

1999 SENATE BILL 454

March 8, 2000 – Introduced by Senators LAZICH, A. LASEE and ROESSLER, cosponsored by Representatives ALBERS, STONE, HASENOHRL, MEYERHOFER and RYBA. Referred to Committee on Health, Utilities, Veterans and Military Affairs.

1 **AN ACT to renumber** 196.202 (5); **to renumber and amend** 196.198 (1); **to**
2 **amend** 196.198 (title) and 196.31 (1m); and **to create** 196.198 (1) (b), 196.198
3 (4) and 196.202 (5) (b) of the statutes; **relating to:** requiring itemization of calls
4 charged by commercial mobile radio service providers and notice of charges for
5 certain intralata telephone calls.

Analysis by the Legislative Reference Bureau

Under this bill, if a customer places an intralata time charged call with a telecommunications provider, the telecommunications provider must advise the customer that the call is subject to a rate that is in addition to the customer's local monthly service rate and identify the rate that applies to the call. In addition, the telecommunications provider must give the customer the opportunity to terminate the call before charging the customer for the call. An "intralata time charged call" is defined as a call placed within the boundaries of a local access and transport area that is subject to a rate that is based on the length of time of the call and that is in addition to a monthly local service rate.

The bill also requires that a commercial mobile radio service provider provide a customer with periodic billing statements that itemize each call that is billed to the customer. A "commercial mobile radio service provider" is a telecommunications provider that is authorized by the Federal Communications Commission to provide commercial mobile service, such as cellular phone service. In addition, the bill prohibits a commercial mobile radio service provider from imposing an additional charge on a customer for itemizing the calls.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 196.198 (title) of the statutes is amended to read:

2 **196.198 (title) Local measured telecommunications service; intralata**
3 **time charged calls.**

4 **SECTION 2.** 196.198 (1) of the statutes is renumbered 196.198 (1) (intro.) and
5 amended to read:

6 196.198 (1) (intro.) In this section, “extended;

7 (a) “Extended community telephone service” means a telecommunications
8 service by which a customer in one exchange may call a customer in another
9 exchange or combination of exchanges under a discounted toll charge plan.

10 **SECTION 3.** 196.198 (1) (b) of the statutes is created to read:

11 196.198 (1) (b) “Intralata time charged call” means an intralata call that is
12 subject to a rate that is based on the length of time of the call and that is in addition
13 to a monthly local service rate.

14 **SECTION 4.** 196.198 (4) of the statutes is created to read:

15 196.198 (4) If a customer places an intralata time charged call with a
16 telecommunications provider, the telecommunications provider shall advise the
17 customer that the call is subject to a rate that is in addition to the customer’s monthly
18 local service rate, identify the rate that applies to the call and provide the customer
19 with the opportunity to terminate the call before the customer is charged for the call.
20 A telecommunications provider that violates this subsection shall forfeit \$5,000 for
21 each violation.

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1 **SECTION 5.** 196.202 (5) of the statutes is renumbered 196.202 (5) (a).

2 **SECTION 6.** 196.202 (5) (b) of the statutes is created to read:

3 196.202 **(5)** (b) The periodic billing statement that a commercial mobile radio
4 service provider provides to a customer shall include an itemization of each call billed
5 to the customer. A commercial mobile radio service provider may not impose an
6 additional charge on a customer for itemizing calls under this paragraph.

7 **SECTION 7.** 196.31 (1m) of the statutes is amended to read:

8 196.31 **(1m)** The commission shall compensate any consumer group or
9 consumer representative for all reasonable costs of participating in a hearing under
10 s. 196.196 (1) (g) or 196.198 (3).

11 **SECTION 8. Nonstatutory provisions.**

12 (1) No later than the first day of the 3rd month beginning after the effective date
13 of this subsection, a telecommunications provider shall, except as provided in
14 subsection (2), submit a plan to the public service commission that describes the
15 steps the telecommunications provider will take to ensure that, no later than the first
16 day of the 6th month beginning after the effective date of this subsection, the
17 telecommunications provider will be in compliance with the requirements of section
18 196.198 (4) of the statutes, as created by this act.

19 (2) A telecommunications provider is not required to submit a plan to the public
20 service commission under subsection (1) if, no later than the first day of the 3rd
21 month beginning after the effective date of this subsection, the telecommunications
22 provider certifies to the public service commission that, on the first day of the 3rd
23 month beginning after the effective date of this subsection, the telecommunications
24 provider will be in compliance with the requirements of section 196.198 (4) of the
25 statutes, as created by this act.

