

ATTACHMENT 2 – CONSUMER PROTECTION STANDARDS

Bill of Rights

- (1) Consumers shall have the right to know and control what they are buying.
- (2) Consumers shall have the right to know from whom they are buying.
- (3) Consumers shall have the right to know the full price of the goods and services that they are purchasing.
- (4) Consumers shall have the right to reasonable payment terms.
- (5) Consumers shall have the right to fair treatment by all providers.
- (6) Consumers shall have the right to impartial resolution of disputes.
- (7) Consumers shall have the right to reasonable compensation for poor service quality.
- (8) Consumers shall have the right of access to basic local exchange service as long as basic local exchange service charges are paid, regardless of whether they have paid any charges for non-basic local exchange services.
- (9) Consumers shall have the right to be free of improper discrimination in prices, terms, conditions, or offers.
- (10) Consumers shall have the right to privacy by controlling the release of information about themselves and their calling patterns and by controlling unreasonable intrusions upon their privacy.
- (11) Consumers shall have the right to join with other consumers for mutual benefit.

Consumer Protection Standards

1. Notice at Time of Service Order: At the time of the service order, companies shall provide a clear and understandable description of the terms, conditions, rates, and charges for all requested services and appropriate alternatives, which shall include the leastcost alternatives to the requested service. The description of the services shall also include an identification of the existence and amount of any termination liability. Companies shall disclose, at a minimum, an identification of any non-recurring charges, such as for installation, the recurring charges for the services, and any charges that apply to a change in service (such as fees for a downgrade in service).
2. Written Confirmation of Service Order: Companies shall furnish written confirmation of all service orders, describing the requested service(s) and associated rates, no later than the first billing cycle following that order. The notice shall also inform consumers of significant terms and conditions affecting

the rates in terms understandable to the typical consumer. The notice may be included with or on the customer's first bill if that bill is sufficiently detailed and the notice is readily identifiable by the customer. If a customer requests a written confirmation prior to that time, companies shall provide that confirmation within 5 days of the request. Each service provider shall inform customers of the right to request written confirmation at the time the customer requests new service or a change in service.

Customers may cancel any service within 15 days of receipt of written confirmation.

3. Notice of Services: Companies shall annually inform customers in writing that service and rate information is available in phone directories or, upon request, in other media, such as brochures. Companies may meet this notice requirement by providing information on the customer's bill or as a bill insert.
4. Notice of Changes in Rates, Terms, and Conditions of Service: Telecommunications companies shall provide notice of any change in rates or other terms and conditions of service directly to each consumer that may be affected by the change in rates. If the change may increase the cost of service for a consumer, notice shall be provided at least 30 days in advance of any change in rates or terms and conditions of service, except that companies may provide notice through bill inserts provided that customers are notified at least 15 days in advance of the effective date of the change. If the Board allows a rate increase to take effect on less than 30 days' notice, the companies shall instead provide notice no later than the date on which the change is implemented. In the case of a rate decrease, companies shall notify each affected consumer no later than the first bill following implementation of the rate change.
5. Fair Marketing Practices: No provider of telecommunications service shall commit an unfair, deceptive, or unconscionable act or practice in connection with a consumer transaction. No provider shall make any offer for services in any public media, including print, television, radio, or promotional literature without stating clearly, conspicuously, and in close proximity to the words stating the offer whether any material exclusions, reservations, limitations, modifications, or conditions and either identifying those exclusions or providing a toll-free contact number by which consumers may learn of the restrictions. Disclosure shall be easily legible to anyone reading the advertising or promotional literature and shall be sufficiently specific to be readily comprehended by the consumer. Unless specifically authorized by the Board, providers may not employ "negative enrollment" in which consumers become enrolled in a service without an affirmative selection by the consumer.

6. Content of Bills: Companies shall provide reasonably detailed billing statements that, at a minimum, itemize services, usage, and charges at a unit level (including the number of units consumed and the rates charged per unit). Non-recurring, recurring, and usage charges shall be separately identified.

A telecommunications provider shall identify on the bill the name and telephone number of itself. It shall also identify the name and a toll-free access number for each service provider for whom the billing company is providing billing and collection services in conjunction with that bill. If a toll-free access number is unavailable, the billing service provider shall list the company's address. Providers shall also provide on the billing statement a primary telephone number for consumers to contact.

7. Customer Service: Companies shall deliver courteous, competent, and timely service. All companies will accord fair and equitable treatment to all consumers, and will not in any way retaliate in any way against consumers that complain to the company, the Department or the Board or that participate in the complaint process via Board proceedings and Rule 2.300.
8. Correction of Directory Assistance and Telephone Directory Errors and Omissions: All companies shall ensure prompt correction of directory assistance and phone directory errors and omissions, including, if practicable, the institution of measures that will allow customers to receive calls placed to the erroneously listed number. Whenever possible, companies shall make available the correct number through directory assistance within two business days.
9. Non-discrimination principles: A service provider shall apply tariff provisions in the same manner to the same similarly situated entities if there is discretion in the application of the provision.

A service provider shall apply tariff provisions consistently.

A service provider shall process all similar requests for a product or service on a non-discriminatory basis.

A service provider shall not condition or tie the provision of any product, service or price agreement subject to regulation by the Board on the purchase of any product or service by its competitive affiliates.

10. Discounts for Persons who are Deaf, Speech Impaired, or Hearing Impaired: All telecommunications service providers shall provide a 40 percent discount on intrastate services to customers that are deaf, speech impaired or hearing impaired. The discount shall apply to all usage services, including the usage components of optional calling plans.

11. Discounts for Persons who are Blind, or Visually Impaired: All telecommunications providers shall offer directory assistance to customers that are blind or visually impaired without charge.

