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Details:

(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...  
PUBLIC HEARING - COMMITTEE RECORDS**

**2007-08**

(session year)

**Senate**

(Assembly, Senate or Joint)

**Committee on ... Commerce, Utilities, and Rail (SC-CUR)**

**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**



7525 West Greenfield Avenue  
West Allis, Wisconsin 53214-4688



MAYOR'S OFFICE

JEANNETTE BELL

Mayor

414/302-8290

414/302-8207 (Fax)

City Hall

7525 West Greenfield Avenue

West Allis, Wisconsin 53214

mayor@ci.west-allis.wi.us

www.ci.west-allis.wi.us

September 4, 2007

LETTER ADDRESSED TO:

- Sen. Sullivan
- Rep. Staskunas
- Rep. Vukmir

The Honorable Jim Sullivan  
State Senator, 5th District  
State Capitol  
P.O. Box 7882  
Madison WI 53707-7882

SB107?

Dear Senator Sullivan:

The two Video Franchising Bills currently before our State Legislators will have serious impact on local governments. There is much more at stake than just paying local governments their franchise fee, which I might explain is rent paid by these companies to use the City's public-rights-of-way (PROW) to make a profit on their services.

What is at stake is control of those public-rights-of-way, safeguarding consumer protection, maintaining our community access channels, and ensuring that our entire community is able to receive competitive services. Being able to control who is using the PROW is critical to the overall safety of our community. At issue are the "large" conversion boxes that AT&T will need to install. These boxes are 5' x 3' and there won't be just 10 or 15. In a community the size of West Allis, there could be several hundred (one every 3 square blocks). The proposed Wisconsin legislation won't allow us to charge a provider for permits to inspect the work being done in the PROW.

Currently, if customers have problems with their cable provider, they can contact the City to intervene and resolve the problem, often in a matter of hours. The State Legislation would have a State Agency respond to "all" customer complaints. This is a monumental task for one Agency to handle. The local franchise holds the provider accountable to their customers. An example of how consumer protection can be mishandled by a State is the State of Texas, where under their state franchise, the Public Utilities Commission regulates customer service standards. But, according to the Texas PUC, they are unclear whether they have the authority to do that under federal guidelines even though the State of Texas is the franchise authority. In turn, the Texas PUC is sending all the complaints back to the local municipalities, who under the State Franchise don't have any authority to enforce customer service standards, and to the cable providers for resolution. The power of the local franchise is to have the provider respond and resolve issues or risk repercussions when the franchise comes up for renewal. The proposed Wisconsin State Franchise will never have that kind of power because the state franchise is granted indefinitely.

The Honorable Jim Sullivan  
September 4, 2007  
Page 2

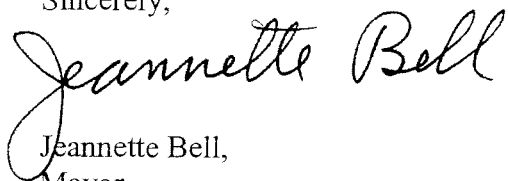
The way the current legislation is written, West Allis would also lose their Public and Education Access Channels, which are funded above the franchise fee. For the past 11 years, our cable customers have been paying \$1.02 per month in support of these community access channels. The state legislation would no longer allow this kind of support. We are only asking that in communities, such as West Allis, where this funding structure is currently in place is to allow it to continue.

The final issue at stake is providing competitive services to our "entire" community. This legislation would allow a provider to enter a community and not have to offer service to the whole city. How is that fair to our residents, that some areas will get competition while others won't, that some will have a choice while others won't. Both of these two versions of the Bills are allowing a company to come in and splinter our community.

There is a lot more to lose by this legislation than gain. As for AT&T needing a quick road into communities, they are already entering into agreements and providing service without a state franchise. Local franchising does work and safeguards the special needs of each community.

Thank you for your attention to our concerns.

Sincerely,

A handwritten signature in cursive script that reads "Jeannette Bell". The signature is written in black ink and is positioned above the typed name and title.

Jeannette Bell,  
Mayor

JB:jfw

cc: Sen. Jeff Plale  
Rep. Phil Montgomery  
Wisconsin Alliance of Cities  
League of Wisconsin Municipalities

ADM\CABLE\FBILLS07



# Communications

*Local 4603*

6511 W. BLUEMOUND RD.  
MILWAUKEE, WI 53213-4090

(414) 258-4010

(414) 258-9440 — Recording

(414) 258-8542 — FAX



## Workers of America

(AFFILIATED WITH AFL-CIO)

September 10, 2007

SB 107?

42

Senator Jeffrey Plale  
Room 313 South  
State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882

Dear Senator Plale,

I am writing to ask your help in convincing AT&T to retain jobs in Milwaukee. AT&T announced in late July the closing of the Local Service Center located at 804 N Milwaukee Street in Downtown Milwaukee. The office closing will displace the final 103 workers in that office which are all long term employees. Five years ago we had approximately 550 people in that office, of that the majority were women and approximately 70% were minorities. Most lived in the City of Milwaukee. Many were single parents and this was the first decent job they had with benefits. The loss of these jobs has been devastating to these workers.

AT&T has been slowly but surely pulling jobs out of Milwaukee and throughout Wisconsin in recent years.

Milwaukee has suffered some of the biggest job losses in the Midwest with AT&T. As you know, we desperately need good family supporting jobs in Milwaukee.

Just to give you an example of some of the job losses we have experienced in recent years.

The closing of the Local Service Center represents a loss of approximately 550 jobs. All of these jobs were in Milwaukee. The Grand Rapids and Indianapolis LSC Offices remain open.

We lost 100 peoples worth of work in the Local Operations Center located at 918 N 26th Street in Milwaukee when they transferred the work to East St. Louis.

The Grange Avenue Dispatch Center has been closed, 54 more jobs lost.

The Operator Service Offices in Waukesha and Oshkosh have been closed. Waukesha had approximately 40 people in 2004 and Oshkosh 30.

The Data Storage Center in Pewaukee has been closed.

The RCMAC Centers in Milwaukee and EauClaire have been closed.

The Siemens Center and Payphone unit in Milwaukee have also had their workforce cut this year.

There have been many other downsizings and closings through out the State. We have lost close to 1000 jobs in Wisconsin in recent years.

The job losses far outweigh any gains. Most of the new positions created are term jobs which have no pension plan or post retirement benefits. In some cases the wages are significantly lower than the jobs we are losing.

Anything you can do from your position to help us retain our family supporting jobs in Milwaukee would be greatly appreciated. I am very concerned we will lose more jobs down the road.

The CEO of AT&T is Randall Stephenson, his contact information is as follows.

Randall Stephenson, Chairman & CEO  
175 E Houston St  
San Antonio, TX 78205  
210 351-5401

Scott VanderSanden is the Wisconsin President, his contact information is as follows.

