

SENATE BILL NO. 432

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY SENATOR ZHAROFF

Introduced: 2/18/92
Referred: L&C, Judiciary

A BILL**FOR AN ACT ENTITLED**

1 "An Act relating to regulation of providers of certain information services."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**3 * **Section 1.** AS 42.05 is amended by adding a new section to read:

4 Sec. 42.05.722. REGULATION OF INFORMATION PROVIDERS. (a) A local
5 exchange carrier shall block information delivery service to a customer unless the customer has
6 requested the carrier, in writing, to connect the service. The local exchange carrier shall notify
7 customers of the provisions of this subsection.

8 (b) An information provider that does business in this state shall include a preamble in
9 its program messages. The preamble must be clearly articulated in each of the languages used
10 in advertisements for the telephone number and the languages used within the body of the
11 program. The language in the preamble must be spoken in a normal cadence and at a volume
12 equal to that of the program message. The preamble must

13 (1) describe the service that the program provides;

14 (2) disclose the time involved in the call if the duration is not at the discretion

1 of the caller;

2 (3) advise the caller of the price per call, including the price per minute, flat rate,
3 minimum, or other charge and the maximum charge possible for the service as determined from
4 multiplying the maximum duration in minutes by the cost per minute, unless the call has a
5 possible indefinite duration, in which case the charge for one hour of use shall be stated instead
6 of the maximum charge possible;

7 (4) advise that the billing for the call will begin a short time after the end of the
8 preamble and that, if the caller disconnects before that time, there will be no charge to the caller,
9 the length of time after the end of the preamble must be at least 15 seconds.

10 (c) When an information provider has failed to comply with a provision of this section,
11 an obligation by a customer that may have arisen from the dialing of a pay-per-call telephone
12 number is void and unenforceable.

13 (d) An information provider may not, in radio or television advertisements, include
14 procedures involving the use of tones that automatically dial a telephone number by placing the
15 telephone receiver in close proximity to the radio or television set.

16 (e) A local exchange carrier shall provide a toll free service for the resolution of disputes
17 regarding charges for information delivery services. The billing agency for information delivery
18 services must have the authority to adjust a customer's bill if costs are because of unauthorized
19 calls to information delivery services. A customer's local or long distance service may not be
20 suspended or terminated for nonpayment of information delivery service charges. The
21 commission shall, by regulation, require telephone utilities providing billing services for
22 information providers to adequately inform consumers of their rights concerning information
23 providers.

24 (f) In this section,

25 (1) "information delivery service" means telephone recorded messages, interactive
26 programs, or other information services that are provided for a charge to a caller through an
27 exclusive telephone number prefix or service access code;

28 (2) "information provider" means a person, company, or corporation that operates
29 an information delivery service on a pay-per-call basis.