



General Assembly

January Session, 2007

Raised Bill No. 7182

LCO No. 4394

04394_____ET_

Referred to Committee on Energy and Technology

Introduced by:
(ET)

AN ACT CONCERNING CERTIFIED COMPETITIVE VIDEO SERVICE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 16-1 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) Terms used in this title and in chapters 244, 244a, 244b, 245, 245a
4 and 245b* and in sections 2 to 25, inclusive, of this act, shall be
5 construed as follows, unless another meaning is expressed or is clearly
6 apparent from the language or context:

7 (1) "Authority" means the Public Utilities Control Authority and
8 "department" means the Department of Public Utility Control;

9 (2) "Commissioner" means a member of said authority;

10 (3) "Commissioner of Transportation" means the Commissioner of
11 Transportation appointed under section 13b-3;

12 (4) "Public service company" includes electric, electric distribution,
13 gas, telephone, telegraph, pipeline, sewage, water and community
14 antenna television companies, owning, leasing, maintaining, operating,

15 managing or controlling plants or parts of plants or equipment, and all
16 express companies having special privileges on railroads within this
17 state, but shall not include telegraph company functions concerning
18 intrastate money order service, towns, cities, boroughs, any municipal
19 corporation or department thereof, whether separately incorporated or
20 not, a private power producer, as defined in section 16-243b, or an
21 exempt wholesale generator, as defined in 15 USC 79z-5a;

22 (5) "Plant" includes all real estate, buildings, tracks, pipes, mains,
23 poles, wires and other fixed or stationary construction and equipment,
24 wherever located, used in the conduct of the business of the company;

25 (6) "Railroad company" includes every person owning, leasing,
26 maintaining, operating, managing or controlling any railroad, or any
27 cars or other equipment employed thereon or in connection therewith,
28 for public or general use within this state;

29 (7) "Street railway company" includes every person owning, leasing,
30 maintaining, operating, managing or controlling any street railway, or
31 any cars or other equipment employed thereon or in connection
32 therewith, for public or general use within this state;

33 (8) "Electric company" includes, until an electric company has been
34 unbundled in accordance with the provisions of section 16-244e, every
35 person owning, leasing, maintaining, operating, managing or
36 controlling poles, wires, conduits or other fixtures, along public
37 highways or streets, for the transmission or distribution of electric
38 current for sale for light, heat or power within this state, or, engaged in
39 generating electricity to be so transmitted or distributed for such
40 purpose, but shall not include (A) a private power producer, as
41 defined in section 16-243b, (B) an exempt wholesale generator, as
42 defined in 15 USC 79z-5a, (C) a municipal electric utility established
43 under chapter 101, (D) a municipal electric energy cooperative
44 established under chapter 101a, (E) an electric cooperative established
45 under chapter 597, or (F) any other electric utility owned, leased,
46 maintained, operated, managed or controlled by any unit of local

47 government under any general statute or any public or special act;

48 (9) "Gas company" includes every person owning, leasing,
49 maintaining, operating, managing or controlling mains, pipes or other
50 fixtures, in public highways or streets, for the transmission or
51 distribution of gas for sale for heat or power within this state, or
52 engaged in the manufacture of gas to be so transmitted or distributed
53 for such purpose, but shall not include a person manufacturing gas
54 through the use of a biomass gasification plant provided such person
55 does not own, lease, maintain, operate, manage or control mains, pipes
56 or other fixtures in public highways or streets, a municipal gas utility
57 established under chapter 101 or any other gas utility owned, leased,
58 maintained, operated, managed or controlled by any unit of local
59 government under any general statute or any public or special act;

60 (10) "Water company" includes every person owning, leasing,
61 maintaining, operating, managing or controlling any pond, lake,
62 reservoir, stream, well or distributing plant or system employed for
63 the purpose of supplying water to fifty or more consumers. A water
64 company does not include homeowners, condominium associations
65 providing water only to their members, homeowners associations
66 providing water to customers at least eighty per cent of whom are
67 members of such associations, a municipal waterworks system
68 established under chapter 102, a district, metropolitan district,
69 municipal district or special services district established under chapter
70 105, chapter 105a or any other general statute or any public or special
71 act which is authorized to supply water, or any other waterworks
72 system owned, leased, maintained, operated, managed or controlled
73 by any unit of local government under any general statute or any
74 public or special act;

75 (11) "Consumer" means any private dwelling, boardinghouse,
76 apartment, store, office building, institution, mechanical or
77 manufacturing establishment or other place of business or industry to
78 which water is supplied by a water company;

79 (12) "Sewage company" includes every person owning, leasing,
80 maintaining, operating, managing or controlling, for general use in any
81 town, city or borough, or portion thereof, in this state, sewage disposal
82 facilities which discharge treated effluent into any waterway of this
83 state;

84 (13) "Pipeline company" includes every person owning, leasing,
85 maintaining, operating, managing or controlling mains, pipes or other
86 fixtures through, over, across or under any public land, water,
87 parkways, highways, parks or public grounds for the transportation,
88 transmission or distribution of petroleum products for hire within this
89 state;

90 (14) "Community antenna television company" includes every
91 person owning, leasing, maintaining, operating, managing or
92 controlling a community antenna television system, in, under or over
93 any public street or highway, for the purpose of providing community
94 antenna television service for hire and shall include any municipality
95 which owns or operates one or more plants for the manufacture or
96 distribution of electricity pursuant to section 7-213 or any special act
97 and seeks to obtain or obtains a certificate of public convenience and
98 necessity to construct or operate a community antenna television
99 system pursuant to section 16-331 or a certificate of cable franchise
100 authority pursuant to section 14 of this act. "Community antenna
101 television company" does not include a certified competitive video
102 service provider;

103 (15) "Community antenna television service" means (A) the one-way
104 transmission to subscribers of video programming or information that
105 a community antenna television company makes available to all
106 subscribers generally, and subscriber interaction, if any, which is
107 required for the selection of such video programming or information,
108 and (B) noncable communications service. "Community antenna
109 television service" does not include video service provided by a
110 certified competitive video service provider;

111 (16) "Community antenna television system" means a facility,
112 consisting of a set of closed transmission paths and associated signal
113 generation, reception and control equipment that is designed to
114 provide community antenna television service which includes video
115 programming and which is provided in, under or over any public
116 street or highway, for hire, to multiple subscribers within a franchise,
117 but such term does not include (A) a facility that serves only to
118 retransmit the television signals of one or more television broadcast
119 stations; (B) a facility that serves only subscribers in one or more
120 multiple unit dwellings under common ownership, control or
121 management, unless such facility is located in, under or over a public
122 street or highway; (C) a facility of a common carrier which is subject, in
123 whole or in part, to the provisions of Subchapter II of Chapter 5 of the
124 Communications Act of 1934, 47 USC 201 et seq., as amended, except
125 that such facility shall be considered a community antenna television
126 system and the carrier shall be considered a public service company to
127 the extent such facility is used in the transmission of video
128 programming directly to subscribers; or (D) a facility of an electric
129 company which is used solely for operating its electric company
130 systems. "Community antenna television system" does not include a
131 facility used by a certified competitive video service provider to
132 provide video service;