Scott VanderSanden, President-Wisconsin  
722 N Broadway Floor 18  
Milwaukee, WI 53202  
414 270-5900

If you have any questions please feel free to call me at 414 258-4010.

Thank you.

Sincerely,



George Walls, President  
CWA Local 4603

CC:  
file



**Communications  
Workers of America**  
AFL-CIO/CLC  
*district4.cwa-union.org*

20525 Center Ridge Rd. #700  
Cleveland, Ohio 44116-3453  
440/333-6363  
440/333-1491 FAX

Seth Rosen  
Vice President – District 4  
Illinois, Indiana, Michigan, Ohio and Wisconsin  
*srosen@cwa-union.org*



SB 107?

September 17, 2007

TO: Wisconsin State Legislators

This correspondence shall serve as a reaffirmation of the Communications Workers of America's support of the state video franchise legislation currently being considered in Wisconsin. This legislation is an important step in assuring that Wisconsin residents have available to them the same cutting edge technology that is available to our neighboring states.

This legislation will help consumers with increased competition and will provide incentives for investment in information technology for Wisconsin that will grow jobs and spur economic development. This bill is good for business, good for Labor, and good for your constituents -- the consumer.

Illinois, Indiana, Michigan, and Ohio have all already passed legislation to bring their states information infrastructure into the future. On behalf of thousands of CWA members throughout the state, we do not want Wisconsin left behind. To that end, we strongly urge your support of this legislation so that we can join a growing list of states that have made the decision to advance their technology and enhance their residents' quality of life.

If you have any questions regarding this legislation, please contact CWA Representative Ron Honse. Ron can be reached via e-mail at [rhonse@cwa-union.org](mailto:rhonse@cwa-union.org) or cell phone at 419-343-4319. Thanks in advance for your careful consideration of this important legislation.

Sincerely,

Seth Rosen  
Vice President

SR:bjl





SB107?

**Tom Barrett**  
Mayor, City of Milwaukee

---

September 25, 2007

Members, Wisconsin State Senate  
State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882

Dear Senators,

We are writing to draw your attention to the 2007 Cable and Video Competition Law recently adopted by the State of Illinois. Months of negotiations between all affected Illinois stakeholders really paid off when the legislation won the unanimous support of Illinois lawmakers. The result is a fair statewide franchising process that will ease competitor entry into the cable marketplace while still protecting the public's interests.

Based on this new development, we encourage you to revise Wisconsin's Video Competition legislation, to match the provisions adopted by our neighbors. Here are some highlights:

The Illinois law better protects consumers. Cable and video providers are required to develop standards regarding all aspects of their customer service practices including billing, installation, general customer service, and service termination. In addition, it provides the state with adequate resources to enforce these protections through a system of annual reports, fines and a thorough franchise review and renewal/revocation process.

The Illinois law recognizes the value of public access channels. By continuing support for these channels, it guarantees that communities will still be able to watch their local governments in action, their high school football games and other community based and locally produced educational programming.

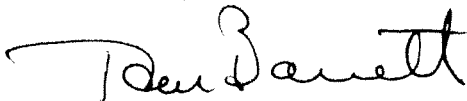
The Illinois law provides for better oversight of publicly owned rights-of-way. This includes the ability to collect reasonable permit and other fees for labor-intensive city services like street cuts and the review of infrastructure placement.

The Illinois law would also provide more jobs for Wisconsin residents. Revising the Wisconsin legislation will strengthen build-out requirements, thereby ensuring more jobs for industry workers. An added bonus is that preserving local revenues and PEG funds will ensure that existing family-supporting jobs will not be lost.

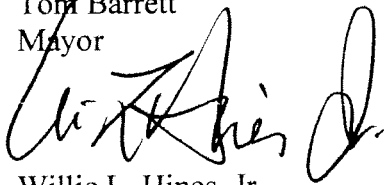
With each state that passes statewide video franchising legislation, the outcome is increasingly positive for consumers and local government taxpayers. The Illinois law is the best to date. Why should Wisconsin residents accept anything less?

It is incumbent upon you to ensure that Wisconsin residents have the same protections as our neighbors in Illinois. We urge you to support this alternative.

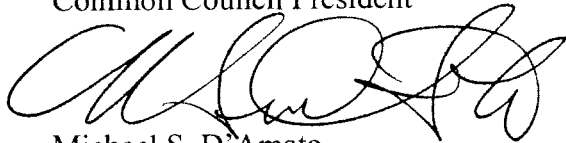
Sincerely,



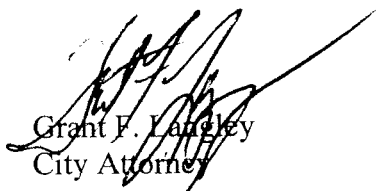
Tom Barrett  
Mayor



Willie L. Hines, Jr.  
Common Council President



Michael S. D'Amato  
Chair, Judiciary and Legislation Committee



Grant F. Langley  
City Attorney

MTB/jg



# Regional Telecommunications Commission

Suite 1500  
1000 North Water Street  
Milwaukee, Wisconsin 53202  
Phone: 414-347-7089  
Fax: 414-347-7670  
E/Mail: [bob.chernow@rbcdain.com](mailto:bob.chernow@rbcdain.com)

October 10, 2007

Dear Wisconsin Legislators:

The 35 cities, towns and villages of the Regional Telecommunications Commission oppose the Plale-Montgomery bills (A.B. 207/S.B. 107). Here are some of the problems we see.

The justification for this bill is to generate competition among cable and video providers. This is a goal that our organization has fought to achieve for years.

For example, before the high tech bust we fast tracked Digital Access, a new cable-Internet-phone provider. In six months we had an agreement that was fair for our communities and our cable provider, Time Warner.

In late 2005, we contacted AT&T Wisconsin and began a year's negotiations for a model agreement that we thought all of Wisconsin's communities could adopt. AT&T stopped negotiations when they thought they could get a "better" deal from you in Madison. The Pale-Montgomery bill obstructed our negotiations.

Indeed, AT&T could have had a model agreement by mid-2006. Today we would happily agree to the Milwaukee-AT&T agreement. AT&T refuses to talk.

Let us make clear that we want competition to improve service and lower costs for our consumers. We just do not think that this bill accomplishes this goal.

