

FORTY-FOURTH LEGISLATURE  
SECOND SESSION, 2000

February 15, 2000

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred

**SENATE BILL 185, as amended**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On pages 3 through 6, strike Sections 4, 5 and 6 in their entirety and insert in lieu thereof the following new sections:

"Section 4. CUSTOMER PROTECTIONS.-No later than June 30, 2001, the commission shall adopt rules that establish minimum consumer protections applicable to telecommunications providers in New Mexico. The commission shall at a minimum address:

A. Prohibitions against retaliation by telecommunications providers against a consumer for any complaint made by the consumer to the commission or any other person, public or private;

B. contents of consumer bills;

C. bill payment standards;

D. finance, carrying, penalty and special services charges;

E. allocation of payments between services;

F. toll blocking for non-payment of charges for basic services;

G. security deposits and payment guarantees;

H. procedures by telecommunications providers for handling complaints;

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- I. procedures by the commission for handling consumer complaints;
- J. procedures for discontinuance and restoration of service;
- K. procedures for resolution of billing disputes;
- L. methods for making information on telecommunications services and rates more available to the public;
- M. procedures to ensure consumer privacy;
- N. wholesale and retail service quality standards and remedies to consumers for violation of those standards; and
- O. reasonable notice and cancellation provisions.

Section 5. PENALTIES.-The commission may impose an administrative fine pursuant to Section 63-7-23 NMSA 1978 on a telecommunications provider for any act or omission that results in a violation of the Telecommunications Consumer Bill of Rights Act.

Section 6. COMPLAINTS ALLEGING VIOLATIONS.-Complaints alleging violations of the rules promulgated pursuant to the Telecommunications Consumer Bill of Rights Act shall be filed with the commission.

Section 7. RESERVATION OF RIGHTS AND REMEDIES.-Nothing in the Telecommunications Consumer Bill of Rights Act, or in rules promulgated pursuant to that act, shall be construed to limit any rights, remedies or causes of action available to the state or private parties under any other state or federal law."

- 2. Renumber the succeeding section accordingly.

Respectfully submitted,

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**R. David Pederson, Chairman**

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 9 For 1 Against

Yes: 9

No: Thompson

Excused: Luna, Sanchez

Absent: None

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