133 (17) "Video programming" means programming provided by, or
134 generally considered comparable to programming provided by, a
135 television broadcast station;

136 (18) "Noncable communications service" means any
137 telecommunications service, as defined in section 16-247a, and which is
138 not included in the definition of "cable service" in the Communications
139 Act of 1934, 47 USC 522, as amended. Nothing in this definition shall
140 be construed to affect service which is both authorized and preempted
141 pursuant to federal law;

142 (19) "Public service motor vehicle" includes all motor vehicles used

143 for the transportation of passengers for hire;

144 (20) "Motor bus" includes any public service motor vehicle operated
145 in whole or in part upon any street or highway, by indiscriminately
146 receiving or discharging passengers, or operated on a regular route or
147 over any portion thereof, or operated between fixed termini, and any
148 public service motor vehicle operated over highways within this state
149 between points outside this state or between points within this state
150 and points outside this state;

151 (21) "Cogeneration technology" means the use for the generation of
152 electricity of exhaust steam, waste steam, heat or resultant energy from
153 an industrial, commercial or manufacturing plant or process, or the use
154 of exhaust steam, waste steam or heat from a thermal power plant for
155 an industrial, commercial or manufacturing plant or process, but shall
156 not include steam or heat developed solely for electrical power
157 generation;

158 (22) "Renewable fuel resources" means energy sources described in
159 subdivisions (26) and (27) of this subsection;

160 (23) "Telephone company" means a telecommunications company
161 that provides one or more noncompetitive or emerging competitive
162 services, as defined in section 16-247a;

163 (24) "Domestic telephone company" includes any telephone
164 company which has been chartered by or organized or constituted
165 within or under the laws of this state;

166 (25) "Telecommunications company" means a person that provides
167 telecommunications service, as defined in section 16-247a, within the
168 state, but shall not mean a person that provides only (A) private
169 telecommunications service, as defined in section 16-247a, (B) the
170 one-way transmission of video programming or other programming
171 services to subscribers, (C) subscriber interaction, if any, which is
172 required for the selection of such video programming or other

173 programming services, (D) the two-way transmission of educational or
174 instructional programming to a public or private elementary or
175 secondary school, or a public or independent institution of higher
176 education, as required by the department pursuant to a community
177 antenna television company franchise agreement, or provided
178 pursuant to a contract with such a school or institution which contract
179 has been filed with the department, or (E) a combination of the services
180 set forth in subparagraphs (B) to (D), inclusive, of this subdivision;

181 (26) "Class I renewable energy source" means (A) energy derived
182 from solar power, wind power, a fuel cell, methane gas from landfills,
183 ocean thermal power, wave or tidal power, low emission advanced
184 renewable energy conversion technologies, a run-of-the-river
185 hydropower facility provided such facility has a generating capacity of
186 not more than five megawatts, does not cause an appreciable change in
187 the river flow, and began operation after July 1, 2003, or a sustainable
188 biomass facility with an average emission rate of equal to or less than
189 .075 pounds of nitrogen oxides per million BTU of heat input for the
190 previous calendar quarter, except that energy derived from a
191 sustainable biomass facility with a capacity of less than five hundred
192 kilowatts that began construction before July 1, 2003, may be
193 considered a Class I renewable energy source, or (B) any electrical
194 generation, including distributed generation, generated from a Class I
195 renewable energy source.

196 (27) "Class II renewable energy source" means energy derived from
197 a trash-to-energy facility, a biomass facility that began operation before
198 July 1, 1998, provided the average emission rate for such facility is
199 equal to or less than .2 pounds of nitrogen oxides per million BTU of
200 heat input for the previous calendar quarter, or a run-of-the-river
201 hydropower facility provided such facility has a generating capacity of
202 not more than five megawatts, does not cause an appreciable change in
203 the riverflow, and began operation prior to July 1, 2003;

204 (28) "Electric distribution services" means the owning, leasing,

205 maintaining, operating, managing or controlling of poles, wires,
206 conduits or other fixtures along public highways or streets for the
207 distribution of electricity, or electric distribution-related services;

208 (29) "Electric distribution company" or "distribution company"
209 means any person providing electric transmission or distribution
210 services within the state, including an electric company, subject to
211 subparagraph (F) of this subdivision, but does not include: (A) A
212 private power producer, as defined in section 16-243b; (B) a municipal
213 electric utility established under chapter 101, other than a participating
214 municipal electric utility; (C) a municipal electric energy cooperative
215 established under chapter 101a; (D) an electric cooperative established
216 under chapter 597; (E) any other electric utility owned, leased,
217 maintained, operated, managed or controlled by any unit of local
218 government under any general statute or special act; (F) after an
219 electric company has been unbundled in accordance with the
220 provisions of section 16-244e, a generation entity or affiliate of the
221 former electric company; or (G) an electric supplier;

222 (30) "Electric supplier" means any person, including an electric
223 aggregator or participating municipal electric utility that is licensed by
224 the Department of Public Utility Control in accordance with section
225 16-245, that provides electric generation services to end use customers
226 in the state using the transmission or distribution facilities of an
227 electric distribution company, regardless of whether or not such
228 person takes title to such generation services, but does not include: (A)
229 A municipal electric utility established under chapter 101, other than a
230 participating municipal electric utility; (B) a municipal electric energy
231 cooperative established under chapter 101a; (C) an electric cooperative
232 established under chapter 597; (D) any other electric utility owned,
233 leased, maintained, operated, managed or controlled by any unit of
234 local government under any general statute or special act; or (E) an
235 electric distribution company in its provision of electric generation
236 services in accordance with subsection (a) or, prior to January 1, 2004,
237 subsection (c) of section 16-244c;

238 (31) "Electric aggregator" means (A) a person, municipality or
239 regional water authority that gathers together electric customers for
240 the purpose of negotiating the purchase of electric generation services
241 from an electric supplier, or (B) the Connecticut Resources Recovery
242 Authority, if it gathers together electric customers for the purpose of
243 negotiating the purchase of electric generation services from an electric
244 supplier, provided such person, municipality or authority is not
245 engaged in the purchase or resale of electric generation services, and
246 provided further such customers contract for electric generation
247 services directly with an electric supplier, and may include an electric
248 cooperative established pursuant to chapter 597;

