet endpoints, including any capabilities that are incidental to an enable the operation of the service, excluding dial-up Internet access service.				
23 24	B. "Customer" means a current or former subscriber of broadband Internet access service.				
25	C. "Provider" means a person that provides broadband Internet access service.				
26 27 28 29 30	2. Service cancellation. A provider in the State shall provide a customer with a prorata credit or rebate for the days of the monthly billing period after the cancellation of broadband Internet access service if that customer requests cancellation of service 3 or more working days before the end of the monthly billing period. A customer is not eligible				

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bill to reference that definition.

in which the interruption occurred.

to the provision of broadband Internet access service.

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1	3. Interruption of service. Except as otherwise provided in this subsection, if			
2 3	broadband Internet access service to a customer is interrupted for 6 or more consecutive hours in a single billing period, the provider shall, upon request by the customer, grant that			
4	customer a pro rata credit or rebate. To receive a pro rata credit or rebate, a customer must			
5	submit the request to the provider no later than 60 days after the end of the billing period			
6	in which the interruption occurred.			
7	A customer is not eligible to receive a pro rata credit or rebate under this subsection for an			
8	interruption in broadband Internet access service if the interruption was caused by an access service if the interruption was caused by a constant of the interruption was caused by a constant of the interruption was caused by an access service if the interruption was caused by an access service if the interruption was caused by an access service if the interruption was caused by an access service if the interruption was caused by a constant of the interruption was caused by a constant of the interruption was caused by a constant of the interruption was access to the constant of the interruption was access to the constant of the interruption of the interruption was accessed by a constant of the interruption of			
9	beyond the reasonable control of the provider, including, but not limited to:			
10 11	A. A natural event, including, but not limited to, a fire, explosion, storm, hurricane, tornado, earthquake or flood;			
12	B. The actions of a 3rd party not working on behalf of the provider, including, but not			
13	limited to, the operation of a motor vehicle or excavation activities; or			
14	C. An interruption in service due to customer-owned equipment, customer wiring or			
15	the malfunction of equipment not owned by the provider on a utility pole.			
16	4. Notice to customers. A provider shall include on each customer bill for broadband			
17	Internet access service a notice regarding the customer's right to a pro rata credit or rebate			
18	for interruption of service upon request in accordance with subsection 3 or cancellation of			
19	service in accordance with subsection 2. The notice must include a toll-free telephone			
20	number and a telephone number accessible by a teletypewriter device or TTY for			
21	contacting the provider to request the pro rata credit or rebate. The notice must be in			
22 23	nontechnical language, understandable by the general public and printed in a prominent location on the bill in boldface type.			
24 25	5. Unfair trade practice violations. A violation of this chapter constitutes a violation of the Maine Unfair Trade Practices Act.'			
26	Amend the bill by relettering or renumbering any nonconsecutive Part letter or section			
27	number to read consecutively.			
28	SUMMARY			
29	This amendment replaces the bill and does the following.			
30	1. It moves the statutory allocation from the Maine Revised Statutes, Title 35-A to Title			
31 32	10 and specifies that a violation of the provisions enacted in the amendment constitutes a violation of the Maine Unfair Trade Practices Act.			
33 34	2. It defines "broadband Internet access service" to exclude wireless and dial-up Internet access service and updates the definitions of "customer" and "provider" from the			

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3. It provides that a customer is not eligible to receive a pro rata credit or rebate for service cancellation if the customer fails to return equipment of the service provider related

4. It requires a customer seeking a pro rata credit or rebate for interruption in service to submit a request to the provider no later than 60 days after the end of the billing period

5. It specifies that a	customer is not	eligible for a pro	rata credit or rebate for
interruption in service if	the interruption in	service was caus	ed by an act beyond the
reasonable control of the	provider.		

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