



House of Representatives

General Assembly

File No. 331

February Session, 2010

Substitute House Bill No. 5463

House of Representatives, April 6, 2010

The Committee on Energy and Technology reported through REP. NARDELLO of the 89th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING PERIODIC REVIEW OF VIDEO PROVIDERS.

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

1 Section 1. (NEW) (*Effective July 1, 2010*) The Department of Public
2 Utility Control shall biennially conduct a performance review of every
3 person, entity or company holding a certificate of public convenience
4 and necessity to provide community antenna television service, a
5 certificate of cable franchise authority or a certificate of video franchise
6 authority, as such terms are defined in section 16-1 of the general
7 statutes, to review the state of the industry and to ensure compliance
8 with the terms and conditions of each such certificate as applicable.
9 The performance review may include, but not be limited to, issues
10 concerning customer service, community access support, management
11 of outages, service to handicapped and low-income customers and
12 cooperation with the department. Performance reviews conducted
13 pursuant to this section shall be conducted as contested cases and
14 include an opportunity for a hearing in accordance with chapter 54 of

15 the general statutes. The Attorney General and the Office of Consumer
16 Counsel shall be parties to any such contested case. The department
17 may designate the applicable advisory council as an intervenor in any
18 such contested case.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2010</i>	New section

Statement of Legislative Commissioners:

The reference to section 16-1 definitions was inserted for clarity.

ET *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Public Utility Control, Dept.	GF - Cost	50,000	50,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill will result in a cost to the Department of Public Utility Control (DPUC) in the amount of approximately \$50,000 each fiscal year. These costs are associated with holding any additional 16 contested case proceedings each year since the bill requires DPUC to conduct a contested case performance review for each of the 33 video providers in the state every 2 years. The additional costs are mainly for out-sourced administrative work such as transcriptions.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis

sHB 5463

AN ACT CONCERNING PERIODIC REVIEW OF VIDEO PROVIDERS.

SUMMARY:

This bill requires the Department of Public Utility Control to conduct a performance review every two years of every person, entity, or company holding a cable TV certificate to review the state of the industry and to ensure compliance with applicable terms and conditions of their certificates. (There are three types of Cable TV certificates but the laws applying to the various providers are similar.) The review may include issues such as customer service, community access support, management of outages, service to handicapped and low-income customers, and cooperation with the department. The reviews must be conducted as contested cases with the attorney general and the Office of Consumer Counsel as parties and include an opportunity for a hearing. The department may designate the applicable advisory councils as an intervenor in the case. There is a council for each franchise area and a statewide council.

EFFECTIVE DATE: July 1, 2010

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable Substitute

Yea 14 Nay 8 (03/18/2010)