249 (32) "Electric generation services" means electric energy, electric
250 capacity or generation-related services;

251 (33) "Electric transmission services" means electric transmission or
252 transmission-related services;

253 (34) "Generation entity or affiliate" means a corporate affiliate or, as
254 provided in subdivision (3) of subsection (a) of section 16-244e, a
255 separate division of an electric company after unbundling has occurred
256 pursuant to section 16-244e, that provides electric generation services;

257 (35) "Participating municipal electric utility" means a municipal
258 electric utility established under chapter 101 or any other electric
259 utility owned, leased, maintained, operated, managed or controlled by
260 any unit of local government under any general statute or any public
261 or special act, that is authorized by the department in accordance with
262 section 16-245c to provide electric generation services to end use
263 customers outside its service area, as defined in section 16-245c;

264 (36) "Person" means an individual, business, firm, corporation,
265 association, joint stock association, trust, partnership or limited
266 liability company;

267 (37) "Regional independent system operator" means the "ISO - New

268 England, Inc.", or its successor organization as approved by the
269 Federal Energy Regulatory Commission;

270 (38) "Certified telecommunications provider" means a person
271 certified by the department to provide intrastate telecommunications
272 services, as defined in section 16-247a, pursuant to sections 16-247f to
273 16-247h, inclusive;

274 (39) "Gas registrant" means a person registered to sell natural gas
275 pursuant to section 16-258a;

276 (40) "Customer-side distributed resources" means (A) the generation
277 of electricity from a unit with a rating of not more than sixty-five
278 megawatts on the premises of a retail end user within the transmission
279 and distribution system including, but not limited to, fuel cells,
280 photovoltaic systems or small wind turbines, or (B) a reduction in the
281 demand for electricity on the premises of a retail end user in the
282 distribution system through methods of conservation and load
283 management, including, but not limited to, peak reduction systems
284 and demand response systems;

285 (41) "Federally mandated congestion charges" means any cost
286 approved by the Federal Energy Regulatory Commission as part of
287 New England Standard Market Design including, but not limited to,
288 locational marginal pricing, locational installed capacity payments, any
289 cost approved by the Department of Public Utility Control to reduce
290 federally mandated congestion charges in accordance with section 7-
291 233y, this section, sections 16-19ss, 16-32f, 16-50i, 16-50k, 16-50x, 16-
292 243i to 16-243q, inclusive, 16-244c, 16-244e, 16-245m, 16-245n [,] and 16-
293 245z, and section 21 of public act 05-1 of the June special session** and
294 reliability must run contracts;

295 (42) "Combined heat and power system" means a system that
296 produces, from a single source, both electric power and thermal energy
297 used in any process that results in an aggregate reduction in electricity
298 use;

299 (43) "Grid-side distributed resources" means the generation of
300 electricity from a unit with a rating of not more than sixty-five
301 megawatts that is connected to the transmission or distribution system,
302 which units may include, but are not limited to, units used primarily to
303 generate electricity to meet peak demand;

304 (44) "Class III renewable energy source" means the electricity output
305 from combined heat and power systems with an operating efficiency
306 level of no less than fifty per cent that are part of customer-side
307 distributed resources developed at commercial and industrial facilities
308 in this state on or after January 1, 2006, or the electricity savings
309 created at commercial and industrial facilities in this state from
310 conservation and load management programs begun on or after
311 January 1, 2006; [and]

312 (45) "Sustainable biomass" means biomass that is cultivated and
313 harvested in a sustainable manner. "Sustainable biomass" does not
314 mean construction and demolition waste, as defined in section 22a-
315 208x, finished biomass products from sawmills, paper mills or stud
316 mills, organic refuse fuel derived separately from municipal solid
317 waste, or biomass from old growth timber stands, except where (A)
318 such biomass is used in a biomass gasification plant that received
319 funding prior to May 1, 2006, from the Renewable Energy Investment
320 Fund established pursuant to section 16-245n, or (B) the energy
321 derived from such biomass is subject to a long-term power purchase
322 contract pursuant to subdivision (2) of subsection (j) of section 16-244c
323 entered into prior to May 1, 2006, or (C) prior to July 1, 2007, such
324 biomass is used in a renewable energy facility that was approved by
325 the department prior to October 1, 2005;

326 (46) "Video service" means video programming services provided
327 through wireline facilities, a portion of which are located in the public
328 right-of-way, without regard to delivery technology, including Internet
329 protocol technology. "Video service" does not include any video
330 programming provided by a commercial mobile service provider, as

331 defined in 47 USC 332(d), any video programming provided as part of
332 community antenna television service, any video programming
333 provided solely as part of interactive on-demand services, or any
334 information service;

335 (47) "Certified competitive video service provider" means an entity
336 providing video service pursuant to a certificate of video franchise
337 authority issued by the department in accordance with section 2 of this
338 act. "Certified competitive video service provider" does not mean an
339 entity issued a certificate of public convenience and necessity in
340 accordance with section 16-331 or the affiliates, successors and assigns
341 of such entity;

342 (48) "Certificate of video franchise authority" means an
343 authorization issued by the Department of Public Utility Control
344 conferring the right to an entity or person to use the public rights-of-
345 way to offer video programming to any subscribers in the state; and

346 (49) "Certificate of cable franchise authority" means an authorization
347 issued by the Department of Public Utility Control pursuant to section
348 14 of this act conferring the right to a community antenna television
349 company to (A) use the public rights-of-way to offer community
350 antenna television service in a community antenna television
351 company's designated franchise area, or (B) use the public rights-of-
352 way to offer video service in a designated franchise area.

353 (b) Notwithstanding any provision of the general statutes, [to the
354 contrary, as used in the general statutes,] the terms "utility", "public
355 utility" and "public service company" shall be deemed to include a
356 community antenna television company, except (1) as otherwise
357 provided in sections 16-8, 16-27, 16-28 and 16-43, (2) that no provision
358 of the general statutes, including but not limited to, the provisions of
359 sections 16-6b and 16-19, shall subject a community antenna television
360 company to regulation as a common carrier or utility by reason of
361 providing community antenna television service, other than noncable
362 communications service, as provided in Subchapter V-A of Chapter 5

363 of the Communications Act of 1934, 47 USC 521 et seq., as amended,
364 and (3) that no provision of the general statutes, including but not
365 limited to, sections 16-6b and 16-19, shall apply to community antenna
366 television companies to the extent any such provision is preempted
367 pursuant to any other provision of the Communications Act of 1934, 47
368 USC 151 et seq., as amended, any other federal act or any regulation
369 adopted thereunder.

