

# **WEST VIRGINIA LEGISLATURE**

**2022 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 648**

BY SENATORS NELSON AND PHILLIPS

[Originating in the Committee on Government  
Organization; reported on February 23, 2022]



1 A BILL 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 and the Cable Television Systems  
3 Act; requiring paper bill to be provided to subscriber at no charge; mandating cable  
4 operator to prorate charges for canceled services; adopting Federal Communications  
5 Commission customer service and technical standards; and requiring certain cable  
6 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 §24D-1-24 of this code.

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 or services that are cancelled by a subscriber rather than charging for the full  
14 term.

15 (e) A cable operator shall comply with all customer service and technical standards  
16 established by the Federal Communications Commission. These standards, as amended, are  
17 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 ~~and each~~.

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 may 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.