Let us look at why:

Many of our communities use PEG for governmental and educational purposes, servicing those who live in our cities, villages and towns. PEG operates on a shoestring but produces value. PEG is supported by volunteers. *Yet the bill forces PEG to "raise" its own funding after three years, according to Senator Plale. This will kill PEG.*

***The elimination of PEG does not help competition. The modest pass-through costs are by paid by subscriber. What it does is to allow the provider to raise its own rate. This is exactly what Time Warner did when it won concessions from Milwaukee for PEG.***

**On a different issue, we think that it is fair for new providers to carry PEG once they have reached a certain thresh hold of subscribers and to connect PEG to their system. This is what current providers do.**

**We want our citizens to receive service on a neutral basis and not based on race or wealth. While the bill makes accommodations, enforcement is inadequate. A weak department, with no consumer experience, has purposely been assigned this task. But to insure non-enforcement, its "budget" was cut to less than \$70,000.**

**The RTC just finished an audit of one of our providers. We are claiming fees that were not paid. Other communities have had success with their audits. The Plale-Montgomery bill restricts our audits. What does this have to do with competition?**

**The answer is nothing.**

**The Plale- Montgomery bill is about power an industry to control and dominate the market. This is bad business and bad government.**

**The argument also has been made that AT&T will not invest capital or manpower if this bill fails. *But reality shows that they are competing now. Moreover, AT&T has no other choice. They have lost 1/3 of their telephone market to cable and VOIP providers. They have no other choice!***

**On the other hand, Time Warner is investing \$20 million in a new building in Appleton and will hire 300 workers over the next five years.**

**We are also concerned that we have been systematically excluded from this process. Representative Montgomery made clear that the RTC and other municipalities would "not have a seat at the table." As they say "When you don't have a seat at the table, you are liable to be part of the meal."**

**AT&T likes this bill. Our communities oppose it. AT&T- Wisconsin lobbyists helped write this bill. They have hired a battalion of lobbyists, set up a phony advertising campaign, and contributed over \$100,000 to members of the Senate and Assembly. The members of our organization, the RTC, are all volunteers and local officials. We are not sophisticated lobbyists, nor do we have funds to contribute to your campaigns. We are just trying to keep our rights of way and represent the best interests of our citizens.**

**These citizens believe that their rates will go down. They are wrong. AT&T has been up front that their current rates are only for promotional purposes. They originally project a 20% increase to \$120. Now they are projecting an increase of 45% to \$145.**

**We ask that you either reject this bill or change it to be in accord with the Milwaukee-AT&T agreement.**

**Sincerely,**

**Bob Chernow  
Chair**

**Regional Telecommunication Commission Members**

- 1. Village of Bayside \***
- 2. City of Brookfield**
- 3. Village of Brown Deer \***
- 4. Village of Butler**
- 5. City of Cudahy**
- 6. Village of Elm Grove**
- 7. Village of Fox Point \***
- 8. City of Franklin**
- 9. Village of Germantown**
- 10. City of Glendale \***
- 11. Village of Greendale**
- 12. City of Greenfield**
- 13. Village of Hales Corners**
- 14. Village of Hartland**
- 15. Village of Menomonee Falls**
- 16. City of Mequon**
- 17. City of Milwaukee \*\***
- 18. City of Muskego**
- 19. City of New Berlin**
- 20. City of Oak Creek**
- 21. City of Pewaukee**
- 22. City of Racine++**
- 23. Village of River Hills \***
- 24. Village of Saukville**
- 25. Village of Shorewood \***
- 26. Village of Slinger++**
- 27. City of South Milwaukee**
- 28. Village of Sussex**
- 29. Village of Thiensville**
- 30. City of Waukesha**
- 31. City of Wauwatosa**
- 32. City of West Allis**
- 33. City of West Bend++**
- 34. Village of West Milwaukee**
- 35. Village of Whitefish Bay**





Oak Creek

CITY  
ADMINISTRATOR

October 12, 2007

Senator Jeff Plale  
Seventh Senate District  
State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882

Dear Senator Plale:

companion to  
SB107

As Mayor/President of the City of Oak Creek I am writing to express our concerns about Assembly Bill 207 ("AB207"), the pending cable television and video franchising legislation. I will contact you in the next few days to discuss these concerns. This so-called "video competition" legislation, co-authored by the cable and phone industries, will make very bad public policy. We believe that the municipalities and video consumers throughout the state would be better off with no change in the current state cable franchise law. However, if the will of the legislature is to change the current law, it should look to the excellent example of Illinois, where a video bill passed unanimously and was signed into law by Governor Blagojevich on June 30 of this year. Wisconsin could join Illinois in starting a strong trend toward protecting consumers, preserving local authority over rights-of-way, and supporting public, educational, and governmental television ("PEG").

The following are a few differences between the Wisconsin bill and the Illinois law for you to consider.

#### CONSUMER PROTECTION/PUBLIC BENEFITS

The Wisconsin bill harms consumers by:

- Significantly weakening existing municipal regulatory authority to adopt and enforce customer service requirements.
- Allowing incumbent operators to begin charging for service lines and video service now provided for free to municipal buildings and schools under existing local franchises.

The Illinois law protects consumers and provides for public benefits by:

- ✓ Establishing extensive customer service protections covering complaint resolution, availability of product information, repair service, telephone service, local offices, billing, appointments, privacy, outages, and rebates.
- ✓ Establishing specific penalties that the attorney general or a local government may impose to enforce all customer service standards in response to complaints received from local residents.

8640 S. Howell Ave.  
Oak Creek, WI 53154  
Tel: (414)768-6504  
Fax: (414)768-6596  
pdegrave@oakcreekwi.org



- ✓ Requiring the cable or video provider to report annually to the local government and the attorney general showing how the provider is meeting the customer service standards specified in the law.
- ✓ Establishing a public benefits obligation, by which all cable or video providers provide a free service line and free basic service to all current and future public buildings within their service footprint, including, all local governmental buildings, public libraries, and public primary and secondary schools.
- ✓ Requiring large telecommunications video service providers to provide broadband Internet access to 90% of the households in the provider's telecommunications service area by December 31, 2008, or else pay \$15,000,000 into the Digital Divide Elimination Infrastructure Fund.

#### **LOCAL CONTROL OVER RIGHT-OF-WAY**

The Wisconsin bill weakens municipal regulatory authority over local rights-of-way by:

- Prohibiting local regulation that would have the effect of “creating a moratorium” on a provider's use of local rights-of-way, a prohibition that will certainly lead to litigation by providers seeking to further weaken municipal authority to protect local rights-of-way.
- Prohibiting municipalities from collecting their actual right-of-way costs from providers if they also receive a franchise fee, thereby forcing municipalities to recover such costs from the franchise fee or general fund.

The Illinois law protects local control over rights-of-way by:

- ✓ Safeguarding municipal authority to manage local rights-of-way.
- ✓ Establishing restrictions on video providers’ use of local rights-of-way to minimize the impact of such use.
- ✓ Expressly allowing municipalities to charge providers right-of-way permit fees that cover the cost of administering permits and inspecting any excavations or other work done in the right-of-way regardless of whether a franchise fee is collected.

