

1 AN ACT concerning telecommunications carriers.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Public Utilities Act is amended by
5 adding Section 13-303 as follows:

6 (220 ILCS 5/13-303 new)

7 Sec. 13-303. Service quality standards; penalties.

8 (a) The Commission is authorized to enforce the service
9 quality standards established in this Section for local
10 exchange carriers. The Commission may issue rules necessary
11 to implement the provisions of this Section.

12 (b) If a customer's local exchange telecommunications
13 service is disrupted and remains disrupted for more than 24
14 hours after the disruption is reported to the
15 telecommunications carrier providing that service, the
16 carrier must issue a refund to the customer unless:

17 (1) the service disruption is caused by the
18 customer or the customer's telecommunications equipment;

19 (2) the service disruption is caused by an act of
20 God, military action, war, insurrection, riot, or strike;
21 or

22 (3) the customer misses the repair appointment and
23 the carrier is unable to obtain access to fix the
24 problem.

25 If the service disruption is for 48 hours or less, the
26 refund must be equal to the pro-rata portion of the monthly
27 charges for all local services disrupted. If the service
28 disruption is for more than 48 hours, but not more than 72
29 hours, the refund must be equal to at least 33% of one
30 month's charges for all local services disrupted. If the
31 service disruption is for more than 72 hours, but not more

1 than 96 hours, the refund must be equal to at least 67% of
2 one month's charges for all local services disrupted. If the
3 service disruption is for more than 96 hours, the refund must
4 be equal to one month's charges for all local services
5 disrupted.

6 (c) If a local exchange carrier fails to install service
7 within 5 business days after the service order is placed, the
8 carrier must waive 50% of any installation charge. If a local
9 exchange carrier fails to install service within 10 business
10 days after the service order is placed, the carrier must
11 wave 100% of any installation charge.

12 The requirements of this subsection, however, do not
13 apply when the installation involves special service or
14 equipment, an application for new service in an undeveloped
15 area where no facilities exist, or the applicant or
16 subscriber has not met tariff requirements.

17 (d) If a local exchange carrier fails to keep an
18 installation appointment, the carrier must refund to the
19 customer 50% of any installation charges. If a local exchange
20 carrier fails to keep an on-premise repair appointment or an
21 outside repair commitment the carrier must credit the
22 customer's bill for at least 50% of customer's monthly
23 charges for local service. A carrier must inform the customer
24 of these obligations at the time the appointment or
25 commitment is made.

26 The requirements of this subsection, however, do not
27 apply if the carrier provides the customer with notice 24
28 hours before the appointment or commitment time that the
29 carrier will not be able to keep the appointment or
30 commitment or if a natural disaster prevents the carrier from
31 keeping the appointment or commitment.

32 (e) If a customer is erroneously omitted from the local
33 exchange carrier's phone book or if the customer's phone
34 number is incorrect, the carrier must credit the customer's

1 bill for an amount at least equal to the customer's charges
2 for 3 months of local service.

3 (f) If a local exchange carrier undercharges a customer,
4 the maximum amount the carrier may charge in any one month to
5 recover the undercharge is an amount determined by dividing
6 the amount of the undercharge by the number of months that
7 the undercharge was in effect. If a local exchange carrier
8 overcharges a customer, the overcharge plus interest at the
9 statutory rate must be refunded to the customer within 2
10 billing periods after the overcharge is discovered.

11 The carrier must notify the customer of the amount to be
12 collected or refunded no later than the time of the billing
13 statement for the second billing after the discrepancy is
14 discovered.

15 A local exchange carrier may not recover any service or
16 billing fee under this subsection. A local exchange carrier
17 may not disconnect service to a customer in an effort to
18 collect an undercharge that is recoverable under this
19 subsection.

20 Adjustments to a customer's account must be made in the
21 form of a direct payment or a credit to the account.

22 (g) This Section is inoperative after July 1, 2006.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.