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STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT " " to COMMITTEE AMENDMENT "A" to H.P. 1240, L.D. 1932, "An Act to Require Broadband Internet Access Service Providers to Prorate Customer Bills"

Amend the amendment in section 1 in c. 237 in §1500-U by striking out all of subsection 3 (page 2, lines 1 to 13 in amendment) and inserting the following:

3. Interruption of service. Except as otherwise provided in this subsection, if 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 customer a pro rata credit or rebate. To receive a pro rata credit or rebate, a customer must submit the request to the provider no later than 60 days after the end of the billing period in which the interruption occurred.

A customer is not eligible to receive a pro rata credit or rebate under this subsection for an interruption in broadband Internet access service if the interruption was caused by an act beyond the reasonable control of the provider, including, but not limited to:

A. A natural event, including, but not limited to, a fire, explosion, storm, hurricane, tornado, earthquake or flood;

B. The actions of a 3rd party not working on behalf of the provider, including, but not limited to, the operation of a motor vehicle or excavation activities; or

C. An interruption in service due to customer-owned equipment, customer wiring or the malfunction of equipment not owned by the provider on a utility pole.'

Amend the amendment in section 1 in c. 237 in §1500-U in subsection 4 in the 3rd line (page 2, line 16 in amendment) by inserting after the following: "interruption of service" the following: 'upon request'

Amend the amendment in section 1 in c. 237 in §1500-U in subsection 4 in the 6th line (page 2, line 19 in amendment) by striking out the following: "regarding" and inserting the following: 'to request'

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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SUMMARY

This amendment removes the requirement in Committee Amendment "A" that a provider notify a customer of the reason for an interruption of broadband Internet access service if the service is interrupted for 6 or more consecutive hours in a single monthly billing period and, if the interruption in service is not caused by an act beyond the reasonable control of the provider, provide the customer with a pro rata credit or rebate during the billing period following the interruption. Instead, the amendment 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 in which the interruption occurred. Finally, the amendment specifies that a customer is not eligible for a pro rata credit or rebate for interruption in service if the interruption in service was caused by an act beyond the reasonable control of the provider.

SPONSORED BY: _____

(Representative FAY, J.)

TOWN: Raymond