#### **ACCESS TO SERVICE/UNIVERSAL SERVICE**

The Wisconsin bill will help create a “video divide” by:

- Allowing incumbent providers who obtain state franchises to discontinue service to unprofitable areas of a community, potentially leaving some areas of the municipality without land-line video service.

The Illinois law promotes access and universal service by:

- ✓ Requiring incumbent cable operators to continue to serve whole communities as required by local ordinance whether the operators have a state or local franchise.
- ✓ Prohibiting a video provider from pulling out of an area if it would leave the area without land-line video service.

#### **PUBLIC, EDUCATIONAL, AND GOVERNMENT TELEVISION**

The Wisconsin bill will have a profound negative impact on PEG by:

- Terminating all existing or future in-kind and technical support for PEG.
- Allowing incumbent operators to stop paying PEG support fees as required under existing franchise agreements after only three (3) years or until the end of the local franchise term, whichever is earlier (no dedicated PEG fees to support local programming are allowed after that time).
- Failing to establish any technical standards for the video provider to meet with respect to the quality of the PEG channel signal.
- Prohibiting the use of advertising on PEG channels to help support local PEG programming.

The Illinois law recognizes the importance of PEG to the public interest by:

- ✓ Mandating that PEG stations continue to receive the amount of financial support required under the local franchise agreement, whether the video provider continues with the local franchise or opts into a state franchise.
- ✓ Authorizing municipalities to require all video providers to pay a dedicated 1% PEG fee or more, if the incumbent operator is paying more.
- ✓ Requiring providers to meet broadcast quality technical standards with respect to PEG channels.
- ✓ Allowing the use of advertising on PEG channels to help support local PEG programming.
- ✓ Requiring providers to connect to all local programming and event origination points and to interconnect with each other if technically possible.

We urge you to support amendments to AB207 that would give Wisconsin municipalities and consumers the same protections that Illinois municipalities and consumers now have. Wisconsin citizens deserve no less than what their Illinois neighbors have.

Sincerely,

A handwritten signature in black ink that reads "Richard R. Bolender". The signature is written in a cursive style with a large, prominent "R" at the beginning.

Richard Bolender  
Mayor  
City of Oak Creek

cc: The Honorable Fred Risser  
The Honorable Judy Robson, Majority Leader  
The Honorable Russell Decker, Co-chair  
Joint Committee on Finance  
The Honorable Kitty Rhoades, Co-chair  
Joint Committee on Finance  
Oak Creek Common Council





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Fax: 608/267-0645

E-mail: [league@lwm-info.org](mailto:league@lwm-info.org)  
[www.lwm-info.org](http://www.lwm-info.org)

To: Wisconsin State Senate

From: The Lobbying Corps of the League of Wisconsin Municipalities

Date: October 17, 2007

**Re: Make Wisconsin's Video Franchising Bill More Like Illinois's Cable Law**

The League of Wisconsin Municipalities urges the Wisconsin Senate to amend AB 207/SB 107, the video franchising bill that passed the Assembly last spring. The amendments should include reasonable regulations modeled after the Illinois cable law that protect consumers, support public access television, allow municipalities to effectively supervise use of the rights-of-way, and provide property taxpayers with benefits for allowing private, for-profit use of the public rights-of-way.

AT&T endorsed the Illinois cable legislation that was enacted into law in that state last summer. For more information, see the attached article. Thanks for considering our comments.



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E-mail: [league@lwm-info.org](mailto:league@lwm-info.org)  
[www.lwm-info.org](http://www.lwm-info.org)

## Wisconsin's Cable Bill Should at Least Match Illinois' New Law

By

Curt Witynski, Assistant Director, League of Wisconsin Municipalities

Wisconsinites deserve the same as Illinoisans when it comes to oversight of cable TV. Illinois recently passed a much more balanced cable bill than the industry drafted proposal currently before the Wisconsin Legislature. Wisconsin's "video competition" legislation, Assembly Bill 207, should contain the same consumer protections, public access television support, public rights-of-way safeguards, and benefits for property taxpayers as the new Illinois law.

**Consumer Protection.** The Illinois law contains extensive customer service protections addressing all aspects of cable company practices, including billing and termination of service. In contrast, the Wisconsin bill is an effort at deregulation that includes only minimal consumer protections.

For example, the Illinois law allows customers to disconnect their service at any time within the first 60 days after subscribing or upgrading the service, without being subject to any fees, charges or penalties by the cable company. The Wisconsin bill doesn't address this consumer issue.

Also, in Illinois, the attorney general and local governments may enforce all customer service standards in response to complaints by local residents by imposing fines. The Wisconsin bill provides no penalties for violations of its slim service standards. All a state agency or municipality would be able to do in response to consumer complaints is file an action in circuit court asking the judge to force the cable company to comply with the law.

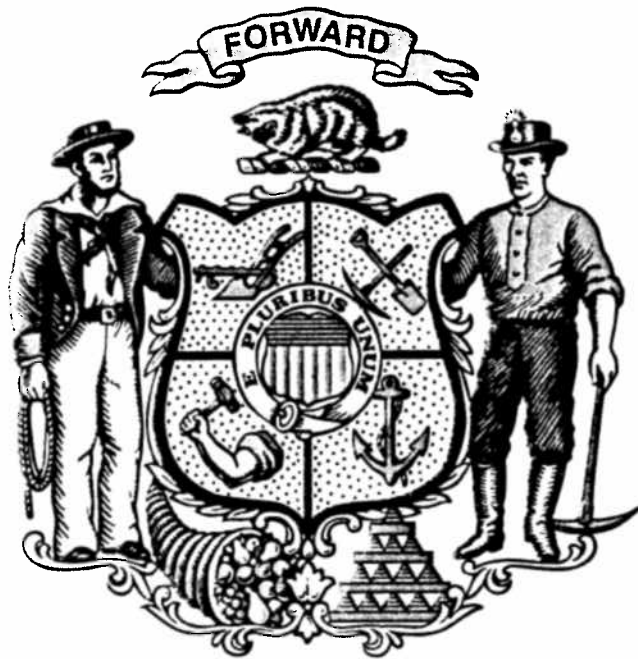
What's more, under the Illinois law, a cable provider must make an annual report to the state and local governments on how well it is complying with customer service standards. The report must identify the number and type of customer complaints the cable company received over the prior year. The Wisconsin bill contains no such requirement.

**Support for Public Access TV.** While the Wisconsin cable bill prohibits cable providers from contributing even a small amount toward the cost of operating municipal, school and public access channels, the Illinois law requires cable providers to help support such channels by paying municipalities a fee equal to 1% of the cable company's gross revenues. This payment is in addition to the up to 5% franchise fee that both the Illinois law and Wisconsin bill require cable providers to pay municipalities.

