

Adopted Rejected

COMMITTEE REPORT

YES: 9
NO: 0

MR. SPEAKER:

*Your Committee on Utilities and Energy, to which was referred House Bill 1131, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **The definitions**
- 3 **in IC 8-1-34 apply throughout this SECTION.**
- 4 (b) **As used in this SECTION, "commission" refers to the**
- 5 **Indiana utility regulatory commission created by IC 8-1-1-2.**
- 6 (c) **As used in this SECTION, "committee" refers to the**
- 7 **regulatory flexibility committee established by IC 8-1-2.6-4.**
- 8 (d) **Not later than November 1, 2011, the committee shall study**
- 9 **the following:**
- 10 (1) **Whether video service franchise fees paid to local units**
- 11 **under:**
- 12 (A) **a certificate of franchise authority issued by the**
- 13 **commission under IC 8-1-34; or**
- 14 (B) **an unexpired local franchise issued by a local unit**

1 **before July 1, 2006;**
2 **are used by local units for purposes related to the provision of**
3 **video service in the units and in a manner consistent with**
4 **IC 8-1-34.**

5 **(2) Whether the video service franchise fees described in**
6 **subdivision (1) have an anticompetitive effect on the pricing**
7 **and provision of video service in Indiana.**

8 **(e) The commission shall provide any data or other information**
9 **requested by the committee to conduct the study described in**
10 **subsection (d). However, this subsection does not empower the**
11 **commission to disclose confidential and proprietary business plans**
12 **and other confidential information without adequate protection of**
13 **the information. The commission shall exercise all necessary**
14 **caution to avoid disclosure of confidential information supplied**
15 **under this subsection.**

16 **(f) The committee shall prepare a report on the committee's**
17 **recommendations, if any, concerning the issues described in**
18 **subsection (d) and shall submit the report to the legislative council**
19 **in an electronic format under IC 5-14-6 not later than November**
20 **1, 2011.**

21 **(g) This SECTION expires January 1, 2012.**

22 **SECTION 2. An emergency is declared for this act.**

(Reference is to HB 1131 as introduced.)

and when so amended that said bill do pass.

Representative Lutz