Dispute Resolutions

All telecommunications providers shall address consumer inquiries, complaints and requests for impartial resolution of disputes in a responsible manner. Companies shall employ the following dispute resolution process.

1. Each telecommunications provider shall list on the bill the telephone number(s) at which the customer may reach representatives of the provider for information or the resolution of any dispute that may arise.
2. Each telecommunications provider shall provide customer service representatives (CSRs) through whom consumer complaints and inquiries can be registered.
3. Each telecommunications provider shall provide a response to a customer inquiry or complaint within seven (7) business days of receipt of the inquiry or complaint, except that the Department may request a provider to respond in less time where circumstances of a particular complaint require less time or in cases of emergency, disconnections, and reconnections as required by Board rules.
4. Each telecommunications provider shall notify a customer that, if the customer is not satisfied with the resolution offered by the provider, the customer may seek further review of the dispute by higher management within the company (if available) or may contact the Department of Public Service.
 - a. The provider shall provide the customer with the telephone number of the Department of Public Service's Consumer Affairs and Public Information Division.
 - b. If a customer seeks review of a dispute by higher management with a company, the company shall respond within ten (10) business days of the date the original dispute resolution was appealed.
5. If a customer elects to contact the Department of Public Service, either directly or upon exhaustion of their provider's internal dispute resolution

process, the Department should, within a reasonable time, notify the affected company of the receipt of the consumer complaint.¹

6. If, following receipt of a customer complaint, the Department needs further information or a response from the company, the service provider shall investigate the complaint and provide a response to the consumer and the Department within ten (10) business days of its receipt of the consumer complaint from the Department.
 - a. If the complaint raises complex issues or issues that require more time to resolve than provided above, the telecommunications provider shall provide the consumer and the Department with an interim status report within ten days of its receipt of the complaint from the Department.
 - b. The telecommunications provider shall submit a final report within ten (10) business days of the submission of its interim status report. If a final resolution cannot reasonably be achieved within the time frames provided herein, the provider shall notify the Department and the consumer and keep both apprised of the Company's progress towards reaching final resolution.
7. Nothing in this dispute resolution procedure shall prevent a customer from contacting the Public Service Department's Consumer Affairs and Public Information Division directly at any point in this process (including at the outset), or otherwise limit a customer's statutory or other legal right to dispute all or a portion of his or her telephone bill.
8. At the time a customer initiates service, and then at reasonable periods, each telecommunications provider shall notify a customer about the availability of the Department of Public Service's complaint resolution process. This notice may occur through telephone bills or telephone directories.

Privacy

1. Customer Proprietary Network Information, Automatic Number Identification and Calling Party Number: The requirements of 47 C.F.R., Part 64, Subpart P shall apply to all telecommunications providers within the state providing calling party number, ANI or charge number services on intrastate calls in the same manner as those rules apply to interstate carriers. The requirements of

1. If the Department concludes that a particular complaint should remain confidential, the Department does not need to inform the affected company.

47 C.F.R, Part 64, Subpart U shall apply to all telecommunications providers of intrastate services.

2. Notice re: 800, 888, and 976 Telephone Numbers: Each telecommunications provider shall provide, individually or in conjunction with other companies, notice at least annually to all customers describing the information that is released to call recipients when the customer places a call to an 800, 888, or 976 telephone number. Companies shall work with the Department on the form of the notice.
3. Non-directory Listed and Non-published Numbers: Each telecommunications service provider shall enable consumers to control the level of privacy of their telephone number(s) and shall preserve, to the extent possible, the privacy of non-published and non-directory listed listings between, among and across interconnected networks and competing, interconnected service providers.
4. Call Blocking Features: All local exchange carriers shall make free per-call blocking available to all customers. In addition, all local exchange carriers shall provide per-line blocking, at no charge, to any customer demonstrating a heightened safety interest and any customer with a non-published number service that requests per-line blocking. Customers may demonstrate a heightened safety interest by submitting a self-declaration form provided by the service provider that confirms the customer's safety risk and requests the company to install per-line blocking on a specific access line.²

All local exchange carriers shall, at least annually and at the time customers initiate service, notify customers of the availability of per-line and per-call blocking. The notification shall inform customers of the criteria for obtaining per-line blocking and the means by which per-call blocking can be activated. Publication of this information in a directory will satisfy the annual notification requirement.³

All local exchange carriers shall provide a telephone number by which customers that have per-line blocking can, at no cost, verify that the per-line blocking is functioning properly.

5. Telemarketing: All local exchange carriers shall provide the following notice (or an equivalent) to customers through the telephone directory:

2. As the Board observed in Docket 5404, there will be no need for Company investigation of a customer's self-declaration or for regulatory involvement in such cases.

3. The FCC already requires such notification by companies providing interstate services. 47 C.F.R. § 64.1603.

There are three things you can do about telemarketing. First, you can write to the following address to get your name off the list of all names called by telemarketers: Telephone Preference Service, PO Box 9014, Farmingdale, NY 11735-9014. Second, upon receiving a call from a particular telemarketer, ask them to identify themselves clearly and then tell them you want your number taken off the list. Third, remember that it is not impolite to hang up on such an unwanted caller. After informing the caller you do not wish to be called back, simply say goodbye.

All telecommunications companies operating in Vermont that conduct telemarketing shall, within the first 30 seconds of the telemarketing call, ask the customer whether the customer wishes to hear the solicitation.

6. Notice of Services with Privacy Implications: At the time a company files a tariff, or at least 30 days prior to the time a company introduces or modifies a service or implements a technology change that may affect the privacy interests of consumers, the company shall file a statement of foreseeable privacy impacts on customer privacy expectations. The statement shall describe any options the company proposes to make available to customers to address privacy concerns.