

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

Senate Bill 353

BY SENATORS SMITH, CLINE, RUCKER, SYPOLT AND

BOSO

[Introduced February 20, 2017; Referred
to the Committee on Transportation and
Infrastructure; and then to the Committee on the
Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §24-2E-4, relating to third-party telecommunications services provided to
3 residential and business consumers billed through the customer's telephone company or
4 telecommunications service provider.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
2 section, designated §24-2E-4, to read as follows:

ARTICLE 2E. REQUIREMENTS FOR PHONE SERVICE SALES.

§24-2E-4. Third-party telecommunications services offered to end-users.

1 A third-party telecommunication vendor is any business entity that provides any form of
2 service to business or residential end-users of telecommunications networks other than basic
3 local exchange services and that relies upon the telephone company or customer
4 telecommunications service provider to bill and receive payment from the end-user for the
5 enhanced or resold services. The telephone company or telecommunications service provider
6 that provides billing services to a third-party telecommunications vendor shall provide regular and
7 prompt payment to the third-party telecommunications vendor of all moneys received for the
8 services so billed, together with an accurate accounting thereof. The telephone company or
9 telecommunications service provider shall include in its tariff plan and application for approval of
10 tariffs and rates a list or schedule of every third-party telecommunication vendor for which it
11 provides billing services and the agreed amount to be provided to the vendor for each kind of
12 service so billed. In the event of a dispute presented by the third-party telecommunication vendor
13 concerning the amount or the timeliness of the payment due, the telephone company or
14 telecommunications service shall make a full and prompt investigation and report the results
15 thereof to the vendor and to the commission. Upon application for relief by the third-party
16 telecommunication vendor to the commission, the commission may exercise any of the powers
17 granted under article two of this chapter to make a determination of the merits of the application

18 and provide reasonable relief to correct the situation.

NOTE: The purpose of this bill is to specify the duties of a telephone company with regard to other businesses for which the telephone company provides billing services and to provide a means for the investigation and resolution of disputes between the telephone company and the third-party vendor.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.