370 Sec. 2. (NEW) (*Effective October 1, 2007*) (a) An entity or person, other
371 than a community antenna television company certified to provide
372 community antenna television service pursuant to section 16-331 of the
373 general statutes on or before October 1, 2007, or an affiliate, successor
374 or assign of such community antenna television company, seeking to
375 provide video service in the state shall file with the Department of
376 Public Utility Control an application for a certificate of video franchise
377 authority, containing such information as required by this section. The
378 application shall be accompanied by a fee of one thousand dollars.

379 (b) The application shall include a completed affidavit submitted by
380 the applicant and signed by an officer or general partner of the
381 applicant, affirming: (1) The location of the applicant's principal place
382 of business and the names of the applicant's principal executive
383 officers; (2) that the applicant has filed or will timely file with the
384 Federal Communications Commission all forms required by said
385 commission in advance of offering video service in the state; (3) that
386 the applicant agrees to comply with all applicable federal and state
387 statutes and regulations and with all applicable orders of the
388 department, including, but not limited to, those statutes, regulations
389 and orders regarding the provision of video service by certified
390 competitive video service providers and the use and occupation of
391 public rights-of-way in the delivery of the video service by such
392 providers; (4) that the applicant shall comply with the requirements of
393 sections 4 to 12, inclusive, of this act. The affidavit shall also include a
394 description of the service area footprint to be served within the state,
395 and such description shall be updated by the applicant prior to the

396 expansion of video service to a previously undesignated service area,
397 and a general description of the type or types of technologies the
398 applicant will use to provide video programming in its service area
399 footprint, which may include wire line, wireless, satellite or any other
400 alternative technology.

401 (c) In reviewing such application, the department shall not conduct
402 a contested case proceeding in accordance with chapter 54 of the
403 general statutes. The department may submit written questions to the
404 applicant and require written answers regarding the information
405 provided, and shall accept written comments and reply comments
406 from the applicant, the Office of Consumer Counsel, the Attorney
407 General and other interested companies, organizations and
408 individuals. These written comments and reply comments shall be
409 limited solely to the issue of whether the application complies with the
410 requirements set forth in subsection (b) of this section.

411 (d) The department shall issue a certificate of video franchise
412 authority not later than forty-five days after the filing of such
413 application, provided the application complies with the requirements
414 of subsection (b) of this section. The certificate issued by the
415 department shall provide: (1) A grant of authority to provide video
416 service as requested in the application; (2) a grant of authority to use
417 and occupy the public rights-of-way in the delivery of such service,
418 subject to the laws of the state; and (3) a statement that the grant of
419 authority is subject to lawful operation of the video service by the
420 applicant or its successor in interest.

421 (e) The certificate of video franchise authority issued by the
422 department is fully transferable to any successor in interest to the
423 applicant to which it was initially granted. A notice of transfer shall be
424 filed with the department not later than fourteen business days after
425 the completion of such transfer. The certificate of franchise authority
426 issued by the department may be terminated by the certified
427 competitive video service provider by submitting notice to the

428 department.

429 Sec. 3. (NEW) (*Effective October 1, 2007*) (a) Each certified
430 competitive video service provider shall not be required to comply
431 with any facility build-out requirements or be required to provide
432 video service to any customer using any specific technology. The
433 Department of Public Utility Control shall initiate a contested case
434 proceeding, in accordance with the provisions of chapter 54 of the
435 general statutes, three years after the issuance of the certificate of video
436 franchise authority to such provider to investigate the availability of
437 the certified competitive video service provider's video services and
438 report its findings to the joint standing committee of the General
439 Assembly having cognizance of matters relating to energy and
440 technology.

441 (b) The department shall not impose any provision regulating rates
442 charged by certified competitive video service providers, or impose
443 any other requirements or conditions, except as set forth in sections 2
444 to 12, inclusive, of this act.

445 Sec. 4. (NEW) (*Effective October 1, 2007*) A certified competitive video
446 service provider shall not deny access to service to any group of
447 potential residential subscribers based solely upon the income of the
448 residents in the local area in which such group resides. An affected
449 person may seek enforcement of this requirement by filing a complaint
450 with the Department of Public Utility Control. A municipality within
451 which the potential residential video service subscriber resides may be
452 considered an affected person for purposes of this section.

453 Sec. 5. (NEW) (*Effective October 1, 2007*) (a) Not later than one
454 hundred twenty days after the certified competitive video service
455 provider begins offering service in a designated area, such provider
456 shall provide capacity over its video service to allow community access
457 programming, in its basic service package, in accordance with the
458 following: (1) The certified competitive video service provider shall
459 provide capacity for at least two, but not more than three, community

460 access channels in any given area, equal to the number of community
461 access channels currently offered by the incumbent community
462 antenna television company in the given area; (2) the certified
463 competitive video service provider shall provide funds for community
464 access operations, as provided in section 16-331a of the general
465 statutes; (3) the certified competitive video service provider shall
466 provide the transmission of community access programming and shall
467 not provide additional requirements for the creation of any content;
468 and (4) the community access programming shall be submitted to the
469 certified competitive video service provider in a manner or form that is
470 compatible with the technology or protocol utilized by the competitive
471 video service provider to deliver video services over its particular
472 network, and is capable of being accepted and transmitted by the
473 provider, without requirement for additional alteration or change in
474 the content by the provider.

475 (b) A certified competitive video service provider and a community
476 antenna television company or nonprofit organization providing
477 community access operations shall engage in good faith negotiation
478 regarding interconnection of community access operations where such
479 interconnection is technically feasible or necessary. Interconnection
480 may be accomplished by direct cable, microwave link, satellite or other
481 reasonable method of connection. At the request of a competitive video
482 service provider, community antenna television company or provider
483 of community access operations, the Department of Public Utility
484 Control may facilitate the negotiation for such interconnection.

485 (c) Not later than one hundred twenty days after the certified
486 competitive video service provider begins offering service in a
487 designated area, such provider shall provide transmission of the
488 Connecticut Television Network to all its subscribers, including real-
489 time transmission as technically feasible, under the same conditions as
490 set forth in subdivisions (3) and (4) of subsection (a) of this section.

491 Sec. 6. (NEW) (*Effective October 1, 2007*) (a) There shall be a state-

492 wide video advisory council, whose membership is made up of one
493 representative from each of the existing advisory councils established
494 pursuant to section 16-331 of the general statutes. A certified
495 competitive video service provider shall biannually convene a meeting
496 of said council. No member of the state-wide video advisory council
497 shall be an employee of a community antenna television company. For
498 the purpose of this subsection, an employee includes any person
499 working full time or part time or performing any subcontracting or
500 consulting services for a community antenna television company.

