

# **WEST VIRGINIA LEGISLATURE**

**2022 REGULAR SESSION**

**ENROLLED**

**House Bill 4773**

BY DELEGATES STEELE, PUSHKIN AND PACK

[Passed March 2, 2022; in effect ninety days from passage]



1 AN ACT to amend and reenact §24D-1-14 and §24D-1-17 of the Code of West Virginia, 1931, as  
2 amended, all relating to the Public Service Commission; the Cable Television Systems  
3 Act; adoption of the FCC customer service and technical standards and requiring certain  
4 cable operators to operate an in-state customer call center.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 1. CABLE TELEVISION SYSTEMS ACT.**

**§24D-1-14. Requirement for adequate service; terms and conditions of service.**

1 (a) Every cable operator shall provide safe, adequate, and reliable service in accordance  
2 with applicable laws, rules, franchise requirements and its filed schedule of terms and conditions  
3 of service.

4 (b) The commission shall require each cable operator to submit a schedule of all terms  
5 and conditions of service in the form and with the notice that the commission may prescribe. The  
6 schedule shall be submitted with the annual report referenced in section twenty-four of this article.

7 (c) The commission shall ensure that the terms and conditions upon which cable service  
8 is provided are fair both to the public and to the cable operator, taking into account the geographic,  
9 topographic, and economic characteristics of the service area and the economics of providing  
10 cable service to subscribers in the service area.

11 (d) To the extent a subscriber elects to receive a paper bill, a cable operator shall provide  
12 a paper copy of the subscriber's monthly bill at no charge. A cable operator shall prorate any  
13 charge for service(s) that is cancelled by a subscriber rather than charging for the full term.

14 (e) A cable operator shall comply with all customer service and technical standards  
15 established by the Federal Communications Commission. These standards, as amended, are  
16 adopted for use and application in regulating cable operators.

**§24D-1-17. Office operating requirements; office hours.**

1 (a) Each cable operator shall operate a business office in or near its area of operation as  
2 approved by the franchise authority or the commission that shall be open during normal business  
3 hours.

4           (b) Each cable operator shall operate sufficient telephone lines, including a toll-free  
5 number or any other free calling option, as approved by the commission, staffed by a company  
6 customer service representative during normal business hours.

1           (c) In addition to the requirements of subsection (a) and (b) of this section, each cable  
2 operator that has been subject to a compliance order issued by the Public Service Commission  
3 in a show cause or general investigation proceeding in which the commission concluded that the  
4 provider's customer service communications were not safe, adequate, or reliable shall maintain  
5 a call center within the boundaries of the state to serve its subscribers. The foregoing requirement  
6 shall be in effect for a minimum period of five years commencing 90 days from the commission  
7 compliance order or on the effective date of this subsection, whichever occurs later. After five  
8 years of operations under this subsection, a cable operator may petition the commission for, and  
9 the commission has authority to grant or deny, a release of the cable operator from the  
10 requirements of this subsection. The commission will grant a release only upon proper showing  
11 that the cable operator is in compliance with this chapter, commission rules, and the commission  
12 compliance order.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, House Committee*

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*Chairman, Senate Committee*

Originating in the House.

In effect ninety days from passage.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within ..... this the.....  
day of ....., 2022.

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*Governor*