

(1) EXERCISE ANY OF THE POWERS CONFERRED UNDER THIS ARTICLE AGAINST A TELEPHONE COMPANY OR A RESELLER; AND

(2) IN THE CASE OF A COMPLAINT FILED AGAINST A TELEPHONE COMPANY OR A RESELLER, ORDER THE TELEPHONE COMPANY OR RESELLER TO MAKE REPARATIONS TO THE COMPLAINING PARTY IN ACCORDANCE WITH § 8-405 OF THIS SUBTITLE.

~~(B)~~ (C) IN ADDITION TO ANY OTHER AVAILABLE PENALTY, THE COMMISSION MAY ASSESS DIRECTLY, AFTER AN OPPORTUNITY FOR HEARING, AN ADMINISTRATIVE PENALTY ON A TELEPHONE COMPANY OR RESELLER THAT VIOLATES THE PROVISIONS OF THIS SUBTITLE, OR A REGULATION ADOPTED UNDER THIS SUBTITLE, OR FEDERAL LAW OR REGULATION ON UNAUTHORIZED CHANGES ~~IN TELEPHONE SERVICE PROVIDER OR TELEPHONE SERVICE OPTIONS TO A CUSTOMER'S TELEPHONE COMPANY, RESELLER, OR TELECOMMUNICATIONS SERVICE OPTIONS, OR TO THE PERSON WHO BILLS THE CUSTOMER OR THE CUSTOMER'S BILLING ARRANGEMENT.~~

~~(C)~~ (D) THE ADMINISTRATIVE PENALTY UNDER THIS SECTION MAY NOT EXCEED \$1,000 FOR EACH VIOLATION ASSOCIATED WITH A SPECIFIC ACCESS LINE WITHIN ~~IN~~ THE STATE.

~~(D)~~ (E) IN ASSESSING AN ADMINISTRATIVE PENALTY UNDER THIS SECTION, THE COMMISSION SHALL CONSIDER:

(1) THE NATURE, CIRCUMSTANCES, EXTENT, GRAVITY, AND NUMBER OF VIOLATIONS;

(2) THE DEGREE OF CULPABILITY OF THE VIOLATOR;

(3) PRIOR OFFENSES AND REPEATED VIOLATIONS; AND

(4) OTHER MATTERS THAT THE COMMISSION CONSIDERS APPROPRIATE AND RELEVANT.

~~(E)~~ (F) AN ADMINISTRATIVE PENALTY COLLECTED UNDER THIS SECTION SHALL BE PAID INTO THE GENERAL FUND OF THE STATE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.

Approved May 27, 1999.

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## CHAPTER 544

(House Bill 960)

AN ACT concerning

Telephones - ~~Change~~ Changes in Telecommunications Service Provider Services Service