501 (b) The certified competitive video service provider shall provide
502 funding to such state-wide video advisory council in the amount of
503 two thousand dollars per year.

504 (c) Members of the state-wide video advisory council shall serve
505 without compensation. For the purpose of this subsection,
506 compensation shall include the receipt of any free or discounted video
507 service.

508 (d) The Department of Public Utility Control shall designate the
509 state-wide video advisory council as an intervenor in any contested
510 case proceeding before the department involving the certified
511 competitive video service provider it advises. Such certified
512 competitive video service provider shall provide to the chairperson of
513 the state-wide video advisory council a copy of any report, notice or
514 other such document it files with the department.

515 (e) A certified competitive video service provider shall, every six
516 months, provide on bills, bill inserts or letters to subscribers, a notice
517 indicating the name and an address of the chairperson of the state-
518 wide video advisory council and describing the responsibilities of such
519 advisory council. The state-wide video advisory council shall have an
520 opportunity to review such notice prior to its distribution.

521 Sec. 7. (NEW) (*Effective October 1, 2007*) (a) At the time of initial
522 subscription, and annually thereafter, or upon request, each certified

523 competitive video service provider shall provide subscribers with a
524 description of (1) the video service offerings and current rates, (2) the
525 provider's credit policies, including any finance charges or late
526 payment charges, and (3) the provider's billing practices and complaint
527 procedures.

528 (b) Consistent with the provisions of 47 USC 551, at the time of
529 entering into an agreement to provide video service to a subscriber, a
530 certified competitive video service provider shall inform the subscriber
531 of the provider's practices regarding the collection and use of
532 personally identifiable customer information, including (1) the type of
533 information collected, (2) the purposes for which it is used, (3) the
534 extent and manner in which it is shared with unaffiliated third parties
535 for purposes of enabling delivery of video service, and (4) the
536 procedures in place to ensure the subscriber's right to privacy. A
537 certified competitive video service provider shall not disclose
538 personally identifiable customer information other than anonymous or
539 aggregate data to unaffiliated third parties for their own marketing
540 purposes without the consent of the subscriber.

541 (c) A certified competitive video service provider shall implement
542 an informal process for handling Department of Public Utility Control
543 and customer inquiries, billing issues, service issues and other
544 complaints. In the event an issue is not resolved through such informal
545 process, a customer may request of the department a confidential,
546 nonbinding mediation with the competitive video service provider,
547 and a designated member of the department staff shall serve as the
548 mediator. If the mediation is unsuccessful, the customer may file a
549 formal complaint with the department. The department's sole
550 jurisdiction over the complaint is to determine if the certified
551 competitive video service provider is in compliance with sections 3 to
552 11, inclusive, of this act. If the provider is found to be in
553 noncompliance, the department shall order the certified competitive
554 video service provider to cure such noncompliance within a reasonable
555 period of time. Failure to comply may subject the certified competitive

556 video service provider to civil penalties and revocation of the
557 certificate, as provided in section 12 of this act.

558 (d) A certified competitive video service provider shall comply with
559 the customer service requirements of 47 CFR 76.309(c) for its video
560 services.

561 Sec. 8. (NEW) (*Effective October 1, 2007*) Except when otherwise
562 required by federal law, a certified competitive video service provider
563 shall inform the Department of Public Utility Control, each subscriber,
564 the chairpersons of the joint standing committee of the General
565 Assembly having cognizance of matters relating to energy and
566 technology and the chairperson of the state-wide video advisory
567 council of any planned programming or rate changes not less than
568 thirty days prior to implementing such changes unless (1) such
569 changes are required by law to be made in less than thirty days, or (2)
570 the department prescribes a longer or shorter notice period in
571 appropriate circumstances where such longer or shorter notice period
572 is in the best interest of the company's subscribers. The state-wide
573 video advisory council may hold an advisory public hearing
574 concerning the planned changes and may then make a
575 recommendation to the company prior to the planned implementation
576 date.

577 Sec. 9. (NEW) (*Effective October 1, 2007*) If video service provided by
578 a certified competitive video service provider to a subscriber is
579 interrupted for more than twenty-four continuous hours, such
580 subscriber shall receive a credit or refund from the certified
581 competitive video service provider in an amount that represents the
582 proportionate share of such service not received in a billing period,
583 provided such interruption is not caused by the subscriber.

584 Sec. 10. (NEW) (*Effective October 1, 2007*) (a) A certified competitive
585 video service provider shall make closed captioning available when
586 simultaneously broadcast with video signals carried by the provider.

587 (b) A certified competitive video service provider shall offer the
588 concurrent rebroadcast of local television broadcast channels, or utilize
589 another economically or technically feasible process for providing an
590 appropriate message through the provider's video service in the event
591 of a public safety emergency issued over the emergency broadcast
592 system.

593 Sec. 11. (NEW) (*Effective October 1, 2007*) A certified competitive
594 video service provider shall provide any library serving the public and
595 any school system, college or university, located in a part of the
596 certified competitive video service provider's franchise area where
597 service is available, with basic video service at no charge if such
598 library, school system, college or university participates in educational
599 or public access programming offered throughout the company's
600 franchise area. The Department of Public Utility Control may exempt
601 any provider from providing such service at no charge if it would have
602 an adverse impact on the provider. No certified competitive video
603 service provider shall be required to provide this free service if the
604 library or school is receiving cable service from a cable company.

605 Sec. 12. (NEW) (*Effective October 1, 2007*) A certified competitive
606 video service provider, and its officers, agents and employees, shall
607 comply with sections 2 to 12, inclusive, of this act and each applicable
608 order made by the Department of Public Utility Control pursuant to
609 sections 2 to 12, inclusive, of this act. Any certified competitive video
610 service provider which the department finds has failed to comply with
611 sections 2 to 12, inclusive, of this act, or any applicable order made by
612 the department, may be fined, by order of the department, not more
613 than ten thousand dollars for each offense. Each distinct violation of
614 any such order shall be a separate offense and, in the case of a
615 continued violation, each day thereof shall be deemed a separate
616 offense. The department shall impose any such civil penalty in
617 accordance with the procedure established in section 16-41 of the
618 general statutes and if such penalty is imposed, it shall be the sole
619 remedy for such violation. The department shall also have the

620 authority to revoke the certificate of video franchise authority if the
621 certified competitive video service provider is found, after a
622 department hearing with notice to all interested parties, to be in
623 substantial noncompliance with the requirements of law or
624 department orders.