**Cost of Managing Public Rights-of-way.** Both the Illinois law and Wisconsin bill allow municipalities to impose reasonable regulations on cable providers' use of the rights-of-way. However, while the Illinois law allows a municipality to charge cable providers right-of-way permit fees covering the cost of administering permits and inspecting any work done in the right-of-way, the Wisconsin bill prohibits municipalities from collecting such fees. The Wisconsin bill forces municipalities to recover the cost of managing cable providers' use of the rights-of-way exclusively from the franchise fee.

**In-Kind Services.** Under the Illinois law, all cable and video providers must provide free basic service to all current and future public buildings, including municipal offices, public libraries, and public schools. This is largely the practice now under municipal franchise agreements, and, like franchise fees, is part of the reimbursement cable companies make for using the rights-of-way for profitable gain. No similar requirement exists in the Wisconsin cable bill. Rather, the bill prohibits municipalities from making such a demand.

These are examples of what might be included in Wisconsin's cable legislation if it wasn't drafted exclusively by AT&T and the cable industry. Wisconsin's cable bill, if enacted without changes, is a gift to cable and telecommunications companies that will keep on giving. The Wisconsin Senate should amend AB 207 to include reasonable regulations modeled after the Illinois law that protect consumers, support public access television, allow municipalities to effectively supervise use of the rights-of-way, and provide property taxpayers with benefits for allowing private, for-profit use of the public rights-of-way.





City Of Stevens Point  
1515 Strongs Avenue  
Stevens Point, WI 54481-3594  
FAX 715-346-1498



**Telecommunications**  
2442 Sims Avenue  
Stevens Point, WI 54481  
715-346-1535  
FAX 715-346-1582

## FAX COVER

The Honorable Kitty Rhoades  
Room 309 East  
PO Box 8953  
Madison, WI 53708

Thursday, October 25, 2007

SB107?

Following this cover is a three page letter from Mayor Andrew Halverson of Stevens Point.

It is addressed to our state Representative and Senator, but this copy is specifically for you.

You will also receive this letter in the mail in the next few days, but because of its urgency, we are faxing this copy and we will also send it via email.

Thank you for taking time to read it.

A handwritten signature in cursive script that reads "John Quirk".

John Quirk  
Telecommunications Coordinator  
City of Stevens Point

City of Stevens Point  
1515 Strongs Avenue  
Stevens Point, WI 54481-3594  
FAX 715-346-1530



Andrew J. Halverson  
Mayor  
715-346-1570

October 25, 2007

Dear Senator Lassa and Representative Molepske,

As Mayor of the City of Stevens Point, I am writing to express our concerns about Assembly Bill 207 and Senate Bill 107 ("AB207"), the pending cable television and video franchising legislation. I will contact you in the next few days to discuss these concerns.

This so-called "video competition" legislation, co-authored by the cable and phone industries, will make very bad public policy. We believe that the municipalities and video consumers throughout the state would be better off with no change in the current state cable franchise law. However, if it is the will of the legislature to change the current law, it should look to the excellent example of Illinois, where a video bill passed unanimously and was signed into law by Governor Blagojevich on June 30 of this year.

Wisconsin could join Illinois in starting a strong trend toward protecting consumers, preserving local authority over rights-of-way, and supporting Public, Educational, and Governmental Television ("PEG") Channels.

The following are a few differences between the Wisconsin bill and the Illinois law for you to consider.

#### **CONSUMER PROTECTION/PUBLIC BENEFITS**

The Wisconsin bill harms consumers by:

- All but eliminating customer service requirements, leaving municipalities with no tools to enforce the few federal protections that remain for monopoly cable providers, and providing the state with limited power to enforce a few state protections on all video providers.
- Allowing incumbent operators to begin charging for cable installation and service now provided for free to municipal buildings and schools under existing local franchises.
- Authorizing franchises in perpetuity and eliminating opportunities for public accountability.

The Illinois law protects consumers and provides for public benefits by:

- ✓ Establishing extensive customer service protections covering complaint resolution, availability of product information, repair service, telephone service, local offices, billing, appointments, privacy, outages, and rebates.
- ✓ Establishing specific penalties and customer rebates that either the attorney general or a local government may impose to enforce all customer service standards in response to complaints received from local residents.
- ✓ Requiring the cable or video provider to report annually to the local government and the attorney general showing how the provider is meeting the customer service standards specified in the law.
- ✓ Establishing a public benefits obligation, by which all video providers provide free cable installations and free basic service to all current and future public buildings within their service footprint, including, all local governmental buildings, public libraries, and public primary and secondary schools.

- ✓ Requiring large telecommunications video service providers to provide broadband Internet access to 90% of the households in the provider's telecommunications service area by December 31, 2008, or else pay \$15,000,000 into the Digital Divide Elimination Infrastructure Fund.
- ✓ Requiring companies to reauthorize in six years.
- ✓ **LOCAL CONTROL OVER RIGHTS-OF-WAY**

The Wisconsin bill weakens municipal regulatory authority over local rights-of-way by:

- Prohibiting municipalities from enacting regulations that would have the effect of "creating a moratorium" on a provider's use of local rights-of-way, a prohibition that will certainly weaken municipal authority over the ROW and lead to litigation by providers seeking less public oversight.
- Prohibiting municipalities from collecting their actual right-of-way costs from providers if they also receive a franchise fee, thereby forcing municipalities to recover such costs from the franchise fee or general fund.

The Illinois law protects local control over rights-of-way by:

- ✓ Safeguarding municipal authority to manage local rights-of-way.
- ✓ Establishing restrictions on video providers' use of local rights-of-way to minimize the impact of such use.
- ✓ Expressly allowing municipalities to charge providers right-of-way permit fees that cover the cost of administering permits and inspecting any excavations or other work done in the right-of-way regardless of whether a franchise fee is collected.

#### **ACCESS TO SERVICE/UNIVERSAL SERVICE**

The Wisconsin bill will help create a "video divide" by:

- Allowing incumbent cable providers to discontinue service to unprofitable areas of a community, potentially leaving some areas of the municipality without land-line video service when current franchises expire and the providers become authorized by the state to deliver service where they want to.

The Illinois law promotes access and universal service by:

- ✓ Requiring incumbent cable operators to continue to serve whole communities as required by local ordinance, whether or not the operators hold a state or local franchise.
- ✓ Prohibiting all video providers from pulling out of an area if it would leave the area without land-line video service.

#### **PUBLIC, EDUCATIONAL, AND GOVERNMENT TELEVISION**

The Wisconsin bill will have a profound negative impact on PEG Community TV Channels by:

- Terminating all in-kind and technical support for PEG that will allow companies to close PEG stations they operate.
- Allowing incumbent operators to stop paying PEG support fees as required under existing franchise agreements after only three (3) years or when the local franchise term ends, whichever is earlier (no dedicated PEG fees to support local programming are allowed after that time).
- Failing to establish any PEG channel technical standards for the video provider to meet.
- Prohibiting the use of advertising on PEG channels to help support local PEG programming.

