
By: **Delegate D. Davis**

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CHAPTER _____

1 AN ACT concerning

2 **Telephone Companies - Telephone Lifeline Service**

3 FOR the purpose of altering and expanding the types of telephone lifeline service that
4 are available to eligible subscribers; requiring certain telephone companies to
5 provide telephone lifeline service at the direction of the Public Service
6 Commission; requiring certain telephone companies to obtain access to certain
7 information from the Department of Human Resources in a certain manner for
8 certain purposes; requiring the Commission to conduct a certain study and
9 report its findings and recommendations to certain committees of the General
10 Assembly by a certain date; and generally relating to telephone companies and
11 telephone lifeline service.

12 BY repealing and reenacting, with amendments,
13 Article - Public Utility Companies
14 Section 8-201
15 Annotated Code of Maryland
16 (1998 Volume and 2005 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Public Utility Companies**

20 8-201.

21 (a) (1) In this section the following words have the meanings indicated.

1 (2) "Eligible subscriber" means an individual who is certified to [the] A
2 local telephone company [in whose service area the individual is applying for service]
3 by the Department of Human Resources as receiving:

4 (I) assistance under Article 88A, §§ 44A through 53 of the Code[,
5 receiving];

6 (II) ASSISTANCE FROM THE ELECTRIC UNIVERSAL SERVICE
7 PROGRAM UNDER § 7-512.1 OF THIS ARTICLE;

8 (III) ASSISTANCE FROM THE MARYLAND ENERGY ASSISTANCE
9 PROGRAM UNDER ARTICLE 41, TITLE 6, SUBTITLE 4 OF THE CODE;

10 (IV) State-funded public assistance benefits[.]; or [receiving]

11 (V) Supplemental Security Income under Title XVI of the federal
12 Social Security Act.

13 (3) "Telephone lifeline service" means [a] local telephone [service]
14 SERVICES provided to eligible subscribers [that,] at a discount[, provides an
15 individual residential local exchange dial access line plus the first 30 residential local
16 untimed messages per billing month] IN ACCORDANCE WITH THIS SECTION.

17 (b) [A] AT THE DIRECTION OF THE COMMISSION, A local telephone company
18 with more than 10,000 subscribers shall offer telephone lifeline service to eligible
19 subscribers subject to the following conditions:

20 (1) no other local voice telephone service may be provided to the dwelling
21 unit of the eligible subscriber applying for telephone lifeline service; AND

22 [(2) except for tone signaling capability, premium services, including
23 foreign zone or foreign exchange service, are not provided to the eligible subscriber;
24 and

25 (3)] (2) an inside wiring maintenance plan is not provided to the
26 eligible subscriber.

27 [(c) (1) The rate that a telephone company charges for telephone lifeline
28 service shall be 50% of the lowest applicable and approved federal and State tariff
29 rates for an individual residential local exchange dial access line and for residential
30 local untimed messages per month, less any waivers of federal tariff provisions
31 applicable to eligible customers allowed by federal statute, order, rule, or regulation,
32 plus all applicable federal, State, and local taxes and fees.

33 (2) (i) If an eligible subscriber elects to subscribe to tone signaling
34 capability, the rate charged shall be 50% of the applicable and approved federal and
35 State tariff rates for this service, plus all applicable federal, State, and local taxes.

36 (ii) For an eligible subscriber, repairs to inside wiring will be
37 charged at 50% of the applicable filed tariff.

1 (3) (i) Whenever initial installation or connection of service is
2 required, the rate charged shall be 50% of the applicable and approved federal and
3 State tariff charges for the installation and connection of residential dial access
4 service to one terminating location within the eligible subscriber's dwelling unit, plus
5 all applicable federal, State, and local taxes.

6 (ii) Custom installation or construction charges shall be charged at
7 the applicable approved federal and State tariff rates.

8 (4) (i) A telephone company may not require the payment of an order
9 processing charge or line change charge for an eligible subscriber's change to
10 telephone lifeline service from any other class of residential service.

11 (ii) A subscriber to telephone lifeline service who no longer qualifies
12 as an eligible subscriber may not be charged a fee for disconnecting from telephone
13 lifeline service and connecting to another class of telephone service.

14 (5) All other services provided to eligible subscribers, including all local
15 messages after the first 30 within a given billing month, shall be charged at the
16 applicable and approved federal and State tariff rates.]

17 (C) (1) AN ELIGIBLE SUBSCRIBER MAY SELECT A TELEPHONE LIFELINE
18 SERVICE UNDER EITHER PARAGRAPH (2) OR (3) OF THIS SUBSECTION.

19 (2) AN ELIGIBLE SUBSCRIBER WHO SELECTS TELEPHONE LIFELINE
20 SERVICE UNDER THIS PARAGRAPH:

21 (I) SHALL RECEIVE:

22 1. AN INDIVIDUAL RESIDENTIAL LOCAL EXCHANGE ACCESS
23 LINE; AND

24 2. THE FIRST 30 RESIDENTIAL LOCAL UNTIMED MESSAGES
25 EACH BILLING MONTH AT NO ADDITIONAL CHARGE;

26 (II) SHALL BE CHARGED:

27 1. 50% OF THE LOWEST APPLICABLE AND APPROVED
28 FEDERAL AND STATE TARIFF RATES FOR THE ACCESS LINE AND INCLUDED
29 RESIDENTIAL LOCAL UNTIMED MESSAGES, MINUS ANY APPLICABLE WAIVER OF
30 FEDERAL TARIFF PROVISIONS FOR ELIGIBLE SUBSCRIBERS, PLUS ALL APPLICABLE
31 FEDERAL, STATE, AND LOCAL TAXES;

32 2. THE FULL APPLICABLE TARIFF RATES FOR ALL OTHER
33 RESIDENTIAL LOCAL UNTIMED MESSAGES; AND

34 3. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (D) OF
35 THIS SECTION, THE FULL APPLICABLE TARIFF RATES FOR ALL OTHER SERVICES;
36 AND

1 (III) MAY NOT BE PROVIDED ANY PREMIUM SERVICES, INCLUDING
2 FOREIGN ZONE OR FOREIGN EXCHANGE SERVICE.