625 Sec. 13. (NEW) (*Effective July 1, 2007*) On or before October 1, 2007,
626 the Department of Public Utility Control shall initiate a contested
627 proceeding to investigate the state and federal laws and regulations
628 applicable to the providers of cable and video services, including, but
629 not limited to, community antenna television companies, competitive
630 video service providers, commercial mobile service companies and
631 satellite companies. The investigation shall also include a review of the
632 state and federal laws and regulations applicable to the providers of
633 voice services, including, but not limited to, telephone companies,
634 certified telecommunications companies, cable companies, voice over
635 Internet protocol providers, and commercial mobile service companies.
636 The department shall issue a report, detailing the similarities and
637 differences in applicable federal and state laws and regulations across
638 the technologies, including, but not limited to, taxing provisions, and
639 listing any state law or state regulatory changes the department deems
640 prudent. The department shall file its report with the chairpersons of
641 the joint standing committee of the General Assembly having
642 cognizance of matters relating to energy and technology on or before
643 April 1, 2008, in accordance with the provisions of section 11-4a of the
644 general statutes.

645 Sec. 14. (NEW) (*Effective October 1, 2007*) (a) Thirty days after a
646 certified competitive video service provider offers video service in a
647 community antenna television company's existing franchise area and
648 (1) if such provider is offering video service in at least twenty per cent
649 of the towns located in that franchise area, or (2) the community
650 antenna television company intends to provide only video service
651 throughout its franchise area, the community antenna television
652 company may seek a certificate of cable franchise authority from the

653 Department of Public Utility Control. Such certificate, if granted, shall
654 replace the certificate of public convenience and necessity issued to the
655 community antenna television company pursuant to section 16-331 of
656 the general statutes, and the company shall be subject to the provisions
657 of this section and sections 15 to 25, inclusive, of this act. Requirements
658 contained in sections 16-331 to 16-333p, inclusive, of the general
659 statutes and in any regulations pursuant thereto shall not apply to a
660 company issued certificate of cable franchise authority, unless
661 specifically provided in this section and sections 15 to 25, inclusive, of
662 this act.

663 (b) A community antenna television company seeking a certificate
664 of cable franchise authority shall file an application with the
665 department. Such application shall include the information required in
666 this section and shall be accompanied by a fee of one thousand dollars.

667 (c) The application shall include a completed affidavit submitted by
668 the applicant and signed by an officer or general partner of the
669 applicant, affirming: (1) The location of the applicant's principal place
670 of business and the names of the applicant's principal executive
671 officers; (2) that the applicant believes a certified competitive video
672 service provider has been offering service in the applicant's franchise
673 area for more than thirty days; (3) if applicable, that the applicant
674 believes such certified competitive video service provider is offering
675 video service in at least twenty per cent of the towns in the applicant's
676 franchise area or, if applicable, that the applicant intends to provide
677 only video service through its franchise area; (4) that the applicant has
678 filed or will timely file with the Federal Communications Commission
679 all forms required by said commission in advance of offering
680 community antenna television service or video service in such
681 franchise area; (5) irrespective of whether an applicant intends to
682 provide community antenna television service or video service
683 pursuant to this section that the applicant agrees to comply with all
684 existing federal and state statutes and regulations and with all
685 department orders applicable to community antenna television

686 companies, except as exempted by sections 15 to 25, inclusive, of this
687 act that the applicant shall comply with the requirements of sections 17
688 to 24, inclusive, of this act. The affidavit shall also include a description
689 of the community antenna television company's current franchise area,
690 and a general description of the type or types of technologies the
691 community antenna television company is using and intends to use in
692 providing community antenna television programming or video
693 service franchise area, which may include wireline, wireless, satellite
694 or any other alternative technology.

695 (d) In reviewing the application, the department shall not conduct
696 the proceeding as a contested case proceeding pursuant to chapter 54
697 of the general statutes. The department may submit written questions
698 to the applicant and require written answers regarding the information
699 provided, and shall accept written comments and reply comments
700 from the applicant, the Office of Consumer Counsel, the Attorney
701 General and other interested persons. There shall be a rebuttable
702 presumption that the issuance of the certificate is in the public interest.
703 The department shall require information from the appropriate
704 certified competitive video service provider to confirm that the
705 certified competitive video service provider has been offering service
706 in the applicant's franchise area for more than thirty days and, if
707 applicable, that such certified competitive video service provider is
708 offering video service in at least twenty per cent of the towns in the
709 applicant's franchise area.

710 (e) The department shall issue a certificate of cable franchise
711 authority not later than forty-five days from the filing of the
712 application if (1) the application complies with the requirements of
713 subsection (c) of this section, (2) a certified competitive video service
714 provider has been offering service in the applicant's franchise area for
715 more than thirty days, (3) if applicable, such certified competitive
716 video service provider is offering service in at least twenty-five per
717 cent of the towns in the applicant's franchise area, or, if applicable, the
718 applicant intends to provide only video service throughout its

719 franchise area, and (4) the department determines that issuance of the
720 certificate of cable franchise authority is in the public interest. The
721 certificate issued by the department shall contain a grant of authority
722 to (A) use the public rights-of-way to offer community antenna
723 television service or, if applicable, in the company's franchise area, and
724 (B) use and occupy the public rights-of-way in the delivery of that
725 service in said franchise area, subject to the laws of this state, and a
726 statement that the grant of authority is subject to lawful operation of
727 the community antenna television service or video service by the
728 holder of the certificate of cable franchise authority or its successor in
729 interest. If applicable, the certificate of cable franchise authority shall
730 not be effective until the applicant is providing only video service
731 throughout its franchise area and is no longer providing community
732 antenna television service in its franchise area.

733 Sec. 15. (NEW) (*Effective October 1, 2007*) A company issued a
734 certificate of cable franchise authority shall not be required to comply
735 with any facility build-out requirements or be required to provide
736 community antenna television service or video service to any customer
737 using any specific technology.

738 Sec. 16. (NEW) (*Effective October 1, 2007*) A company holding a cable
739 franchise authority certificate shall not deny access to service to any
740 group of potential residential subscribers based solely upon the
741 income of the residents in the local area in which such group resides.
742 An affected person may seek enforcement of this requirement by filing
743 a complaint with the Department of Public Utility Control. A
744 municipality within which the potential residential community
745 antenna television service or video service subscriber resides may be
746 considered an affected person for purposes of this section.

747 Sec. 17. (NEW) (*Effective October 1, 2007*) (a) A company issued a
748 certificate of cable franchise authority shall be subject to the
749 community access programming and operations provisions set forth in
750 subsections (b) to (i), inclusive, subsections (k) to (l), inclusive, and

751 subsection (n) of section 16-331a of the general statutes and any
752 regulations pursuant thereto, and subsection (c) of section 16-333 of the
753 general statutes and any regulations pursuant thereto.

