



General Assembly

January Session, 2009

Proposed Bill No. 6102

LCO No. 1559

Referred to Committee on Commerce

Introduced by:

REP. BERGER, 73rd Dist.

REP. MAZUREK, 80th Dist.

AN ACT PROMOTING COMPETITION AMONG COMMUNITY ACCESS PROVIDERS.

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

1 That the general statutes be amended to allow the Department of
2 Public Utility Control to promote competition among community
3 access providers by assuming responsibility for community access and
4 review and evaluate a company's or organization's provision of
5 community access programming, as follows:

6 (a) On or before sixty days prior to October 1, 2009, and on or before
7 sixty days prior to October first every five years thereafter, any
8 community-based nonprofit organization may petition the Department
9 of Public Utility Control to assume responsibility for community
10 access within a defined service area. Upon receipt of any such petition,
11 the department shall conduct a contested case proceeding to determine
12 whether to assign such responsibility to that community-based
13 nonprofit organization, any other nonprofit organization or
14 community access television company based on the following criteria:

15 (1) The recommendations of the community antenna television
16 advisory council and of the chief elected officials of the municipalities
17 in the service area, (2) a review of the performance of the organization
18 or company currently providing community access programming, (3)
19 the operation plan submitted by an organization or a company for
20 providing community access programming, (4) an organization's or
21 company's experience in community access programming, (5) an
22 organization's or company's proposed budget, including expenses for
23 salaries, consultants, attorneys and other professionals, (6) the quality
24 and quantity of the programming to be created, promoted or facilitated
25 by the organization or the company, (7) a review of the organization's
26 or company's procedures to ensure compliance with federal and state
27 law, including the regulations of state agencies, and (8) any other
28 criteria determined to be relevant by the department.

29 (b) On or before sixty days prior to April 1, 2010, and on or before
30 sixty days prior to April first of every five years thereafter, the
31 department may, on its own initiative, review and evaluate a
32 company's or organization's provision of community access
33 programming. The department shall conduct such review or
34 evaluation if the Consumer Counsel or any interested party petitions
35 the department for such a review during the period commencing
36 October 1, 2009, and ending April 1, 2010, and each corresponding
37 period every five years thereafter. Such review shall include
38 consideration of the factors set forth in subsection (a) of this section.

Statement of Purpose:

To allow the Department of Public Utility Control to take over responsibility for certain community access and to review and evaluate a company's or organization's provision of community access programming.