

Economic Impact Statement

LSA Document #06-514

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses

(1) Estimate of Number of Small Businesses That Will Be Subject to this Rule

This rule affects those small businesses that are or may become video service providers in Indiana. Only since July 1, 2006, has the Indiana Utility Regulatory Commission been the sole video service franchising authority in Indiana, pursuant to [IC 8-1-34](#). Under the statute, video service providers that had local franchise agreements in place prior to July 1, 2006, are not required to file any information with the commission, prior to the expiration of the local franchise agreements. Those video service providers that do apply for a state certificate of franchise authority are not required to provide the kind of information that would allow the commission to determine whether the provider meets the definition of a small business under [IC 4-22-2.1-4](#). In addition, the statutory definition of public utility does not include video service providers, so the commission at this time has no authority to require reporting of number of employees or gross annual receipts, which would be required to determine how many video service providers are small businesses. Therefore, the commission cannot determine at this time the number of small businesses affected by this rule.

(2) Estimate of Average Annual Reporting, Record Keeping, and Other Administrative Costs

This rule does not impose any annual reporting or record keeping requirements. This rule will actually reduce the administrative costs of those video service providers applying for a state certificate of franchise authority by allowing the provider to communicate with commission staff in the preparation of the provider's application or notice of change forms. Communication with commission staff will prevent the filing of incomplete applications and notice of change forms and any delays resulting from such incomplete filings, thereby saving the provider valuable time and money.

(3) Estimate of the Total Economic Impact of This Rule on Small Businesses

Because there is no way at this time to determine the number of small businesses affected by this rule, it is impossible for the commission to estimate the total economic impact of this rule. However, this rule does not impose any costs, but instead allows valuable communication with commission staff that will save providers time and money. Therefore, the total economic impact of this rule will be positive.

(4) Statement Justifying Any Requirement or Cost Imposed

No requirement or cost is imposed on any business, small or large, under this rule. In fact, the adoption of this rule will save time and money and greatly facilitate the video service application and notice of change form processes.

(5) Regulatory Flexibility Analysis

Considering this rule will assist businesses in complying with video service application and notice of change form requirements and save time and money by eliminating delays, there is no less intrusive or less costly alternative to the purpose of this rule. This rule imposes no compliance requirements, schedules, or deadlines, or reporting requirements. Considering this rule acts to clarify video service application and notice of change form requirements, no further consolidation or simplification of the compliance requirements is possible that would achieve the purpose of this rule. No design, operational, or performance standards are imposed by this rule. Under [IC 8-1-34](#), it is not possible to exempt small businesses from the video service application and notice of change form requirements. This rule will serve to assist all businesses in meeting those requirements in a more efficient and expedient manner.

Posted: 01/17/2007 by Legislative Services Agency

An [html](#) version of this document.