

## Chapter PSC 171

### CABLE TELEVISION TELECOMMUNICATIONS SERVICE PROVIDERS

PSC 171.01	Purpose.
PSC 171.02	Definitions.
PSC 171.03	Petition; contents.
PSC 171.04	Determination of status.

PSC 171.06	Compliance with statutes.
PSC 171.07	Notice of changes.
PSC 171.09	New franchise areas.
PSC 171.10	Reports and accounts.

**PSC 171.01 Purpose.** The purpose of this chapter is to set forth requirements for consideration of petitions from cable television telecommunications service providers requesting qualification as alternative telecommunications utilities and to set forth the appropriate level of regulation for such utilities.

**History:** Cr. Register, December, 1988, No. 396, eff. 1-1-89.

**PSC 171.02 Definitions.** In this chapter:

(1) "Alternative telecommunications utility" has the meaning prescribed in s. 196.01 (1d), Stats.

(2) "Cable television telecommunications service provider" has the meaning prescribed in s. 196.01 (1r), Stats.

(3) "Gross income" means gross revenues received from providing traditional cable television programming plus revenues received from providing telecommunications services. "Gross income" does not include revenues from any source other than traditional cable television programming and telecommunications services.

(4) "Particular franchise area" means the area within the political boundaries of each municipality in which a cable system provides service.

(5) "Telecommunications service" has the meaning given in s. 196.01 (9m), Stats.

**History:** Cr. Register, December, 1988, No. 396, eff. 1-1-89; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register April 2007 No. 616; **CR 13-025: am. (5) Register January 2014 No. 697, eff. 2-1-14.**

**PSC 171.03 Petition; contents.** A cable television telecommunications service provider seeking to qualify for status as an alternative telecommunications service provider shall file a petition with the commission containing the following information:

(1) The name and address of the television telecommunications service provider, with the name, title and telephone number of a contact person;

(2) A description of the types of services to be offered;

(3) The geographic markets to be served;

(4) Copies of municipal franchise grants;

(5) The identity of all telecommunications carriers, if any, accessed through the cable system; and

(6) The access telephone number, if available, for each area served.

**Note:** Address petitions to Secretary, Public Service Commission of Wisconsin, P.O. Box 7854, Madison, WI 53707.

**History:** Cr. Register, December, 1988, No. 396, eff. 1-1-89; CR 06-046: renum. (1) (intro.) to (f) to be (intro.) to (6), r. (2) Register April 2007 No. 616, eff. 5-1-07.

**PSC 171.04 Determination of status.** On receipt of a cable television telecommunications service provider's petition for qualification as an alternative telecommunications utility, the commission shall issue a notice of investigation. Hearings may be held at the discretion of the commission. However, a hearing

ordinarily will not be held unless the factual record is insufficient, or unless there is an assertion by any person, including commission staff, that a factual matter is in dispute.

**History:** Cr. Register, December, 1988, No. 396, eff. 1-1-89.

**PSC 171.06 Compliance with statutes.** All qualified cable television telecommunications service providers shall be subject to the following sections of ch. 196, Stats.: ss. 196.02, 196.025 (6), 196.203, 196.25, 196.39, 196.395, 196.40, 196.41, 196.43, 196.44, 196.65, 196.66, 196.85, 196.858, and 196.859, Stats.

**Note:** The commission is not regulating trade and advertising practices of cable television telecommunications service providers. See s. 93.01 (1), Stats.

**History:** Cr. Register, December, 1988, No. 396, eff. 1-1-89; correction in (2) made under s. 13.93 (2m) (b) 7., Stats., Register April 2007 No. 616; **CR 13-025: am. (1), r. (2), (3) Register January 2014 No. 697, eff. 2-1-14; PSC 171.06 renumbered from (1) under s. 13.92 (4) (b) 1., Stats., Register January 2014 No. 697.**

**PSC 171.07 Notice of changes.** Within 20 days of the occurrence, or on request by the commission, all qualified cable television telecommunications service providers shall file with the commission:

(1) Notice of changes in information filed in the petition requesting qualification as a cable television telecommunications service provider;

(2) Notice of all organizational changes; and

(3) Notice of exit from market.

**History:** Cr. Register, December, 1988, No. 396, eff. 1-1-89; **CR 13-025: r. (4), (5) Register January 2014 No. 697, eff. 2-1-14; corrections in (2) and (3) made under s. 35.17, Stats., Register January 2014 No. 697.**

**PSC 171.09 New franchise areas.** A qualified cable television telecommunications service provider may offer telecommunications services in a franchise area other than the one specified in a qualified petition by notifying the commission in a transmittal updating the information supplied under s. PSC 171.03. The transmittal shall be filed no later than 20 days after the initial offering of the telecommunications services in the additional franchise area.

**History:** Cr. Register, December, 1988, No. 396, eff. 1-1-89; **CR 13-025: r. and recr. Register January 2014 No. 697, eff. 2-1-14.**

**PSC 171.10 Reports and accounts.** In order for the commission to determine whether an entity meets the 90% of gross income test set forth in s. 196.01 (1r), Stats., a cable television telecommunications service provider shall:

(1) File with the commission responses to an annual questionnaire providing details as to its identity, franchise service areas, and revenues.

(2) Establish and maintain revenue accounts in accordance with the uniform cable television telecommunications service providers revenue classification and instructions.

**History:** Cr. Register, December, 1988, No. 396, eff. 1-1-89; correction in note, Register, September, 1989, No. 405; **CR 13-025: am. (1), r. (3) Register January 2014 No. 697, eff. 2-1-14.**