



YOUR RIGHTS AS A TELEPHONE COMPANY CUSTOMER

Are you a customer of a telephone company providing services that are regulated by the Colorado Public Utilities Commission (PUC)? Telephone company customers have certain rights and obligations. Telephone companies also have certain rights and obligations in providing your service. These rights and responsibilities are outlined in the PUC rules regulating telecommunications services. After reading this information, you should know more about:

- The utility company's responsibility to provide service, billings, etc.
- Your responsibility to pay for service.
- Your rights to avoid disconnection of service.

BASIC INFORMATION

Many providers in today's telecommunications market offer both regulated and unregulated telecommunications services. The PUC has rate, safety and service authority only for regulated telecommunications services. Regulated services include such things as basic local wire line service; public interest calling features like call blocking, call trace, non-listed and non-published services; basic emergency service; and certain operator services. Unregulated services include such things as long-distance, wireless services, voice mail, public payphones, directory assistance and Voice over Internet Protocol (VoIP).

If you can't solve a problem about a regulated telecommunications service with a utility company, you have the right to file an informal or formal complaint with the Commission. Individuals, groups or organizations can also intervene or participate in formal cases before the Commission or testify at public hearings held at various times throughout the state.

This publication summarizes some of the PUC's rules addressing regulated telecommunications services. PUC rule numbers are in parenthesis at the end of each statement or section.

ORDERING SERVICE

Your local telephone company must have one or more business offices or customer service centers to provide information relating to services and rates, accept and process applications for service, explain charges on customers' bills, adjust charges made in error, and provide general customer service upon request.

To reach PUC Consumer Affairs:

1560 Broadway, Suite 250, Denver, CO 80202
303-894-2070 (local); 1-800-456-0858 (toll-free)
dora_puc_complaints@state.co.us

When you order your local service, you are also asked to choose your long-distance carrier. If the charges for your long-distance calls are listed on your local telephone company bill, your local telephone company is under contract with the long-distance company to provide billing and collection services.

If you are receiving Old Age Pension, Aid to the Blind, Aid to the Needy Disabled or Supplemental Security Income (SSI) benefits, be sure to tell your local telephone company. They can then tell you about a "Link-up" discount for connecting your service and a "Lifeline" discount on your monthly local service charge.

PROVIDING YOUR SERVICE

PUC rules require local telephone companies to provide new customers with local telephone service within a specific period of time. In general, the company has 10 days to provide service where there are existing facilities, and up to 150 days where facilities aren't available. However, if service is not provided within 30 days, the company must offer certain bill credits and other alternatives until service is provided. (Rule 2310)

BILLING REQUIREMENTS

The PUC has adopted the Federal Communications Commission's (FCC) Truth in Billing Rules, which generally require telephone companies to provide clear, non-misleading, plain language in describing services for which you are billed. The company sending you the bill must identify the service provider associated with each charge. If a bill contains charges in addition to basic local service, it must distinguish between charges for which non-payment will result in disconnection of basic local service, and charges for which non-payment will not result in disconnection. Telephone companies must also display, on each bill, one or more toll-free numbers that you can call to ask about or dispute any charge on the bill.

In addition to the FCC's Truth in Billing Rules, all bills for telecommunications services must clearly display the billing date and the payment due date, which must be at least 15 days after the billing date. (Rule 2304)

If you disagree with the charges shown on your bill, you should contact your telephone company for an explanation of the charges.

If you are disputing a bill amount, your telephone company may require that you pay the undisputed portion of the bill to avoid a shut off of service because of non-payment. (Rule 2304)

If you have been charged too much, you can get either a credit on future bills or an immediate refund if the overcharged amount is greater than two months of basic local service and any associated taxes and surcharges. If you have been charged too little, you can pay the difference over several months if the amount you owe is greater than two months of basic local service and any associated taxes and surcharges. You will be given the same number of months to pay as the time period in which the billing error occurred. (Rule 2304)

Each time your telephone service is out of order for more than 8 hours during a continuous 24-hour period, your local telephone company must reduce by 1/30th the amount due for your basic local service. (Rule 2304) If your telephone service is out of order, you should report it to your local telephone company immediately. Then, if you do not see a reduction in your basic local service charge on your next bill, you should contact the company to see when your bill will be adjusted.

