



General Assembly

January Session, 2009

**Raised Bill No. 6634**

LCO No. 4428

\*04428\_\_\_\_\_ET\_\*

Referred to Committee on Energy and Technology

Introduced by:  
(ET)

**AN ACT PROTECTING CERTAIN TELEPHONE AND TELEVISION CUSTOMERS.**

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

1 Section 1. Subdivision (4) of subsection (a) of section 16-1 of the  
2 general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective from passage*):

4 (4) "Public service company" includes electric, electric distribution,  
5 gas, telephone, telegraph, pipeline, sewage, water and community  
6 antenna television companies, companies providing telephone service  
7 using equipment that connects directly to the Internet and holders of a  
8 certificate of cable franchise authority, owning, leasing, maintaining,  
9 operating, managing or controlling plants or parts of plants or  
10 equipment, and all express companies having special privileges on  
11 railroads within this state, but shall not include telegraph company  
12 functions concerning intrastate money order service, towns, cities,  
13 boroughs, any municipal corporation or department thereof, whether  
14 separately incorporated or not, a private power producer, as defined in  
15 section 16-243b, or an exempt wholesale generator, as defined in 15  
16 USC 79z-5a.

17 Sec. 2. Section 12-258 of the general statutes is repealed and the  
18 following is substituted in lieu thereof (*Effective July 1, 2009, and*  
19 *applicable to sales years commencing on and after January 1, 2009*):

20 (a) Each person included in section 12-256 shall be taxed upon the  
21 amount of the gross earnings in each quarterly period from the lines,  
22 facilities, apparatus and auxiliary equipment operated by it in this  
23 state, or from the transmission of video programming by satellite or by  
24 a certified competitive video service provider to subscribers in this  
25 state, as the case may be, at the rates provided in this section.

26 (b) Gross earnings for any quarterly period, for the purposes of  
27 assessment and taxation, shall be as follows: In the case of a person  
28 carrying on the business wholly within the limits of this state, the  
29 entire amount of the gross earnings subject to the tax imposed under  
30 section 12-256; in the case of a person also carrying on the business  
31 outside of this state, a portion of the entire amount of the gross  
32 earnings subject to the tax imposed under section 12-256 apportioned  
33 to this state as follows: (1) In the case of a person operating a  
34 community antenna television system, such portion of the total gross  
35 earnings from the lines, facilities, apparatus and auxiliary equipment  
36 operated by it as is represented by the total number of miles of lines  
37 operated by such person within this state on the first day and on the  
38 last day of such quarterly period to the total number of miles of lines  
39 operated by such person both within and without the state on said  
40 dates; (2) in the case of a person operating a business that provides  
41 one-way transmission to subscribers of video programming by  
42 satellite, such portion of the total gross earnings from the transmission  
43 to subscribers in this state as is represented by the total number of  
44 subscribers served by such person within this state on the first day and  
45 on the last day of such quarterly period to the total number of  
46 subscribers served by such person both within and without the state  
47 on said dates; and (3) in the case of a person providing certified  
48 competitive video service, such portion of the total gross earnings from  
49 the transmission to subscribers in this state as is represented by the

50 total number of subscribers served by such person within this state on  
 51 the first and the last days of such quarterly period to the average of the  
 52 total number of subscribers served by such person both within and  
 53 without the state on said dates.

54 (c) The rates of tax on the gross earnings as determined in this  
 55 section shall be as follows: (1) Persons operating a community antenna  
 56 television system or a certified competitive video service, five per cent  
 57 of such gross earnings, reduced by any assessments made pursuant to  
 58 section 16-49 which are attributable to the year in which such tax is  
 59 assessed; and (2) persons operating a business that provides one-way  
 60 transmission to subscribers of video programming by satellite, five per  
 61 cent of such gross earnings, except that if the business does not  
 62 provide transmission of the Connecticut Television Network or its  
 63 successor to all subscribers, the rate of tax shall be six per cent of such  
 64 gross earnings.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-1(a)(4)
Sec. 2	<i>July 1, 2009, and applicable to sales years commencing on and after January 1, 2009</i>	12-258

**Statement of Purpose:**

To provide certain protections for telephone customers and provide greater access to the Connecticut Television Network.

*[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.]*