- o Requiring cities to pay the cost of the conversion equipment needed to transmit standard PEG broadcast signals over the IP-based system used by AT&T.

The Illinois law recognizes the importance of PEG to the public interest by:

- ✓ Mandating that PEG stations continue to receive the amount of financial support required under the local franchise agreement, whether the video provider continues with the local franchise or opts into a state franchise.
- ✓ Authorizing municipalities to require all video providers to pay a dedicated 1% PEG fee (an average of 55 cents per subscriber), or more if the incumbent operator is already paying more.
- ✓ Requiring providers to meet broadcast quality technical standards with respect to PEG channels and pay for any conversion equipment themselves.
- ✓ Allowing the use of advertising on PEG channels to help support local PEG programming.
- ✓ Requiring providers to connect to all local programming and event origination points and to interconnect with each other to receive PEG channels if technically possible.

As the bill now stands, communities would have even less protection from monopoly and duopoly practices than we have now. We urge you to support amendments to AB207 that would give Wisconsin municipalities and consumers the same protections that Illinois municipalities and consumers now have. We ask that the State legislature pass provisions that encourage broadband roll-out rather than provide telecommunications companies with excuses to roll-back broadband capacity.

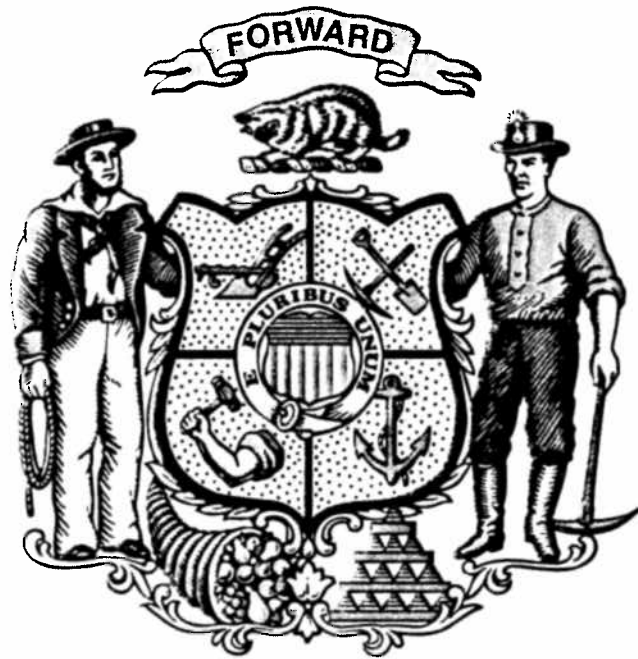
Wisconsin citizens deserve no less than what their Illinois neighbors have.

Sincerely,



Andrew Halverson, Mayor  
City of Stevens Point

cc: Governor Jim Doyle  
The Honorable Fred Risser  
The Honorable Russ Decker, Majority Leader  
Co-chair, Joint Committee on Finance  
The Honorable Kitty Rhoades, Co-chair Joint Committee on Finance  
Mary Cardona, Executive Director, WAPC  
John Quirk, TV Coordinator, City of Stevens Point





**To: Joint Committee on Finance**

**From: Curt Witynski, Assistant Director, League of Wisconsin Municipalities  
Ed Huck, Executive Director, Wisconsin Alliance of Cities**

**Date: October 29, 2007**

**Re: Amend AB 207/SB 107, the Video Franchising Bill, to Make it More Like the Illinois Cable Law**

The League of Wisconsin Municipalities and the Wisconsin Alliance of Cities urge you to support any amendments to AB 207/SB 107 offered by committee members on Wednesday that would provide Wisconsin municipalities with at least the same benefits as those included in the recently adopted Illinois cable law.

AT&T endorsed the Illinois cable legislation that was enacted into law in that state last summer.

At a minimum, the following changes mirroring the Illinois law should be made to AB 207/SB 107:

- **Local Control over Rights of Way.** Allow municipalities to charge cost-based right-of-way permit fees regardless of whether a franchise fee is collected.
- **PEG Support.** Provide that PEG stations continue to receive the amount of financial support required under the local franchise agreement, whether the video provider continues with the local franchise or opts into a state franchise. Authorize municipalities to require all video providers to pay a 1% PEG fee.

Don't sell Wisconsin short. For more information, see the attached op-ed. Thanks for considering our comments on this important legislation.





# WISCONSIN LEGISLATURE

P. O. Box 7882 Madison, WI 53707-7882

October 30, 2007

To: Members, Joint Committee on Finance  
From: Senator Jeff Plale and Representative Phil Montgomery  
RE: AB 207 - The Video Competition Act

Companion to SB 107

As you are aware the Joint Committee on Finance will be considering Assembly Bill 207 on Wednesday October 31, 2007. We appreciate your time and consideration and urge you to support AB 207 without any additional substantive amendments.

We also want to call your attention to the significant compromises that have been made on this legislation. We have worked very diligently to address concerns raised by the League of Municipalities and the Alliance of Cities. In fact, early in the process they presented us with a memo outlining nearly a dozen separate concerns. We are pleased to say that through compromise and negotiation we have been able to eliminate all but two of their concerns. There has been additional compromise on the remaining issues, and as the authors, we believe we have arrived at a reasonable middle ground.

1. **All consumer protections currently afforded Wisconsin cable subscribers are maintained, in fact they are enhanced.** All the service guarantees and remedies available to customers who have problems with their service are maintained and will be enforced by the Department of Agriculture, Trade and Consumer Protection. In addition, Wisconsin has become the first state in the nation to extend consumer protections to satellite customers.
2. **Municipalities will maintain all revenues currently paid as franchise fees.** All video service providers will be required to pay the franchise fees currently being paid, typically five percent of their gross revenues in a given municipality. To ensure that no community loses money we expanded the definition of gross revenues to include advertising revenues and certain specialty channel fees. As a result, many smaller communities may actually receive more money than under their current local franchise
3. **Municipalities will maintain control over their rights of way.** Local governments can pass any reasonable ordinance or restriction they feel necessary to govern the placement of video equipment. In addition, they can establish a specific permitting process for work done by video service providers. They may in addition, require fees for work done in the rights of way; any fees paid will then be deducted from the next franchise fee payment. This change will ensure that no municipality is victimized by an irresponsible provider who is unable or unwilling to make a franchise fee payment later on.
4. **Public, Education and Government (PEG) channels will receive be preserved under this bill.** The most dramatic changes to this bill were made to allow PEG channels to continue to offer programming. The bill requires that channel space be made available for these channels. In addition, it requires that the cost to transmit the PEG channel signal (upstreaming) to the service provider be paid BY THE VIDEO SERVICE PROVIDER, not the PEG channel. We also removed almost all the original programming requirements that would have prevented channels from simply streaming repetitive material. Finally, we have given guaranteed three years of additional funding for these channels at their current levels. At the end of that three year period these channels will have to establish a private funding source.



