

Cable Television: Regulation & Consumer Concerns

Indiana's 2006 telecommunications deregulation law* changed the way cable television companies and other video service providers receive authority to do business in the state. (Changes under the new law do not affect satellite TV service providers.)

Changes in Regulation

To do business in Indiana, a cable TV company or video service provider needs a legal document known as a "franchising agreement."

- Traditionally, cable companies have signed these agreements with local governments (cities, towns or counties).
- The new law shifted authority for these agreements to the Indiana Utility Regulatory Commission (IURC) – which started granting them on a statewide basis after July 1, 2006.
- Some existing local franchising agreements may remain in effect until their previously agreed termination dates are reached.
- The IURC only has the ability to grant franchises. It is not empowered to resolve customer complaints regarding cable/video service and rates.

Service Offerings

Video service providers have authority over:

- Which channels and programming services they provide. (One exception is that federal rules require cable systems to carry certain local broadcast stations.)
- Carriage of AM and FM radio stations, along with digital music channels and their content.



- Charges for pay-per-view or pay-per-channel programming. These rates are not regulated.

Consumer Concerns

The IURC is required to track customer complaint information for reporting purposes to help guide future legislative decisions. The Indiana Office of Utility Consumer Counselor (OUCC), the state agency representing Indiana consumer interests in IURC and federal regulatory proceedings, encourages consumers to contact the IURC with cable/video concerns to help ensure the most accurate tracking and reporting possible. This includes making the IURC aware of customer complaints filed directly with local cable/video companies and local governments. The OUCC can only file complaints against video service providers under limited circumstances as allowed by law.

If your provider is still under a **local franchising agreement**, you should contact the appropriate local entity (technically known as your “local franchising authority”) if you have questions or complaints about:

- Rates, charges and fees for cable service.
- Customer service problems, such as billing disputes and office hours.
- Signal quality.
- Use of public educational and governmental (PEG) channels.

Contact information for your cable/video provider and franchising authority should be printed on your monthly cable bill.

Consumers whose service providers are under **state-issued franchise agreements** and have cable/video service concerns or complaints should:

- Contact their service providers promptly to try to resolve any issues.
- Contact the IURC (toll-free at 1-800-851-4268 or online at www.in.gov/iurc) to report the concerns.
 - This information will be included in reports to the Indiana General Assembly and may also be reported to the Federal Communications Commission (FCC) and other appropriate entities.
- Understand that the IURC and FCC cannot resolve individual complaints regarding cable/video service quality and rates. However, the IURC's tracking efforts may help identify trends and problems for legislators to consider when reviewing the state's telecommunications laws in the future.
- Be aware that cable/video service providers are considered competitive entities. Consumers may have various alternatives (including satellite TV providers, competitive cable companies and other options) in certain areas.
- Still report any service outages to the cable/video provider.

Consumers are also encouraged to visit the OUCC and IURC Web sites regularly as this and other communications-related information is updated periodically.

*House Enrolled Act 1279, effective 3/14/06



The Indiana Office of Utility Consumer Counselor (OUCC) is the state agency representing the interests of utility consumers and the general public in matters related to the provision of utility services. The OUCC is active in proceedings before regulatory and legal bodies and is committed to giving consumers a voice in the creation of utility service policy.

OpenLines publications are produced by the OUCC to educate consumers on their rights and responsibilities regarding utility services. Fact sheets on many telecommunications and other utility topics are available free of charge. All OpenLines publications are available on the OUCC Web site or by calling the OUCC Consumer Services Staff.



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