3 (3) AN ELIGIBLE SUBSCRIBER WHO SELECTS TELEPHONE LIFELINE
4 SERVICE UNDER THIS PARAGRAPH:

5 (I) SHALL RECEIVE AN INDIVIDUAL RESIDENTIAL LOCAL
6 EXCHANGE ACCESS LINE WITH UNLIMITED RESIDENTIAL LOCAL UNTIMED
7 MESSAGES FOR A MONTHLY CHARGE OF \$10; AND

8 (II) MAY PURCHASE UP TO TWO VALUE-ADDED SERVICES AT THE
9 FULL APPLICABLE TARIFF RATES.

10 (D) THE TELEPHONE COMPANY SHALL CHARGE TO AN ELIGIBLE SUBSCRIBER
11 50% OF THE APPLICABLE FILED TARIFF FOR:

12 (1) REPAIRS TO INSIDE WIRING; AND

13 (2) INSTALLATION AND CONNECTION OF RESIDENTIAL DIAL ACCESS
14 SERVICE TO ONE TERMINATION IN THE DWELLING UNIT OF THE ELIGIBLE
15 SUBSCRIBER.

16 (E) THE TELEPHONE COMPANY SHALL CHARGE TO THE ELIGIBLE
17 SUBSCRIBER ALL APPLICABLE FEDERAL, STATE, AND LOCAL TAXES AND FEES.

18 (F) (1) A TELEPHONE COMPANY MAY NOT REQUIRE PAYMENT OF AN ORDER
19 PROCESSING CHARGE OR LINE CHANGE CHARGE TO CHANGE AN ELIGIBLE
20 SUBSCRIBER TO TELEPHONE LIFELINE SERVICE FROM ANY OTHER CLASS OF
21 RESIDENTIAL TELEPHONE SERVICE.

22 (2) A TELEPHONE LIFELINE SERVICE SUBSCRIBER WHO NO LONGER
23 QUALIFIES AS AN ELIGIBLE SUBSCRIBER MAY NOT BE CHARGED A FEE TO CHANGE
24 FROM TELEPHONE LIFELINE SERVICE TO ANY OTHER CLASS OF RESIDENTIAL
25 TELEPHONE SERVICE.

26 [(d)] (G) (1) A telephone company may not request a deposit to secure
27 payment in connection with the initial installation or connection of telephone lifeline
28 service.

29 (2) An eligible subscriber applying for service may be denied service if
30 the eligible subscriber:

31 (i) has an outstanding unpaid net telephone debt of \$100 or more
32 for prior telephone service; and

33 (ii) has not established a reasonable payment plan to satisfy the
34 debt.

1 (3) An eligible subscriber may not be denied service if the eligible
2 subscriber has an outstanding unpaid net telephone debt of less than \$100 for prior
3 telephone service.

4 (H) (1) TO THE EXTENT ALLOWED BY FEDERAL LAW, THE DEPARTMENT OF
5 HUMAN RESOURCES SHALL PROVIDE TO LOCAL TELEPHONE COMPANIES THAT
6 OFFER TELEPHONE LIFELINE SERVICE MONTHLY ELECTRONIC ACCESS TO A FILE
7 CONTAINING A LIST OF ALL INDIVIDUALS WHO RECEIVE ASSISTANCE FROM ANY OF
8 THE PROGRAMS LISTED IN SUBSECTION (A)(2) OF THIS SECTION.

9 (2) TO OBTAIN ACCESS TO THE FILE, A LOCAL TELEPHONE COMPANY
10 MUST ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE DEPARTMENT
11 OF HUMAN RESOURCES THAT GOVERNS ACCESS TO USE, CONFIDENTIALITY, AND
12 RETENTION OF THE FILE.

13 (3) THE GRANT OF ACCESS TO THE FILE SATISFIES THE CERTIFICATION
14 REQUIREMENT OF SUBSECTION (A)(2) OF THIS SECTION.

15 SECTION 2. AND BE IT FURTHER ENACTED, That:

16 (a) The Public Service Commission shall study the implications of expanding
17 the definition of "eligible subscriber" under § 8-201(a)(2) of the Public Utility
18 Companies Article as enacted by this Act to include individuals who:

19 (1) do not receive the specified assistance or benefits to be eligible for a
20 telephone lifeline service; and

21 (2) reside in subsidized housing where residential local exchange access
22 line service, residential local untimed messages, and other associated telephone
23 services are included as part of the individuals' rent payments.

24 (b) On or before December 31, 2006, the Public Service Commission shall
25 report its findings and recommendations, in accordance with § 2-1246 of the State
26 Government Article, to the Senate Finance Committee and the House Economic
27 Matters Committee.

28 ~~SECTION 2. 3.~~ AND BE IT FURTHER ENACTED, That this Act shall take
29 effect October 1, 2006.