

**FORTY-FOURTH LEGISLATURE
SECOND SESSION, 2000**

185/a

February 9, 2000

Mr. President:

Your **FINANCE 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. Strike all senate judiciary committee amendments.
2. On page 1, line 13, strike "MAKING AN APPROPRIATION;".
3. On page 1, line 20, strike "an enormous" and insert in lieu thereof "the potential for a".
4. On page 1, line 22, strike the period and strike "That disparity sometimes results" and insert in lieu thereof ", which in some cases could result".

5. On pages 3 through 6, strike Section 4 in its 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

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services;

G. security deposits and payment guarantees;

H. procedures by telecommunications providers for handling complaints;

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. 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 6. 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."

6. On page 6, strike Section 6 in its entirety.

7. Renumber the succeeding section accordingly.

Respectfully submitted,

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Ben D. Altamirano, Chairman

Adopted _____

Not

Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 8 For 0 Against

Yes: 8

No: 0

Excused: Ingle, Lyons, McKibben, Rodriguez, Smith

Absent: None

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