

**65.7640 Mobile telecommunications services -- Adoption of federal provisions -- Notification of service provider about errors -- Correction and refund -- Exhaustion of remedies.**

As it relates, under KRS 65.7621 to 65.7643, to mobile telecommunications services as defined in 4 U.S.C. sec. 124:

- (1) The provisions of 4 U.S.C. secs. 116 to 126 are hereby adopted and incorporated by reference.
- (2) If a customer believes that a tax, charge, fee, or assignment of place of primary use or taxing jurisdiction on a bill is incorrect, the customer shall notify the service provider about the alleged error in writing. This notification shall include the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction, a description of the alleged error, and any other information that the service provider reasonably requires. Within sixty (60) days of receiving the customer's notification, the service provider shall either correct the error and refund or credit all taxes, charges, and fees incorrectly charged to the customer within four (4) years of the customer's notification, or explain to the customer in writing how the bill was correct and why a refund or credit will not be made.
- (3) A customer shall not have a cause of action against a service provider for any erroneously collected taxes, charges, or fees until the customer has exhausted the procedure set forth in subsection (2) of this section.

**Effective:** July 15, 2002

**History:** Created 2002 Ky. Acts ch. 69, sec. 4, effective July 15, 2002.

**Legislative Research Commission Note** (7/15/2002). The provisions of this statute created in 2002 Ky. Acts ch. 69, sec. 4, "take effect for customer service bills issued after August 1, 2002." 2002 Ky. Acts ch. 69, sec. 6.