

AMENDED IN ASSEMBLY APRIL 28, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2690

Introduced by Assembly Member De La Torre

February 19, 2010

An act to add Section ~~765~~ 2882 to the Public Utilities Code, relating to ~~public utilities~~ *telephone corporations*.

LEGISLATIVE COUNSEL'S DIGEST

AB 2690, as amended, De La Torre. ~~Public utilities—Telephone corporations:~~ *call centers.*

Existing law requires telephone corporations, as defined, to provide certain customer and subscriber services.

This bill would require a telephone corporation, by January 1, 2012, and each January 1 thereafter, to post on its Internet Web site certain information relative to calls placed to a customer call center for the telephone corporation.

~~Under existing law, the Public Utilities Commission has regulatory authority over public utilities, as defined. The Public Utilities Act establishes requirements for equipment, practices, and facilities for public utilities.~~

~~This bill would require a customer call center for a public utility, upon request, to inform any customer that telephones the call center of the location of the call center and whether the call center is operated by the utility or is a contracted vendor of the utility. The bill would require a customer call center that is outside the state, upon request and availability, to direct a telephone call to a call center located in the state,~~

and require a customer call center that is outside the United States, upon request and availability, to direct a telephone call to a call center located within the United States. The bill would require the commission to investigate consumer complaints of a failure by a call center to comply with these requirements and require the commission to undertake certain enforcement action if it determines a violation has occurred. The bill would require a public utility to annually report certain information to the commission and, until January 1, 2016, would require the commission to report a summary of that information to the relevant policy committees of the Legislature.

Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the commission is a crime.

Because the provisions of this bill would be a part of the act and because a violation of an order or decision of the commission implementing its requirements would be a crime, the bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: *yes-no*. State-mandated local program: *yes-no*.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section ~~765~~ 2882 is added to the Public Utilities
- 2 Code, to read:
- 3 ~~765.~~ (a) A customer call center for a public utility, upon
- 4 request, shall inform any customer that telephones the call center
- 5 of the following information:
- 6 (1) The location of the call center.
- 7 (2) Whether the call center is operated by the utility or is a
- 8 contracted vendor of the utility.
- 9 (b) A customer call center for a public utility that is outside the
- 10 state, upon request and availability, shall direct a telephone call to
- 11 a call center located in the state.

1 (e) ~~A customer call center for a public utility that is outside the~~
2 ~~United States, upon request and availability, shall direct a telephone~~
3 ~~call to a call center located within the United States.~~

4 (d) (1) ~~The commission shall investigate consumer complaints~~
5 ~~of false information being disclosed as to the location or ownership~~
6 ~~of a call center and shall take appropriate action to punish~~
7 ~~intentionally false claims and to deter false claims from being~~
8 ~~made in the future.~~

9 (2) ~~The commission shall investigate consumer complaints that~~
10 ~~a customer call center failed to direct a telephone call to a call~~
11 ~~center located in the state pursuant to subdivision (b), or failed to~~
12 ~~direct a telephone call to a call center located within the United~~
13 ~~States pursuant to subdivision (e), and shall take appropriate action~~
14 ~~to punish intentional failures to comply with subdivision (b) or (e)~~
15 ~~and to deter failures to comply in the future.~~

16 (e) ~~A public utility~~
17 ~~2882. A telephone corporation, by January 1, 2012, and each~~
18 ~~January 1 thereafter, shall report to the commission regarding post~~
19 ~~on its Internet Web site the following information relative to calls~~
20 ~~placed to a customer call center for the telephone corporation:~~

21 (1)
22 (a) ~~The location of each call center for the utility telephone~~
23 ~~corporation that receives calls originating from California.~~

24 (2)
25 (b) ~~The number of telephone calls received by each call center~~
26 ~~from the utility's telephone corporation's California customers.~~

27 (f) (1) ~~The commission shall annually report to the relevant~~
28 ~~policy committees of the Legislature a summary of the information~~
29 ~~reported to the commission pursuant to subdivision (e).~~

30 (2) ~~The requirements for submitting a report imposed under this~~
31 ~~subdivision are inoperative on January 1, 2016, pursuant to Section~~
32 ~~10231.5 of the Government Code.~~

33 (3) ~~A report to be submitted pursuant to this subdivision shall~~
34 ~~be submitted in compliance with Section 9795 of the Government~~
35 ~~Code.~~

36 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
37 ~~Section 6 of Article XIII B of the California Constitution because~~
38 ~~the only costs that may be incurred by a local agency or school~~
39 ~~district will be incurred because this act creates a new crime or~~
40 ~~infraction, eliminates a crime or infraction, or changes the penalty~~

1 ~~for a crime or infraction, within the meaning of Section 17556 of~~
2 ~~the Government Code, or changes the definition of a crime within~~
3 ~~the meaning of Section 6 of Article XIII B of the California~~
4 ~~Constitution.~~

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