PAYING FOR YOUR SERVICE

Deposits

Your local telephone company may, at any time, require new or existing customers to pay a cash deposit to guarantee service, but only as set out in PUC Rule 2302. Your telephone company must have a policy explaining how it determines a customer's credit status and when it will require a deposit. The company's deposit policy must agree with the following PUC requirements:

- The company must determine credit worthiness in an equitable and non-discriminatory manner.
- The company may require a new or existing customer to pay a deposit if billing records are available and records indicate recent or substantial delinquencies.
- A company cannot refuse to provide service to a customer who declines to provide a social security number.
- A company must offer customers at least one non-cash alternative that does not require the use of the customer's social security number, in lieu of a cash deposit.
- A company may not require a deposit that exceeds an amount equal to the charges for 90 days' basic local exchange service and any associated taxes and surcharges.
- A deposit may be in addition to any advance payment, contribution to, or guarantee in connection with construction of lines or facilities as provided in the company's line extension policy.

A customer who is required to pay a deposit must pay the deposit in full, prior to receiving service, or if agreed to by the telephone company, enter into a written installment arrangement for payment of the deposit.

If you pay all your monthly telephone bills on time for 12 months after paying the deposit, the original deposit amount plus simple interest will be refunded to you. A PUC-approved interest rate varies each year and can be obtained from your local telephone company or the PUC.

If you pay a deposit, you still have to pay your telephone bill on time. Your deposit cannot be used to pay a current bill. Your deposit can be applied to an outstanding account balance only after you stop service at your current address.

Paying Your Bill

You must pay for service, a deposit or other regulated charges by the due date on the bill or notice. The due date must be at least 15 days after the billing date. If you pay only part of your bill, the telephone company will apply your payment toward your basic local service charge, unless you tell the company to do something different. (Rule 2304)

You also must tell the company when you are moving from your current address and need to have service shut off or transferred to another address.

SERVICE DISCONNECTION (Rule 2303)

If you do not pay your bill on time, your telephone company can shut off your service after following certain procedures. Your local telephone company cannot shut off your service unless it has billed you for the charges and, in most cases, it has sent you a written shut off notice with 15 days to respond.

Your local telephone company may disconnect your local service without written notice for safety reasons, upon a court order, or if service was obtained or is being used fraudulently.

Your local service cannot be shut off on the weekend between noon on the last business day of the week and 8 a.m. the following Monday. It also may not be disconnected between noon on the day before the business office or customer service office of the company will not be open and 8 a.m. the next business day.

Your local service can be shut off only for non-payment of the regulated portion of your local telephone bill.

The telephone company must deliver or send by first class mail a written shut off notice. The notice must be printed in English and Spanish.

- This notice must give you at least 15 days to respond.
- The notice will include information about the dollar amount that is more than 30 days past due and the date when the past due amount must be paid, or payment arrangements entered into, to avoid a shut off of your local service.

The written shut off notice must tell you your basic rights regarding service disconnection. If you get a shut off notice, you can:

- Call the telephone company toll-free, within its service territory, to solve any disagreement about the amount due or the due date.
- Make an informal complaint to the PUC by letter, telephone or in person.
- Make a formal written complaint to the PUC with a motion or request to delay shut off until after the formal complaint hearing. (The PUC may grant your request, perhaps also telling you to either post a deposit or bond for the disputed amount or pay all undisputed charges.)

If you receive a shut off notice, you may stop disconnection by:

- Paying, on or before the date the shut off notice expires, the amount more than 30 days past due;
- Setting up an installment payment plan with the telephone company to pay your past due balance. An installment plan is not appropriate unless your past due amount is more than twice your average monthly telephone bill. Past due amounts paid under the payment plan shall first be applied to basic local service. You must pay future bills on time to avoid disconnection;
- Presenting a "medical certification" from a doctor, or health practitioner acting under a doctor's supervision, stating that disconnecting service will aggravate an existing medical emergency or create a medical emergency for the customer, a family member or other permanent resident of that household. If a medical certification is given to the company, no shut off of service will occur for 60 days from the date on the certificate. You may get an additional 30 days if you give a second certificate to the utility before the first one expires. A medical certificate can delay a disconnection for no more than 90 days during any continuous 12-month period. You should be paying your monthly bill on time during this period. You must contact the telephone company before your medical certificate expires to arrange to pay the balance due.

If your service is disconnected due to non-payment, you may have service restored within 24 hours (except on weekends and holidays) by:

- Paying within 10 days of the disconnection the full amount shown on the notice for regulated services, plus any deposit that may be required;
- Paying an authorized agent of the company, and contacting the company by telephone and providing the company with the date paid, the amount paid, and valid receipt information;
- Presenting a valid medical certificate within 24 hours of disconnection.

If you set up a payment plan to avoid a service disconnect:

- You must make the agreed-upon payments on time.
- If you cannot, you should talk to the telephone company before your payment is due and ask for a change in the payment time or amount.

For additional questions not answered in this publication, please contact the PUC Consumer Affairs office.

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