

SENATE BILL NO. 184

February 2, 1999, Introduced by Senator BYRUM and referred to the Committee on Technology and Energy.

A bill to amend 1991 PA 179, entitled
"Michigan telecommunications act,"
(MCL 484.2101 to 484.2604) by adding section 507.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 507. (1) ALL BILLINGS BY A TELECOMMUNICATIONS PROVIDER
2 SHALL BE WRITTEN IN A CLEAR AND CONSPICUOUS MANNER AND PROVIDE
3 THE NECESSARY INFORMATION TO ALLOW AN END-USER TO MAKE INFORMED
4 DECISIONS REGARDING SERVICES AND SERVICE PROVIDERS.

5 (2) ALL BILLINGS SHALL BE CLEARLY ORGANIZED AND SHALL
6 INCLUDE, BUT NOT BE LIMITED TO, ALL OF THE FOLLOWING:

7 (A) IDENTIFICATION OF ANY NEW CHARGES OR CHANGES TO THE
8 END-USER'S SERVICES FROM THE PREVIOUS BILLING PERIOD.

9 (B) COMPLETE DESCRIPTIONS OF ALL CHARGES AND THE SERVICE
10 PROVIDER RESPONSIBLE FOR EACH CHARGE, INCLUDING THE PROVIDER'S
11 ADDRESS AND TOLL-FREE TELEPHONE NUMBER.

1 (C) INFORMATION REGARDING HOW THE END-USER MAY DISPUTE A
2 CHARGE AND HOW TO FILE A COMPLAINT WITH THE COMMISSION UNDER THIS
3 ACT.

4 (3) UPON THE RECEIPT OF A COMPLAINT FILED BY A PERSON ALLEG-
5 ING A VIOLATION OF THIS SECTION OR UPON THE COMMISSION'S OWN
6 MOTION, THE COMMISSION MAY CONDUCT A CONTESTED CASE AS PROVIDED
7 UNDER SECTION 203.

8 (4) IF THE COMMISSION FINDS THAT A PERSON HAS VIOLATED THIS
9 SECTION, THE COMMISSION SHALL ORDER REMEDIES AND PENALTIES AS
10 PROVIDED BY THIS ACT.

11 (5) IF THE COMMISSION FINDS THAT A PARTY'S COMPLAINT OR
12 DEFENSE FILED UNDER THIS SECTION IS FRIVOLOUS, THE COMMISSION
13 SHALL AWARD TO THE PREVAILING PARTY COSTS, INCLUDING REASONABLE
14 ATTORNEY FEES, AGAINST THE NONPREVAILING PARTY AND THEIR
15 ATTORNEY.

16 (6) THE COMMISSION SHALL REVIEW AND MAKE RECOMMENDATIONS
17 REGARDING PROCEDURES THAT TELECOMMUNICATIONS PROVIDERS MAY ADOPT
18 TO ENSURE THAT SERVICES ARE NOT ADDED TO AN END-USER'S SERVICE
19 PACKAGE WITHOUT THE END-USER'S AUTHORIZATION.

20 (7) AS USED IN THIS SECTION:

21 (A) "END USER" MEANS THE RETAIL SUBSCRIBER OF A TELECOMMUNI-
22 CATIONS SERVICE.

23 (B) "TELECOMMUNICATIONS PROVIDER" OR "PROVIDER" MEANS A
24 PERSON THAT PROVIDES 1 OR MORE TELECOMMUNICATIONS SERVICES FOR
25 COMPENSATION.