

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 648 Session of 1991

INTRODUCED BY D. R. WRIGHT, ITKIN, KOSINSKI, TANGRETTI, COHEN, FEE, F. TAYLOR, TRELLO, FREEMAN, BILLOW, GIGLIOTTI, PISTELLA, COWELL, PETRARCA, HECKLER, DeLUCA, HAYDEN, MICHLOVIC, MELIO, FOX, CLARK, BELFANTI, BLAUM, HERSHEY, OLASZ, CAPPABIANCA, RAYMOND, RITTER, VEON, E. Z. TAYLOR AND FLICK, MARCH 12, 1991

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MARCH 12, 1991

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania  
2 Consolidated Statutes, providing for restrictions on the  
3 release of information by telephone and telegraph public  
4 utilities.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Title 66 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a section to read:

9 § 2906. Restrictions on availability of information; written  
10 consent; types of information.

11 (a) General rule.--No public utility may make available to  
12 any other person or corporation any information or marketing  
13 list which divulges more information about customers or  
14 subscribers than can be obtained from the listings as published  
15 in the public utility's white pages telephone directories unless  
16 the customer or subscriber has given the public utility written,  
17 affirmative authorization. Prohibited information shall include,

1 but not be limited to, the following:

2 (1) The residential customer's or subscriber's personal  
3 calling patterns, including any listing of the telephone or  
4 other access numbers called by the residential customer or  
5 subscriber and excluding the identification to the person  
6 called of the person calling and the telephone number from  
7 which the call was placed.

8 (2) The residential customer's or subscriber's credit or  
9 other personal finance information.

10 (3) Services obtained from the public utility or from  
11 independent suppliers of information services which use the  
12 public utility's telephone or telegraph line to provide  
13 service to the residential customer or subscriber. The  
14 provisions of this paragraph shall not apply to information  
15 transmitted between public utilities pursuant to the  
16 furnishing of telephone service between service areas.

17 (4) Demographic information about the residential  
18 customer or subscriber, either as an individual or in the  
19 aggregate.

20 (b) Exceptions.--Subsection (a) shall not apply to  
21 information released after service of a subpoena issued by a  
22 court or other entity authorized to issue subpoenas, to  
23 information released to law enforcement officials in cases  
24 involving abusive use of telephone service or to the release of  
25 information required to provide telephone service to a customer.

26 (c) Unlisted customers or subscribers.--No public utility  
27 may sell, offer for sale or otherwise make available names or  
28 addresses of its customers or subscribers whose listings have  
29 been omitted from the telephone company's published directory  
30 and directory assistance at the request of the customer or

1 subscriber.

2     (d) Other requirements.--Notwithstanding the provisions of  
3 this section, the commission may require additional notification  
4 for, or other conditions upon, the sale of residential customer  
5 or subscriber names and addresses as long as the additional  
6 notification or conditions provide protection to residential  
7 customers and subscribers which is equal to or greater than the  
8 protection provided by this section.

9     Section 2. This act shall take effect in 60 days.