
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 85 Session of
2023

INTRODUCED BY PHILLIPS-HILL, BARTOLOTTA, MARTIN, STEFANO, VOGEL,
J. WARD, MASTRIANO, ROTHMAN AND BAKER, JANUARY 12, 2023

REFERRED TO COMMUNICATIONS AND TECHNOLOGY, JANUARY 12, 2023

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in alternative form of regulation of
3 telecommunications services, further providing for additional
4 powers and duties of commission.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 3019(c) of Title 66 of the Pennsylvania
8 Consolidated Statutes is amended and the section is amended by
9 adding a subsection to read:

10 § 3019. Additional powers and duties.

11 * * *

12 (c) [(Reserved).] Streamlined regulations for
13 telecommunications carriers.--

14 (1) Notwithstanding any other provisions of this title
15 and subject to paragraph (2), the commission, within 30 days
16 after the effective date of this paragraph, by order
17 published on the commission's publicly accessible Internet
18 website and served upon all certificated telecommunications
19 carriers, shall permanently waive its regulations at 52 Pa.

1 Code Ch. 53 (relating to tariffs for noncommon carriers), §§
2 53.57 (relating to definitions), 53.58 (relating to offering
3 of competitive services), 53.59 (relating to cost support
4 requirements and effective filing dates for tariff filings of
5 noncompetitive services), 53.60 (relating to promotional
6 offerings and bundled service packages) and 53.85 (relating
7 to paper billing fees), as well as all provisions of 52 Pa.
8 Code Chs. 63 (relating to telecommunications service) and 64
9 (relating to standards and billing practices for residential
10 telecommunications service).

11 (2) The waiver of regulations under paragraph (1) shall
12 not apply to the following provisions of 52 Pa. Code:

13 (i) Section 63.37 (relating to operation of the
14 Telecommunications Relay Service System and Relay Service
15 Fund).

16 (ii) Ch. 63 Subch. L (relating to universal
17 service).

18 (iii) Ch. 63 Subch. O (relating to abbreviated
19 procedures for review and approval of transfer of control
20 for telecommunications public utilities).

21 (iv) Section 64.23 (relating to standardizing LEC
22 responses to customer contacts alleging unauthorized
23 charges added to the customer's bill (cramming) and
24 unauthorized changes to the customer's long distance
25 carrier (slamming)).

26 (3) The regulations specified in paragraph (2) and any
27 other commission regulations shall remain in effect subject
28 to the commission's authority to alter, amend, waive or
29 rescind the regulations according to applicable law.

30 (4) The commission shall promptly rescind the

1 regulations waived under paragraph (1).

2 (5) With the exception of the regulations specified in
3 paragraph (2), every three years after the effective date of
4 this paragraph, the commission shall undertake a review of
5 all regulations applicable to telecommunications carriers and
6 shall rescind regulations that are no longer necessary or in
7 the public interest. If the commission promulgates any new
8 regulation applicable to telecommunications carriers, then
9 the new regulation must be supported by factual findings and
10 determinations, based on an evidentiary record, demonstrating
11 need for the regulation given the emergence of new industry
12 participants, technological changes, electronic means for
13 billing and customer notices, costs of compliance, consumer
14 preference, the competitive market for telecommunications
15 services and that the benefits of the regulation outweigh the
16 cost to comply with and enforce the regulation.

17 (c.1) Issues, disputes and appointments.--The following
18 shall apply:

19 (1) If a customer of a retail voice service within the
20 commission's jurisdiction contacts the commission with an
21 issue or dispute with the customer's local exchange
22 telecommunications company, the commission shall forward
23 relevant information to a local exchange telecommunications
24 company-maintained email address. The local exchange
25 telecommunications company shall begin an investigation and
26 make a good faith effort to resolve the issue or dispute in a
27 manner satisfactory to both parties. In the event the issue
28 or dispute is not resolved within 30 days, the local exchange
29 telecommunications company shall inform the commission and
30 the commission shall advise the customer of the option to

1 pursue mediation before the commission.

2 (2) For a service installation or repair appointment for
3 voice service within the commission's jurisdiction, the local
4 exchange telecommunications company shall make a good faith
5 effort to establish a mutually agreeable date and appointment
6 window with the customer. The local exchange
7 telecommunications company shall keep the appointment unless
8 the customer is given advance notice that a change to the
9 appointment is necessary.

10 * * *

11 Section 2. This act shall take effect in 60 days.