STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1804 By: Dunegan

COMMITTEE SUBSTITUTE

An Act relating to utility service; amending 17 O.S. 1991, Section 1, as amended by Section 1, Chapter 48, O.S.L. 1998 (17 O.S. Supp. 1998, Section 1), which relates to violating rules; providing for certain fines; directing the Corporation Commission to prohibit certain practices of electric utility which change a customer's service; prohibiting certain practice of adding unauthorized electric charges; prohibiting the use of contest entry forms for written approval; prohibiting certain practice of adding unauthorized telephone charges; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 17 O.S. 1991, Section 1, as amended by Section 1, Chapter 48, O.S.L. 1998 (17 O.S. Supp. 1998, Section 1), is amended to read as follows:

Section 1. A. Any corporation, person or firm may be fined by the Corporation Commission, a sum not to exceed Five Hundred Dollars ($500.00), as the Commission may deem proper, for the violation of any of its rules or requirements and each day's continuance of such violation, after due service upon such corporation, person or firm, of the order or requirement of the Commission shall be a separate offense. Should the operation of such order or requirement be suspended, pending an appeal therefrom, the period of such suspension shall not be computed against the corporation, person or firm, in the matter of its liability to fines and penalties.

B. Any corporation, person or firm that switches the local or long distance telephone service provider of a customer without the consent of the customer or adds unauthorized charges to a customer's bill may be fined by the Corporation Commission a sum not to exceed Ten Thousand Dollars ($10,000.00) per occurrence, as the Commission may deem proper after notice and hearing.

C. Any corporation, person or firm that switches the electric utility service of a customer or adds unauthorized charges to a customer's bill may be fined by the Corporation Commission a sum not to exceed Ten Thousand Dollars ($10,000.00) per occurrence, as the Commission may deem proper after notice and hearing.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 190.10 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. The Corporation Commission shall prohibit any person, firm or corporation from changing a consumer's electric service without first obtaining written approval from the consumer. The signing of any type of contest entry forms shall not constitute written approval to switch electric service.

B. The Corporation Commission shall prohibit the placement of unauthorized charges on a consumer's electric bill for services that were never received or ordered by the consumer.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 137.4 of Title 17, unless there is created a duplication in numbering, reads as follows:

The Corporation Commission shall prohibit the placement of unauthorized charges on a consumer's telephone bill for services that were never received or ordered by the consumer, an act commonly known as "cramming".

SECTION 4. This act shall become effective July 1, 1999.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

47-1-6461 NLM 6/11/15