

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2786**

BY DELEGATES MOYE, LYNCH, MILEY, PYLES,  
FLEISCHAUER, MARCUM, ISNER, ROMINE, R., AMBLER AND  
COOPER

[Introduced March 3, 2017; Referred  
to the Committee on Government Organization then  
the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §24-2-20, relating to authorizing the Public Service Commission to regulate  
 3 the billing practices of utilities and other entities that utilize wired or wireless transmission  
 4 technologies to send and receive data to and from consumers.

*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 §24-2-20, to read as follows:

**ARTICLE 2. POWERS AND DUTIES OF PUBLIC SERVICE COMMISSION.**

**§24-2-20. Regulation of wired and wireless data and information transmissions.**

1 Any utility or entity charging usage fees contingent on the amount of information  
 2 transmitted by wire or wireless technology may only charge consumers for the amount of data,  
 3 voice or other information received or transmitted by the consumer. The Public Service  
 4 Commission may verify billing practices and take appropriate action to assure that data, voice or  
 5 other information is measured accurately and reflects only the amount of data received or  
 6 transmitted by the consumer.

NOTE: The purpose of this bill is to authorize the Public Service Commission to regulate the billing practices of utilities and other entities that utilize wired or wireless technology to transmit data to consumers in the state.

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