
OLR Bill Analysis

sHB 6460

AN ACT CONCERNING PUBLIC ACCESS CHANNELS.

SUMMARY:

This bill allows any cable T.V. company or a nonprofit organization responsible for community (public, educational, and governmental) access operations that receives subscriber funds for community access to use the money to create and develop town-specific community access programming, including for labor and staff expenses.

The bill requires any cable TV company or nonprofit organization that (1) is responsible for community access operations and (2) supplied both original programming from locally run operations and funding to town-specific programming on January 1, 2008, to continue to fund town-specific programming in the same proportions as it did as of that date.

The bill expands the scope of a law that requires certain nonprofit entities that provide community access TV to transfer responsibility for educational and governmental access to town bodies or officials. In one franchise area, it increases from \$100,000 to \$200,000 per year, the amount that must be transferred from the provider to the cable advisory council. By law, the council must use the money for town-specific educational and governmental access programming.

The bill requires the nonprofit organization that provides community access in the Bridgeport area to (1) annually transfer \$200,000, rather than \$100,000, of the money it receives from the local cable company to the advisory council for that area and (2) transfer the money in two annual disbursements.

EFFECTIVE DATE: Upon passage for the requirement that funding for town-specific programming be maintained at 2008 levels, and July

1, 2011 for the remaining provision, with the transfer and disbursement provision applying to 2012 and subsequent calendar years

RESPONSIBILITY FOR GOVERNMENT ACCESS PROGRAMMING

By law, a nonprofit organization can, with Department of Public Utility Control (DPUC) authorization, assume responsibility for community access operations.

Under current law, upon request from any town organization, authority, body, or official within its service territory, one third-party nonprofit community access provider must consent to a town organization, authority, body, or official to (1) operate educational and governmental public access channels in that town and (2) engage the cable TV company serving to use its equipment to disseminate town-specific community access programming on its channels. The nonprofit access provider must grant the written consent within three business days. If it does not, DPUC can (1) terminate, revoke, or rescind the provider's service agreement to provide public access programming and (2) reopen the application process to secure a community access provider for each of the towns within the affected service territory.

Under current law, these provisions only apply to an access provider that serves six municipalities, one of which has a population of more than 130,000 (i.e., the provider serving the Bridgeport franchise area). The bill expands these provisions to apply to franchises with five or more municipalities, one of which has a population of 100,000 or more. It also expands the provisions to apply when cable TV service is provided by a company other than a cable TV company. (In addition to Bridgeport, the Hartford, Stamford, and Waterbury area franchises appear to meet the expanded criteria)

Under current law, the cable provider for the Bridgeport area must direct \$100,000 per year from the funds collected from subscribers that it provides to the access provider directly to the service territory's community antenna television advisory council. The council must use

this money to develop town-specific educational and governmental community access programming. The bill increases the amount to \$200,000 and requires that the money be sent in two equal disbursements, one by March 1 and one by June 1.

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable Substitute

Yea 14 Nay 8 (03/22/2011)