

HOUSE BILL No. 1032

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-1-34-20.

Synopsis: Video service options. Requires the utility regulatory commission to require, as a condition of issuing or reissuing a certificate of video franchise authority after June 30, 2011, a video services provider to make available for purchase all local broadcast stations for which the provider has received retransmission consent.

Effective: July 1, 2011.

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January 5, 2011, read first time and referred to Committee on Utilities and Energy.

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First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

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HOUSE BILL No. 1032



A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-1-34-20, AS ADDED BY P.L.27-2006,
2 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]: Sec. 20. (a) In connection with, or as a condition of
4 receiving, a certificate under this chapter, the commission shall require
5 a holder to notify the commission, after the issuance of a certificate, of
6 any of the following changes involving the holder or the certificate
7 issued:

8 (1) Any transaction involving a change in the ownership,
9 operation, control, or corporate organization of the holder,
10 including a merger, an acquisition, or a reorganization.

11 (2) A change in the holder's legal name or the adoption of, or
12 change to, an assumed business name. The holder shall submit to
13 the commission a certified copy of the:

- 14 (A) amended certificate of authority; or
- 15 (B) certificate of assumed business name;
- 16 issued by the secretary of state to reflect the change.

17 (3) A change in the holder's principal business address or in the



1 name of the person authorized to receive notice on behalf of the
 2 holder.
 3 (4) Any transfer of the certificate to a successor in interest of the
 4 holder allowed by section 18 of this chapter. The holder shall
 5 identify the successor in interest to which the transfer is made.
 6 (5) The termination of any certificate issued under this chapter, as
 7 allowed by section 19 of this chapter. The holder shall identify:
 8 (A) any other certificate issued under this chapter that will be
 9 retained by the holder;
 10 (B) the number of Indiana customers in the service area
 11 covered by the certificate being terminated; and
 12 (C) the method by which the holder's customers were notified
 13 of the termination, if required by the commission under
 14 subsection (c).
 15 (6) A change in the video programming or other programming
 16 service provided in one (1) or more of the services areas
 17 identified under section 16(b)(6) of this chapter in the holder's
 18 most recent application for a certificate under this chapter.
 19 (7) A change in one (1) or more of the service areas identified
 20 under section 16(b)(6) of this chapter that would increase or
 21 decrease the territory within the service area. The holder shall
 22 describe the new boundaries of the affected service areas after the
 23 proposed change is made.
 24 The commission shall prescribe the time in which a holder must report
 25 changes under this section. The commission may prescribe a form for
 26 the reporting of changes under this section.
 27 (b) In connection with, or as a condition of, receiving a certificate
 28 under this chapter, the commission shall require a holder to notify a
 29 unit:
 30 (1) in which the holder does not already provide video service
 31 under:
 32 (A) a local franchise issued by the unit before July 1, 2006; or
 33 (B) another certificate issued under this chapter after June 30,
 34 2006; and
 35 (2) that is included in the holder's service area under the
 36 certificate being issued;
 37 that the holder intends to provide video service in the unit's
 38 jurisdiction. The holder shall give the notice required under this
 39 subdivision not later than ten (10) days before the holder begins
 40 providing video service in the unit's jurisdiction.
 41 (c) In connection with the issuance of a certificate under this
 42 chapter, the commission may require a holder to provide advance

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1 notice to the holder's Indiana customers if the holder will do any of the
2 following:

3 (1) Change the rates and charges for video service that the holder
4 offers in any of its service areas in Indiana.

5 (2) Cease to offer video service, or any specific video
6 programming or other programming service, that the holder offers
7 in any of the holder's service areas in Indiana.

8 The commission shall prescribe any customer notification requirements
9 under this subsection in a rule of general application adopted under
10 IC 4-22-2.

11 (d) **This subsection applies to a certificate that is issued,**
12 **reissued, or renewed after June 30, 2011. In connection with, or as**
13 **a condition of, receiving a certificate under this chapter, the**
14 **commission shall require, to the extent permitted by federal law,**
15 **a provider to make available for purchase to all its subscribers all**
16 **local broadcast stations for which the provider has negotiated and**
17 **received retransmission consent, including local broadcast stations**
18 **whose signals originate outside Indiana.**

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