

§7109. Unlawful telephone charges

1. Unauthorized and duplicative line-item charges prohibited. A telephone utility may not charge a customer for, or include as a separate line-item charge on the customer's bill, any charge unless that charge represents:

- A. An actual service or fee authorized by the customer; or [PL 2009, c. 36, §2 (NEW).]
- B. An actual tax, fee or charge authorized or required by federal or state law or by a federal or state agency rule or order. [PL 2009, c. 36, §2 (NEW).]

A telephone utility may not include in a line-item charge on a customer's bill any element of the telephone utility's costs that is charged for elsewhere on the customer's bill.

[PL 2009, c. 36, §2 (NEW).]

2. Description of line-item charges required. A telephone utility shall provide on the customer's bill a brief, clear, nonmisleading, plain language description of each line-item charge included on the bill and the authorized service, tax or fee represented by that line-item charge.

[PL 2009, c. 36, §2 (NEW).]

3. Enforcement. In addition to any authority the commission may have pursuant to other law, the commission may impose an administrative penalty upon a telephone utility for violation of this section. The amount of any administrative penalty imposed under this subsection may not exceed \$1,000 per violator for violations arising out of the same incident or complaint and must be based on:

- A. The severity of the violation, including the intent of the violator and the nature, circumstances, extent and gravity of any prohibited acts; [PL 2009, c. 36, §2 (NEW).]
- B. The history of previous violations by the violator; [PL 2009, c. 36, §2 (NEW).]
- C. The amount necessary to deter future violations; [PL 2009, c. 36, §2 (NEW).]
- D. Good faith attempts to comply after notification of a violation; and [PL 2009, c. 36, §2 (NEW).]
- E. Such other matters as justice requires. [PL 2009, c. 36, §2 (NEW).]

The commission shall provide a simple process for a customer of a telephone utility to report to the commission a line-item charge that the customer believes may violate this section.

This subsection is not intended to limit any enforcement action or penalty pursued by the Attorney General for violations of Title 5, chapter 10 where applicable.

[PL 2009, c. 36, §2 (NEW).]

SECTION HISTORY

PL 2009, c. 36, §2 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.