

CS for SB 110

THE STATE SENATE
Monday, February 15, 1999

Committee Substitute for
Senate Bill No. 110

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 110 - By: EASLEY of the Senate and GLOVER of the House.

An Act relating to electric utility restructuring; prohibiting unauthorized switching of residential electric service; prohibiting unauthorized charges for certain services or products; prohibiting certain telephone contact for certain purpose; authorizing certain forms of public contact; requiring certain written consent to change electric service providers; providing contest entry forms shall not constitute informed written consent for certain transactions; providing certain time period for rescinding written acceptance; requiring the Corporation Commission to promulgate rules to determine certain minimum terms of residential electric service contracts; establishing fines for violating act; providing for codification; and providing an effective date.

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

SECTION 1. 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. To protect the residential electric consumers of this state and prevent unauthorized switching of electric service providers, commonly known as "slamming" and unauthorized charges for electric or other services, commonly known as "cramming", no person, firm or corporation shall change or switch a residential electric consumer's electricity supplier without the informed written consent of such

1 consumer or place unauthorized charges on a residential, commercial
2 or industrial consumer's electric bill for services or products that
3 were never received or ordered by such consumer, or were sold
4 through or obtained by deceptive marketing practices.

5 B. At no time shall any person, firm or corporation contact any
6 residential electric consumer by telephone for the purpose of
7 marketing or offering any electric service, telephone service or
8 other related services. Marketing or offering any electric service
9 or related services by telephone may be allowed if the telephone
10 conversation is initiated by a call from the consumer; provided,
11 however any change in electric service or related services shall
12 only be completed with the informed written consent of the consumer.

13 C. The signing of any type of contest entry form shall not
14 constitute informed written consent as required by this section.

15 D. Residential electric consumers shall have three (3) business
16 days to rescind their written acceptance of any offer for electric
17 service or other related services.

18 E. The Corporation Commission shall promulgate rules to
19 determine the minimum terms and provisions which shall be included
20 in all residential electric service contracts.

21 F. Any person, firm or corporation who intentionally violates
22 the provisions of this act shall be subject to a fine of not less
23 than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand

1 Dollars (\$10,000.00) per violation to be determined by the
2 Corporation Commission.

3 SECTION 2. This act shall become effective November 1, 1999.

4 COMMITTEE REPORT BY: COMMITTEE ON ENERGY, ENVIRONMENTAL RESOURCES &
5 REGULATORY AFFAIRS, dated 2-11-99 - DO PASS, As Amended and
6 Coauthored.