754 (b) A company issued a cable franchise authority certificate shall
755 provide transmission of the Connecticut Television Network to all its
756 subscribers, including real-time transmission as technically feasible.

757 Sec. 18. (NEW) (*Effective October 1, 2007*) (a) A company issued a
758 certificate of cable franchise authority shall, twice a year, convene a
759 meeting with the advisory council established pursuant to its previous
760 certificate of public convenience and necessity issued pursuant to
761 section 16-331 of the general statutes. Members shall be appointed in
762 accordance with section 16-331d of the general statutes. No member of
763 the advisory council shall be an employee of a company providing
764 community antenna television service or video service. For the
765 purposes of this subsection, an employee includes any person working
766 full or part time or performing any subcontracting or consulting
767 services for a company providing community antenna television
768 service or video service.

769 (b) A company issued a cable franchise authority certificate shall
770 provide funding to the advisory council in the amount of two
771 thousand dollars per year.

772 (c) Members of the advisory council shall serve without
773 compensation. For the purposes of this section, compensation shall
774 include the receipt of any free or discounted community antenna
775 television service or video service.

776 (d) The Department of Public Utility Control shall designate the
777 advisory council as an intervenor in any contested case proceeding
778 before the department involving the company it advises. Such
779 company shall provide to the chairperson of the advisory council a
780 copy of any report, notice or other document it files with the
781 department.

782 (e) Any company issued a certificate of cable franchise authority
783 shall, every six months, provide on bills, bill inserts or letters to
784 subscribers, a notice indicating the name and address of the
785 chairperson of the advisory council and describing the responsibilities
786 of such advisory council. The advisory council shall have an
787 opportunity to review such notice prior to its distribution.

788 Sec. 19. (NEW) (*Effective October 1, 2007*) (a) At the time of initial
789 subscription, and annually thereafter, a company issued a cable
790 franchise authority certificate shall provide subscribers with a
791 description of the community antenna television service or video
792 service offerings and current rates, a description of the company's
793 credit policies, including any finance charges or late payment charges
794 and a description of the company's billing practices and complaint
795 procedures upon request.

796 (b) In accordance with 47 USC 551, at the time of entering into an
797 agreement to provide community antenna television or video service
798 to a subscriber, a company issued a cable franchise authority certificate
799 shall inform the subscriber of its practices regarding the collection and
800 use of personally identifiable customer information, including (1) the
801 type of information collected, (2) the purposes for which it is used, (3)
802 the extent and manner in which it is shared with unaffiliated third
803 parties for purposes of enabling delivery of the community antenna
804 television or video service, and (4) its procedures to ensure the
805 subscriber's right to privacy. No cable franchise authority shall disclose
806 personally identifiable customer information other than anonymous or
807 aggregate data to unaffiliated third parties for their own marketing
808 purposes without the consent of such subscriber.

809 (c) A company issued a cable franchise authority certificate shall
810 implement an informal process for handling Department of Public
811 Utility Control and customer inquiries, billing issues, service issues
812 and other complaints. In the event an issue is not resolved through this
813 informal process, a customer may request from the department a

814 confidential, nonbinding mediation with the company, and a
815 designated member of the department staff shall serve as the mediator.
816 If the mediation is unsuccessful, the customer may file a formal
817 complaint with the department. The department's sole jurisdiction
818 over the complaint is to determine if the company is in compliance
819 with sections 14 to 24, inclusive, of this act, or any other laws,
820 regulations or orders applicable to companies holding a certificate of
821 cable franchise authority. If the company is found to be in
822 noncompliance, the department shall order the company to remedy
823 such noncompliance within a reasonable period of time. Failure to
824 comply may subject the company to civil penalties and revocation of
825 the certificate, as provided in section 25 of this act.

826 (d) A company issued a certificate of cable franchise authority shall
827 comply with the customer service requirements of 47 CFR 76.309(c) for
828 its community antenna television or video services.

829 Sec. 20. (NEW) (*Effective October 1, 2007*) Except when otherwise
830 required by federal law, a company issued a certificate of cable
831 franchise authority shall inform the Department of Public Utility
832 Control, each subscriber, the chairpersons of the joint standing
833 committee of the General Assembly having cognizance of matters
834 relating to energy and technology and the chairperson of the
835 applicable advisory council of any planned programming or rate
836 changes not less than thirty days prior to implementing such changes
837 unless (1) such changes are required by law to be made in less than
838 thirty days, or (2) the department prescribes a longer or shorter notice
839 period in appropriate circumstances where such longer or shorter
840 notice period is in the best interest of the company's subscribers. The
841 advisory council may hold an advisory public hearing concerning the
842 planned changes and may then make a recommendation to the
843 company prior to the planned implementation date.

844 Sec. 21. (NEW) (*Effective October 1, 2007*) If community antenna
845 television service or video service provided to a subscriber by a

846 company holding a cable franchise authority certificate experiences a
847 service outage for more than twenty-four continuous hours, such
848 subscriber shall receive a credit or refund from such company in an
849 amount that represents the proportionate share of such service not
850 received in a billing period, provided such interruption is not caused
851 by the subscriber.

852 Sec. 22. (NEW) (*Effective October 1, 2007*) (a) A company issued a
853 cable franchise authority certificate shall make closed captioning
854 available when simultaneously broadcast with video signals carried by
855 the company.

856 (b) A company issued a certificate of cable franchise authority shall
857 offer the concurrent rebroadcast of local television broadcast channels,
858 or utilize another economically and technically feasible process for
859 providing an appropriate message through the company's community
860 antenna television service or video service in the event of a public
861 safety emergency issued over the emergency broadcast system.

862 Sec. 23. (NEW) (*Effective October 1, 2007*) A company issued a cable
863 franchise authority certificate shall provide any library serving the
864 public and any school system, college or university, located in a part of
865 the company's franchise area where service is available, with basic
866 community antenna television service or video service at no charge if
867 such library, school system, college or university participates in
868 educational or public access programming offered throughout the
869 company's franchise area. The Department of Public Utility Control
870 may exempt any company with a certificate of cable franchise
871 authority from providing such service at no charge if it would have an
872 adverse impact on such company. No company issued a certificate of
873 cable franchise authority shall be required to provide this free service if
874 the library or school is receiving video service from a certified
875 competitive video service provider.

876 Sec. 24. (NEW) (*Effective October 1, 2007*) Nothing in sections 14 to
877 23, inclusive, of this act shall be construed to relieve a company issued

878 a certificate of cable franchise authority from such company's
879 obligations under any federal or state laws or regulations or
880 Department of Public Utility Control orders applicable to community
881 antenna television companies or public service companies, or from any
882 other federal or state laws or regulations or department orders unless
883 specified in sections 14 to 23, inclusive, of this act.