As you can see, there has been a tremendous amount of compromise and negotiation to get to the final legislative package before you. Wisconsin consumers deserve more choices. Working families deserve better value and improved service. Wisconsin workers deserve the opportunity to be part of cutting edge technological development.

Once again we respectfully ask for your support of AB 207 without amendment. The time has come for Wisconsin's consumers and our economy.

Sincerely,

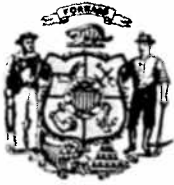
A handwritten signature in black ink, appearing to read "Jeff Plale". The signature is stylized with a large, looping initial "J" and a trailing flourish.

Jeff Plale

A handwritten signature in black ink, appearing to read "Phil Montgomery". The signature is written in a cursive style with a large, prominent "P" and "M".

Phil Montgomery





## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

October 31, 2007

TO: Members  
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Engrossed Assembly Bill 207: Video Service Franchising

companion to  
SB 107

This memorandum provides information on the estimated fiscal effects of 2007 Assembly Bill 207, as passed by the Assembly. The bill would replace municipal franchising of cable television services with state franchising of video services offered by cable service providers and telecommunications providers. The state franchising provisions would be administered by the Department of Financial Institutions (DFI).

AB 207 was introduced on March 22, 2007, and referred to the Assembly Committee on Energy and Utilities. On April 19, 2007, that committee recommended passage of ASA 1 to AB 207 (as amended by AA 1, AA 2, and AA 3 to ASA 1) by a vote of 9 to 1. On April 24, 2007, the Assembly adopted ASA 1 to AB 207, with seven amendments (AA 1, AA 2, AA 5, AA 8, AA 9, AA 20, and AA 28). The bill was read a third time and passed by the Assembly on May 9, 2007. The bill was then printed engrossed, and Engrossed AB 207 was referred to the Joint Committee on Finance on October 26, 2007.

The attached document, prepared by staff of the Legislative Council, describes the provisions of AB 207, as passed by the Assembly. The remainder of this memorandum presents information about the legislation's fiscal effects.

### Department of Financial Institutions

Under the proposal, DFI would enforce most provisions of the proposed new franchise statutes [with the exception that the Department of Agriculture, Trade, and Consumer Protection (DATCP) would enforce the provisions relating to discrimination and access to service]. The application fee for a video service franchise would be \$2,000. A video service provider would be required to provide an update of information in a video service franchise application within 10 days

of a change and, with some exceptions, pay a notification fee of \$100.

The legislation would require DFI to notify an applicant for a video service franchise as to whether the application is complete, no later than 15 days after the filing of such an application. If the application was found not to be complete, DFI would have to state the reasons for the determination. Within 15 days of the filing of an application found by the Department to be complete, DFI would have to determine whether the applicant is legally, financially, and technically qualified to provide video services. DFI would be required to issue the franchise to a qualified applicant. In the case of an applicant determined not qualified, DFI would be required to reject the application and state the reason for doing so.

DFI would be required to establish rules providing criteria for determining whether the filer of a video service franchise application is legally, financially, and technically qualified to provide video services, except that a large telecommunications service provider or qualified cable operator would be automatically determined to satisfy such criteria.

DFI has estimated the cost of fulfilling its obligations under these provisions at \$100,000 on an annualized basis. Such costs would include maintenance of a database of providers and service areas, receipt and processing of applications and modifications, and technical assistance resources needed by the Department. The bill, however, would not provide DFI with additional expenditure authority associated with such responsibilities.

The fees created under the bill would be credited to DFI's appropriation for general program operations. At the end of each fiscal year, most unencumbered program revenue in this appropriation is lapsed to the general fund as GPR-Earned. As no increased expenditure authority would be provided for DFI under the legislation, any fees received for video service franchise applications and modifications would be included in the lapse to the general fund. However, while the number of likely applications is unknown, it is not expected that fees received from such applications would significantly affect the annual lapses to the general fund.

It should be noted that under the engrossed bill, there is a reference to "Department" that is intended to refer to DFI, but is included in a section where "Department" refers to DATCP. The bill should be amended to clarify that the reference is to DFI.

### **Department of Agriculture, Trade and Consumer Protection**

Under current law, cable and satellite television services are exempt from section 100.195 of the statutes relating to unfair billing for consumer services, including the prohibition on negative option billing (a practice where goods or services are provided automatically, and the customer must either pay for the service or specifically decline it in advance of billing). However, they are subject to the negative option billing regulations in administrative rule ATCP 123 promulgated by DATCP under its general s. 100.20 unfair trade practices authority (this rule also regulates subscription disclosure and modification practices and applies specifically to telecommunications

and cable and satellite television). Under the legislation, the s. 100.195 billing regulation exemption would be extended to video service providers. In addition, the legislation would extend the state's cable television subscriber rights (which include guarantees related to timely service repair, credit for service interruptions, and service modification and disconnection limitations), to satellite and video programming service subscribers. Further, the legislation would modify the requirement that subscribers be credited for service interruptions, that are not caused by the video provider and that last more than four hours, to service interruptions that last more than 24 hours.

The Department of Agriculture, Trade and Consumer Protection currently enforces cable television subscriber rights, and receives approximately 130 complaints annually related to these rights. Under the legislation, these rights would be extended to customers of video and satellite programming. In addition, DATCP also enforces administrative rule ATCP 123, which regulates subscription practices related to cable and telecommunication services provided to consumers primarily for personal, household, or family use.

The Department's original fiscal estimate for AB 207, submitted in March, 2007, estimated a need of \$312,800 annually and 5.0 positions to administer its duties under the bill. However, in April, 2007, DATCP submitted a revised fiscal estimate. A summary of the second fiscal estimate follows.

The Department is unsure what effects the current legislation would have on the level of complaints received and acknowledges the difficulty in determining how much additional work will result. However, under the legislation DATCP estimates complaints will increase because: (a) cable television subscriber rights would be extended to include satellite subscribers; (b) DATCP would receive complaints that currently are directed to municipalities; and (c) DATCP would be required to enforce certain access to service and anti-discrimination provisions of the legislation. As a result, DATCP estimates the legislation may require an additional 1.0 consumer protection investigator position. DATCP indicates this position would investigate and respond to consumer complaints, and take enforcement actions when appropriate.

The Department estimates costs of \$62,500 annually (including \$50,000 for salary and fringe benefits, and \$12,500 for supplies) related to this position. The legislation would not provide any expenditure or position authority to DATCP for the additional responsibilities provided to the Department. As a result, DATCP would be required to administer these duties with existing resources or seek a budget increase in the 2009-11 biennium or through separate legislation.

