



HOUSE BILL No. 4948

October 5, 1999, Introduced by Reps. Lemmons, Vaughn, Garza, Brewer, Clark, Hager, Clarke, Minore, Reeves, Thomas, Daniels, Brater, Price, Hale, Tesanovich, Scott, DeWeese and Jacobs and referred to the Committee on Energy and Technology.

A bill to amend 1991 PA 179, entitled
"Michigan telecommunications act,"
by amending section 317 (MCL 484.2317), as added by 1995 PA 216.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 317. (1) The commission shall adopt operating require-
2 ments for operator service providers. The requirements shall
3 include ALL OF the following:

4 (a) That an OSP shall furnish each entity with which the OSP
5 contracts to provide operator service a sticker, card, or other
6 form of information for each telephone that has access to the
7 operator service. The information shall include the name of the
8 operator service provider, a toll-free customer service telephone
9 number, and a statement that charges imposed by the operator
10 service provider may be obtained by calling the toll-free
11 telephone number. The operator service provider shall require by

1 contract that the entity receiving the information display the
2 information on or near each of the telephones that has access to
3 the service.

4 (b) Prior to the connection of each call, the operator serv-
5 ice provider shall do all of the following:

6 (i) Announce the operator service provider's name.

7 (ii) Quote, at the caller's request and without charge, the
8 rate and any other fees or surcharges applicable to the call
9 charged by the operator service provider.

10 (c) Allow a caller to choose the carrier of his or her
11 choice by doing either of the following:

12 (i) After informing the caller that the rates for the call
13 may not reflect the rates for a call from the location of the
14 caller and receiving the caller's consent, transfer the caller to
15 the carrier of his or her choice without charge.

16 (ii) Instruct the caller how to reach his or her carrier of
17 choice by dialing the carrier's 950, 1-800, or 10-XXX access
18 service method.

19 (d) Allow callers to the operator service provider to reach
20 emergency services without charge.

21 (2) An operator service provider shall not provide operator
22 services in this state without first registering with the
23 commission. The registration shall include the following
24 information:

25 (a) The name of the provider.

26 (b) The address of the provider's principal office.

1 (c) If the provider is not located in this state, the
2 address of the registered office and the name of the registered
3 agent authorized to receive service of process in this state.

4 (d) Any other information that the commission may require.

5 (3) The registration shall be accompanied with a registra-
6 tion fee of \$100.00.

7 (4) The registration is effective immediately upon filing
8 with the commission and the payment of the registration fee and
9 shall remain in effect for 1 year from its effective date.

10 (5) A registration may be renewed for 1 year by filing with
11 the commission a renewal registration on a form provided by the
12 commission and the payment of a renewal fee of \$100.00.

13 (6) Except as otherwise authorized by the commission, a pro-
14 vider under this section shall not charge a rate for operator
15 services or toll service that is greater than ~~300% of~~ the state
16 average rate for operator or toll service by providers of regu-
17 lated toll service.

18 (7) A provider shall not discontinue basic local exchange
19 service for failure by a person to pay an OSP charge.

20 (8) In addition to any other penalty under this act, a
21 person who is charged for the use of an operator service provider
22 or is denied access to emergency services in violation of this
23 section may bring a civil action against the OSP to recover
24 actual damages or \$250.00, whichever is greater, plus all reason-
25 able attorney fees.