884 Sec. 25. (NEW) (*Effective October 1, 2007*) A holder of a cable
885 franchise authority certificate, and the officers, agents and employees
886 of such cable franchise authority, shall obey, observe and comply with
887 sections 14 to 24, inclusive, of this act and each applicable order made
888 by the Department of Public Utility Control pursuant to sections 14 to
889 24, inclusive, of this act. A holder of a cable franchise authority
890 certificate that the department finds has failed to obey or comply with
891 sections 14 to 24, inclusive, of this act or any applicable order made by
892 the department pursuant thereto may be fined, by order of the
893 department, not more than ten thousand dollars for each offense. Each
894 distinct violation of any such order shall be a separate offense and, in
895 the case of a continued violation, each day thereof shall be deemed a
896 separate offense. The department shall impose any such civil penalty
897 in accordance with the procedure established in section 16-41 of the
898 general statutes. If such penalty is imposed, it shall be the sole remedy
899 for such violation. The department shall also have the authority to
900 revoke the certificate of cable franchise authority if the holder of the
901 certificate is found, after a department hearing with notice to all
902 interested parties, to be in substantial noncompliance with the
903 requirements of law or department orders.

904 Sec. 26. Section 12-256 of the general statutes is repealed and the
905 following is substituted in lieu thereof (*Effective October 1, 2007*):

906 (a) For purposes of this section, "quarterly period" means a period of
907 three calendar months commencing on the first day of January, April,
908 July or October and ending on the last day of March, June, September
909 or December, respectively.

910 (b) Each person operating a community antenna television system
911 under chapter 289 or a certified competitive video service pursuant to
912 sections 2 to 13, inclusive, of this act and each person operating a
913 business that provides one-way transmission to subscribers of video
914 programming by satellite shall pay a quarterly tax upon the gross
915 earnings from (1) the lines, facilities, apparatus and auxiliary
916 equipment in this state used for operating a community antenna
917 television system or a certified competitive video service, or (2) the
918 transmission to subscribers in this state of video programming by
919 satellite, as the case may be. No deduction shall be allowed from such
920 gross earnings for operations related to commissions, rebates or other
921 payments, except such refunds as arise from errors or overcharges. On
922 or before the last day of the month next succeeding each quarterly
923 period, each such person shall render to the commissioner a return on
924 forms prescribed or furnished by the commissioner, signed by the
925 person performing the duties of treasurer or an authorized agent or
926 officer of the system or service operated by such person, which return
927 shall include information regarding the name and location within this
928 state of such system or service and the total amount of gross earnings
929 derived from such operations and such other facts as the commissioner
930 may require for the purpose of making any computation required by
931 this chapter.

932 Sec. 27. Section 12-258 of the general statutes is repealed and the
933 following is substituted in lieu thereof (*Effective October 1, 2007*):

934 (a) Each person included in section 12-256, as amended by this act,
935 shall be taxed upon the amount of the gross earnings in each quarterly
936 period from the lines, facilities, apparatus and auxiliary equipment
937 operated by it in this state, or from the transmission of video
938 programming by satellite to this state, as the case may be, at the rates
939 provided in this section.

940 (b) Gross earnings for any quarterly period, for the purposes of
941 assessment and taxation, shall be as follows: In the case of a person

942 carrying on the business wholly within the limits of this state, the
943 entire amount of the gross earnings subject to the tax imposed under
944 section 12-256, as amended by this act; in the case of a person also
945 carrying on the business outside of this state, a portion of the entire
946 amount of the gross earnings subject to the tax imposed under section
947 12-256, as amended by this act, apportioned to this state as follows: (1)
948 In the case of a person operating a community antenna television
949 system or a certified competitive video service, such portion of the
950 total gross earnings from the lines, facilities, apparatus and auxiliary
951 equipment operated by it as is represented by the total number of
952 miles of lines operated by such person within this state on the first day
953 and on the last day of such quarterly period to the total number of
954 miles of lines operated by such person both within and without the
955 state on said dates; and (2) in the case of a person operating a business
956 that provides one-way transmission to subscribers of video
957 programming by satellite, such portion of the total gross earnings from
958 the transmission to subscribers in this state as is represented by the
959 total number of subscribers served by such person within this state on
960 the first day and on the last day of such quarterly period to the total
961 number of subscribers served by such person both within and without
962 the state on said dates.

963 (c) The rates of tax on the gross earnings as determined in this
964 section shall be as follows: (1) Persons operating a community antenna
965 television system, five per cent of such gross earnings, reduced by any
966 assessments made pursuant to section 16-49 which are attributable to
967 the year in which such tax is assessed; and (2) persons operating a
968 business that provides one-way transmission to subscribers of video
969 programming by satellite, five per cent of such gross earnings.

This act shall take effect as follows and shall amend the following sections:		
This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	16-1
Sec. 2	<i>October 1, 2007</i>	New section
Sec. 3	<i>October 1, 2007</i>	New section
Sec. 4	<i>October 1, 2007</i>	New section
Sec. 5	<i>October 1, 2007</i>	New section
Sec. 6	<i>October 1, 2007</i>	New section
Sec. 7	<i>October 1, 2007</i>	New section
Sec. 8	<i>October 1, 2007</i>	New section
Sec. 9	<i>October 1, 2007</i>	New section
Sec. 10	<i>October 1, 2007</i>	New section
Sec. 11	<i>October 1, 2007</i>	New section
Sec. 12	<i>October 1, 2007</i>	New section
Sec. 13	<i>July 1, 2007</i>	New section
Sec. 14	<i>October 1, 2007</i>	New section
Sec. 15	<i>October 1, 2007</i>	New section
Sec. 16	<i>October 1, 2007</i>	New section
Sec. 17	<i>October 1, 2007</i>	New section
Sec. 18	<i>October 1, 2007</i>	New section
Sec. 19	<i>October 1, 2007</i>	New section
Sec. 20	<i>October 1, 2007</i>	New section
Sec. 21	<i>October 1, 2007</i>	New section
Sec. 22	<i>October 1, 2007</i>	New section
Sec. 23	<i>October 1, 2007</i>	New section
Sec. 24	<i>October 1, 2007</i>	New section
Sec. 25	<i>October 1, 2007</i>	New section
Sec. 26	<i>October 1, 2007</i>	12-256
Sec. 27	<i>October 1, 2007</i>	12-258

Statement of Purpose:

To require certificates for video franchise authorities.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]