DATCP anticipates that a number of companies that currently offer telecommunications services would begin to offer video programming services with the adoption of the legislation. Based on the fact that telecommunications (local and long distance telephone, cell phone, and calling card services) complaints as a category has ranked as the second most common product complaint received by the Department over the last three calendar years (with 1,500 to 2,500 annual complaints), and the fact that the legislation could result in telecommunication companies beginning to offer video programming services, the Department believes that the number of video service complaints received will also increase. While DATCP will receive an increase in

complaints related to video service providers due to the Department's receipt of complaints previously received by municipalities, the overall level of complaints that would be received by DATCP under the legislation is not known. For example, there is uncertainty whether: (1) a large number of telecommunication businesses will begin offering video programming; (2) telecommunication businesses that offer video programming will be the same ones that are currently sources of significant consumer complaints; (3) the legislation would lead to a substantial increase in video service customers; and (4) consumers will be less satisfied with, and complain more about, new video programming services than with cable services. Further, in the past DATCP officials have argued that the provision of statewide, uniform standards may reduce consumer complaints and provider confusion about requirements in various communities served in the state.

### **Public Service Commission**

The bill would include video service providers under current law provisions that authorize the Public Service Commission to review complaints filed by public utilities regarding municipal right-of-way regulations of utility transmission lines or systems. With regard to the Commission's review, the bill would provide standards as to what constitutes reasonable and unreasonable municipal regulation. Regulations would be presumed as reasonable if the regulation was in effect or a municipality employed a community standard on January 1, 2007, or immediately prior to the bill's date of enactment, or if the regulation provides for the recovery of certain municipal costs through a preexcavation permit fee. Standards for unreasonable regulation would include creating a moratorium on the placement of lines or systems or on a video service provider's entrance into a municipality, requiring a video service provider to pay more than the actual cost of functions undertaken to manage the provider's access to and use of municipal rights-of-way, or providing for the recovery of membership fees assessed to a municipality as a member of the statewide one-call system pertaining to excavation notices.

### **Local Governments**

Under current law, municipalities may issue franchises to cable operators. The legislation would phase out existing municipal franchising agreements and replace municipal franchises with a state franchise. In lieu of franchise fees, municipalities would be authorized to impose video service provider fees. Those fees would be "capped" at no more than 5% of each provider's gross receipts. For municipalities currently imposing franchise fees on cable operators, fees would be capped at the lesser of 5% or the rate currently in effect.

The Department of Revenue reports that municipalities typically set cable franchise fees at 5% of gross receipts, and, therefore, the Department estimates no local revenue change resulting from the legislation's fee provisions. However, the Department anticipates that increased competition will cause a decrease in cable gross receipts. As a result, video service provider fees are estimated to be \$5.4 million lower than municipal franchise fees.

Federal law authorizes municipalities to require cable operators to provide capacity, facilities, or financial support for public, educational, or governmental (PEG) channels. Under the legislation,

municipalities would be responsible for the operation of PEG channels, and video service providers would be required to make channels available to municipalities for PEG programming. If PEG channels are currently provided under a municipal franchise agreement, new providers in that municipality would be required to provide channel capacity for the same number of PEG channels. For other municipalities, the number of required PEG channels would depend on the municipality's population. Any monetary support for PEG channels that is provided under existing municipal franchise agreements would continue in effect. However, for existing cable operators that terminate their municipal franchise by switching to a state franchise, monetary obligations would continue for three years or the expiration date of the original agreement, whichever is earlier.

Finally, the legislation would limit municipalities' ability to require video service providers to pay compensation for the privilege of engaging in construction in public rights-of-way so long as the provider pays the video service provider fee. If a municipality imposes a cost-based fee pertaining to right-of-way regulations for transmission lines or systems, the video service provider would be allowed to deduct the amount of the fee from the municipality's video service provider fee or from any other compensation due to the municipality. The fiscal impacts of these provisions on local governments are unknown.

Prepared by: Faith Russell, Daryl Hinz, and Rick Olin  
Attachment





**Venskus, Katy**

**From:** Patrick A. DeGrave [pdegrave@oakcreekwi.org]  
**Sent:** Wednesday, October 31, 2007 11:09 AM  
**To:** Sen.Plale  
**Cc:** Common Council; Venskus, Katy  
**Subject:** Cable Bill

Senator Plale:

companion to  
SB 107

My community has grave concerns about Assembly Bill 207, the pending cable television and video franchising legislation. AB207 will make very bad public policy. The bill proposes to undermine consumer protections by eliminating the ability of communities to establish basic standards for cable service, erode municipal authority over local rights-of-way, decimate public, educational, and governmental television ("PEG"), and decrease the likelihood that advanced telecommunications service will be offered to communities throughout the state, thereby widening the digital divide.

**Wisconsin would be better off with no change in the cable law.** If, however, a change in the law is inevitable, then please consider amendments to AB207 that build on the excellent example of Illinois, which recently passed its own cable franchising law. Wisconsin could join Illinois in starting a strong trend toward protecting consumers, preserving local authority over rights-of-way, supporting PEG, and narrowing the digital divide.

The Illinois law contains the following protections and benefits NOT found in Wisconsin's AB207:

***Consumer Protection/Public Benefits***

- ✓ Establishes extensive customer service protections covering complaint resolution, availability of product information, repair service, telephone service, local offices, billing, appointments, privacy, outages, and rebates.
- ✓ Establishes specific penalties to enforce the customer service standards.
- ✓ Requires all providers to offer a free service line and free basic service to all current and future local governmental buildings, public libraries, and public primary and secondary schools within the provider's service footprint.
- ✓ Requires large telecommunications video service providers to provide broadband Internet access to 90% of the households in the provider's telecommunications service area by December 31, 2008, or else pay \$15,000,000 into the Digital Divide Elimination Infrastructure Fund.

***Local Control Over Right-of-Way***

- ✓ Establishes restrictions on video providers' use of local rights-of-way to minimize the impact of such use.
- ✓ Allows municipalities to charge cost-based right-of-way permit fees regardless of whether a franchise fee is collected.

***Public, Educational, and Government Television***

- ✓ Mandates that PEG stations continue to receive the amount of financial support required under the local franchise agreement, whether the video provider continues with the local franchise or opts into a state franchise.
- ✓ Authorizes municipalities to require all video providers to pay a dedicated 1% PEG fee or more, if the incumbent operator is paying more.
- ✓ Requires providers to meet broadcast quality technical standards with respect to PEG channels.

***Access to Service/Universal Service***

- ✓ Requires incumbent cable operators to continue to serve whole communities as required by local

10/31/2007

ordinance whether the operators have a state or local franchise.

- ✓ Prohibits a video provider from pulling out of an area if it would leave the area without land-line video service.

Patrick DeGrave

Administrator

Oak Creek