

ASSEMBLY, No. 2439

STATE OF NEW JERSEY

INTRODUCED OCTOBER 21, 1996

By Assemblyman SULIGA

1 AN ACT concerning long-distance telecommunications services and  
2 supplementing chapter 17 of Title 48 of the Revised Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

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7 1. Notwithstanding the provisions of P.L.1991, c.428 (C.48:2-21.16  
8 et seq.) to the contrary, the Board of Public Utilities shall adopt  
9 regulations, pursuant to the "Administrative Procedure Act," P.L.1968,  
10 c.410 (C.52:14B-1 et seq.), providing that a local exchange  
11 telecommunications company shall not change the primary  
12 interexchange carrier for any subscriber unless the local exchange  
13 telecommunications company receives written authorization from the  
14 subscriber in a form prescribed by the board.

15 The board shall provide, at minimum, that the form of written  
16 authorization to change primary interexchange carrier shall be separate  
17 from any inducement to change primary interexchange carrier, shall be  
18 printed with a type of sufficient size, clarity and legibility to be  
19 readable and shall contain clear and unambiguous language that  
20 confirms: the subscriber's billing name and address and each telephone  
21 number to be covered by the primary interexchange carrier change  
22 order; the decision to change the primary interexchange carrier from  
23 the current interexchange carrier to the prospective carrier; that the  
24 subscriber designates the interexchange carrier to act as the  
25 subscriber's agent for the primary interexchange carrier; that the  
26 subscriber understands that only one interexchange carrier may be  
27 designated as the subscriber's primary interexchange carrier for any  
28 one telephone number and that selection of multiple carriers will  
29 invalidate all such selections; and that the subscriber understands that  
30 any primary interexchange carrier selection they choose may involve  
31 a charge to the subscriber for changing the subscriber's primary  
32 interexchange carrier.

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34 2. This act shall take effect immediately.

## STATEMENT

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This bill addresses the problem of "slamming," where telephone subscribers are tricked into authorizing a change in their long-distance carrier by responding to a sweepstakes entry or endorsing a check, unaware that their response is authorizing a change in long-distance carrier.

This bill requires the Board of Public Utilities to adopt regulations providing that a local exchange telecommunications carrier shall not change a telephone subscriber's primary long-distance telecommunications carrier unless the local exchange telecommunications carrier receives written authorization in a form prescribed by the board.

The bill further requires that the authorization form must be separate from any inducement to change long-distance carrier, must be printed in such a manner as to be clearly readable and must contain clear and unambiguous language. The form must confirm: the subscriber's billing name and address and each telephone number to be covered by the primary interexchange carrier change order; the decision to change the primary interexchange carrier from the current interexchange carrier to the prospective carrier; that the subscriber designates the interexchange carrier to act as the subscriber's agent for the primary interexchange carrier; that the subscriber understands that only one interexchange carrier may be designated as the subscriber's primary interexchange carrier for any one telephone number and that selection of multiple carriers will invalidate all such selections; and that the subscriber understands that any primary interexchange carrier selection they choose may involve a charge to the subscriber for changing the subscriber's primary interexchange carrier.

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Requires BPU to adopt regulations specifying form of authorization to change long-distance carrier to prevent "slamming."