

1999 SENATE BILL 248

October 5, 1999 – Introduced by Senators JAUCH, ERPENBACH, PLACHE, DARLING and ROESSLER, cosponsored by Representatives WASSERMAN, HUTCHISON, SCHNEIDER, MUSSER, MILLER, BLACK, BOCK, GUNDERSON, SINICKI, WILLIAMS, BERCEAU and REYNOLDS. Referred to Committee on Privacy, Electronic Commerce and Financial Institutions.

1 **AN ACT** *to amend* 196.219 (2) (b) and 196.219 (2) (c); and *to create* 196.219 (2)
2 (cm) and 196.219 (3m) of the statutes; **relating to:** requiring certain
3 disclosures in advertising per-minute rates for long distance service and
4 providing a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits a telecommunications provider from advertising a per-minute rate for residential or business long distance service unless the advertisement clearly and conspicuously discloses all conditions, restrictions and charges associated with using the long distance service, including whether the rate is an introductory rate, and discloses the per-minute cost of the long distance service to an average residential or business customer of the telecommunications provider. In addition, if the per-minute rate is an introductory rate, the advertisement must clearly and conspicuously disclose the period during which the introductory rate is in effect and the rate that will be charged at the expiration of the introductory rate.

The bill also requires a telecommunications provider that charges a rate for long distance service that is not a per-minute rate to clearly and conspicuously disclose on the bill for the service the per-minute cost of the service under the rate that is charged.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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1 **SECTION 1.** 196.219 (2) (b) of the statutes is amended to read:

2 196.219 **(2)** (b) On petition, the commission may, except as provided in par.
3 (cm). grant an exemption from a requirement under this section upon a showing that
4 the exemption is reasonable and not in conflict with the factors under s. 196.03 (6).

5 **SECTION 2.** 196.219 (2) (c) of the statutes is amended to read:

6 196.219 **(2)** (c) On petition, the commission may, except as provided in par. (cm),
7 grant an exemption from a requirement under this section retroactively if the
8 application of the requirement would be unjust and unreasonable considering the
9 factors under s. 196.03 (6) or other relevant factors.

10 **SECTION 3.** 196.219 (2) (cm) of the statutes is created to read:

11 196.219 **(2)** (cm) The commission may not grant an exemption from the
12 requirements of sub. (3m).

13 **SECTION 4.** 196.219 (3m) of the statutes is created to read:

14 196.219 **(3m)** PER-MINUTE LONG DISTANCE ADVERTISING. (a) In this subsection,
15 “long distance” means interstate or intrastate interlata long distance within the
16 continental United States.

17 (b) A telecommunications provider may not advertise a per-minute rate for
18 long distance service unless the advertisement clearly and conspicuously discloses
19 each of the following:

20 1. All conditions, restrictions and charges associated with using the long
21 distance service, including whether the per-minute rate is an introductory rate.

22 1m. If the per-minute rate is an introductory rate, the period during which the
23 introductory rate is in effect and the rate that will be charged at the expiration of the
24 introductory period.

