

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 2912

FISCAL
NOTE

2015 Carryover

(BY DELEGATE R. SMITH)

[Introduced January 13, 2016; referred to the
Committee on the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §24-2E-3, relating to third-party telecommunications services provided to
 3 residential and business consumers yet billed through the customer's telephone company
 4 or telecommunications service provider.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §24-2E-3, to read as follows:

ARTICLE 2E. REQUIREMENTS FOR PHONE SERVICE SALES.

§24-2E-3. Third-party telecommunications services offered to end-users.

1 A third-party telecommunication vendor is any business entity that provides any form of
 2 service to business or residential end-users of telecommunications networks other than basic
 3 local exchange services and that relies upon the telephone company or customer
 4 telecommunications service provider to bill and receive payment from the end-user for the
 5 enhanced or resold services. The telephone company or telecommunications service provider
 6 that provides billing services to a third-party telecommunications vendor shall provide regular and
 7 prompt payment to the third-party telecommunications vendor of all moneys received for the
 8 services so billed, together with an accurate accounting thereof. The telephone company or
 9 telecommunications service provider shall include in its tariff plan and application for approval of
 10 tariffs and rates a list or schedule of every third-party telecommunication vendor for which it
 11 provides billing services and the agreed amount to be provided to the vendor for each kind of
 12 service so billed. In the event of a dispute presented by the third-party telecommunication
 13 vendor concerning the amount or the timeliness of the payment due, the telephone company or
 14 telecommunications service shall make a full and prompt investigation and report the results
 15 thereof to the vendor and to the commission. Upon application for relief by the third-party

- 16 telecommunication vendor to the commission, the commission may exercise any of the powers
17 granted under article two of this chapter to make a determination of the merits of the application
18 and provide reasonable relief to correct the situation.

NOTE: The purpose of this bill is to specify the duties of a telephone company with regard to other businesses for which the telephone company provides billing services and to provide a means for the investigation and resolution of disputes between the telephone company and the third-party vendor.

§24-2E-4 is new; therefore, it has been completely underscored.