

**ASSEMBLY BILL**

**No. 1268**

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**Introduced by Assembly Member Blumenfield**

February 18, 2011

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An act to amend Section 2890.2 of the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 1268, as introduced, Blumenfield. Telecommunications: usage notification.

Existing law requires a provider of mobile telephony services to provide subscribers with a means by which a subscriber can obtain reasonably current and available information on the subscriber's calling plan or plans and service usage. Existing law additionally requires that, on or before January 1, 2007, a provider of mobile telephony services provide subscribers with a means by which a subscriber can obtain reasonably current and available information, as determined by the provider, on the subscriber's text messaging and Internet usage and charges.

This bill would require, that for a subscriber to a service plan that requires payment for a set amount of airtime or text messaging where the subscriber pays additional charges if that amount of airtime or text messages is exceeded, the provider of mobile telephony services shall alert the subscriber when the set allotment of airtime or text messages has been reached. The bill would prohibit a provider of mobile telephony services from charging a subscriber for providing notice that they have used their allotment of airtime or text messages.

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

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

1 SECTION 1. Section 2890.2 of the Public Utilities Code is  
2 amended to read:

3 2890.2. (a) A provider of mobile telephony services, as defined  
4 in Section 224.4, shall provide subscribers with a means by which  
5 a subscriber can obtain reasonably current and available  
6 information, as determined by the provider, on the subscriber's  
7 calling plan or plans and service usage, including roaming usage  
8 and charges. *For a subscriber to a service plan that requires*  
9 *payment for a set amount of airtime where the subscriber pays*  
10 *additional charges if that amount of airtime is exceeded, the*  
11 *provider of mobile telephony services shall alert the subscriber*  
12 *when the set allotment of airtime has been reached. This*  
13 *notification may be accomplished by text message.*

14 (b) ~~On or before January 1, 2007, a~~ A provider of mobile  
15 telephony services shall provide subscribers with a means by which  
16 a subscriber can obtain reasonably current and available  
17 information, as determined by the provider, on the subscriber's  
18 text messaging and Internet usage and charges. *For a subscriber*  
19 *to a service plan that requires payment for a set amount of text*  
20 *messages where the subscriber pays additional charges if that*  
21 *amount of text messages is exceeded, the provider of mobile*  
22 *telephony services shall alert the subscriber when the set allotment*  
23 *of text messages has been reached. This notification may be*  
24 *accomplished by text message.*

25 (c) Each provider of mobile telephony services shall inform  
26 subscribers at the time service is established of the availability of  
27 the information described in subdivisions (a) and (b) and how it  
28 may be obtained. *A provider of mobile telephony services shall*  
29 *not charge a subscriber for providing notice, pursuant to*  
30 *subdivisions (a) and (b), that they have used their allotment of*  
31 *airtime or text messages.*

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