

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FOUR

—
H.P. 1240 - L.D. 1932

**An Act to Require Broadband Internet Access Service Providers to Prorate
Customer Bills**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA c. 237 is enacted to read:

CHAPTER 237

BROADBAND INTERNET ACCESS SERVICE

§1500-U. Broadband Internet access service

1. Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

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 or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the service, excluding dial-up Internet access service.

B. "Customer" means a current or former subscriber of broadband Internet access service.

C. "Provider" means a person that provides broadband Internet access service.

2. Service cancellation. A provider in the State shall provide a customer with a pro rata 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 to receive a pro rata credit or rebate under this subsection if the customer fails to return equipment of the provider related to the provision of broadband Internet access service.

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.

4. Notice to customers. A provider shall include on each customer bill for broadband Internet access service a notice regarding the customer's right to a pro rata credit or rebate for interruption of service upon request in accordance with subsection 3 or cancellation of service in accordance with subsection 2. The notice must include a toll-free telephone number and a telephone number accessible by a teletypewriter device or TTY for contacting the provider to request the pro rata credit or rebate. The notice must be in nontechnical language, understandable by the general public and printed in a prominent location on the bill in boldface type.

5. Unfair trade practice violations. A violation of this chapter constitutes a violation of the Maine Unfair Trade Practices Act.