

2007 DRAFTING REQUEST

Assembly Amendment (AA-ASA(LRBs0061/1)-AB207)

Received: 04/13/2007

Received By: mkunkel

Wanted: As time permits

Identical to LRB:

For: Phil Montgomery (608) 266-5840

By/Representing: Leg. Council

This file may be shown to any legislator: NO

Drafter: mkunkel

May Contact:

Addl. Drafters:

Subject: Public Util. - telco

Extra Copies:

Submit via email: YES

Requester's email: Rep.Montgomery@legis.wisconsin.gov

Carbon copy (CC:) to: David.Lovell@legis.wisconsin.gov
John.Stolzenberg@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Video service subscriber rights

Instructions:

Redraft LRBa0286 to the subs. amendment

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 04/13/2007	csicilia 04/13/2007		_____			
/1	mkunkel 04/13/2007	csicilia 04/13/2007	nmatzke 04/13/2007	_____	cduerst 04/13/2007	cduerst 04/13/2007	
/2			nmatzke 04/13/2007	_____	mbarman 04/16/2007	mbarman 04/16/2007	

FE Sent For:

<END>

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/1		1/2 cjs 4/13 07	nmatzke 04/13/2007 nwn 4/13		cduerst 04/13/2007	cduerst 04/13/2007	

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/?	mkunkel	1 jgs 4/13 07	nwn 4/13	nwn/sh 4/13			

FE Sent For:

<END>

TODAY
4:30

D-NOTE

stays

ASSEMBLY AMENDMENT,
TO ASA (LRB 5 0061/1)
TO 2007 ASSEMBLY BILL 207

a 0294/1

RM NOT
RUN

bill not ✓

substitute amendment ✓

1 At the locations indicated, amend the bill as follows:

2 1. Page 33, line 22: delete the material beginning with that line and ending
3 with page 34 line 6, and substitute: lines 4 to 12

4 "SECTION 27d. 100.209 (title) of the statutes is amended to read:

5 100.209 (title) **Cable television Video programming service subscriber**
6 **rights.**

7 SECTION 27h. 100.209 (1) (a) and (b) of the statutes are repealed.

8 SECTION 27k. 100.209 (1) (c) and (d) of the statutes are created to read:

9 100.209 (1) (c) "Multichannel video provider" means an interim cable operator,
10 as defined in s. 66.0420 (2) (n), video service provider, as defined in s. 6.0420 (2) (zg),
11 or multichannel video programming distributor, as defined in 47 USC 522 (13).

12 (d) "Video programming" has the meaning given in s. 66.0420 (2) (x).

13 SECTION 27p. 100.209 (2) of the statutes is amended to read:

10

6

1 100.209 (2) RIGHTS. (a) A cable operator multichannel video provider shall
2 repair cable video programming service within 72 hours after a subscriber reports
3 a service interruption or requests the repair if the service interruption is not the
4 result of a natural disaster.

5 (b) Upon notification by a subscriber of a service interruption, a cable operator
6 multichannel video provider shall give the subscriber a credit for one day of cable
7 video programming service if cable video programming service is interrupted for
8 more than 4 hours in one day and the interruption is caused by the cable operator
9 multichannel video provider.

10 (bm) Upon notification by a subscriber of a service interruption, a cable
11 operator multichannel video provider shall give the subscriber a credit for each hour
12 that cable service is interrupted one day of video programming service if cable video
13 programming service is interrupted for more than 4 hours in one day and the
14 interruption is not caused by the cable operator multichannel video provider.

15 (c) A cable operator multichannel video provider shall give a subscriber at least
16 30 days' advance written notice before deleting a program service from its cable video
17 programming service. A cable operator multichannel video provider is not required
18 to give the notice under this paragraph if the cable operator multichannel video
19 provider makes a channel change because of circumstances beyond the control of the
20 cable operator multichannel video provider.

21 (d) A cable operator multichannel video provider shall give a subscriber at least
22 30 days' advance written notice before instituting a rate increase.

23 (e) 1. A cable operator multichannel video provider may not disconnect a
24 subscriber's cable video programming service, or a portion of that service, for failure
25 to pay a bill until the unpaid bill is at least 45 days past due.

Handwritten annotations:
- "Video Programming" written above line 9.
- "24" written above line 9.
- "PLAIN" circled and written next to "each hour" on line 11.
- "PLAIN" circled and written next to "one day of video programming service" on line 12.
- "plain" circled and written next to "programming" on line 13.
- "plain" circled and written next to "more than 4 hours in one day" on line 13.
- "PLAIN" circled and written below line 14.
- "strict" circled and written next to "not caused by" on line 14.

1 2. If a ~~cable operator~~ multichannel video provider intends to disconnect a
2 subscriber's cable video programming service, or a portion of that service, the cable
3 ~~operator~~ multichannel video provider shall give the subscriber at least 10 days'
4 advance written notice of the disconnection. A ~~cable operator~~ multichannel video
5 provider is not required to give the notice under this subdivision if the disconnection
6 is requested by the subscriber, is necessary to prevent theft of cable video
7 programming service or is necessary to reduce or prevent signal leakage, as
8 described in 47 CFR 76.611.

9 **SECTION 27t.** 100.209 (3) of the statutes is amended to read:

10 100.209 (3) ~~RULES AND LOCAL ORDINANCES~~ ORDERS ALLOWED. This section does
11 not prohibit the department from promulgating a rule or from issuing an order
12 consistent with its authority under this chapter that gives a subscriber greater rights
13 than the rights under sub. (2) ~~or prohibit a city, village or town from enacting an~~
14 ~~ordinance that gives a subscriber greater rights than the rights under sub. (2)."~~

15 **2.** Page 42, line 22: delete "sections 100.195 (1) (c) 2. and (h) 1. and 165.25 (4)
16 (ar)" and substitute "section 100.195 (1) (c) 2. and (h) 1."

17

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0294/1dn
MDK:.....

Rep. Montgomery:

Except for changes requested by John Stolzenberg and David Lovell, the substance of this amendment is identical to LRBa0286/1.

Mark D. Kunkel ✓
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0294/1dn
MDK:cjs:nwn

April 13, 2007

Rep. Montgomery:

Except for changes requested by John Stolzenberg and David Lovell, the substance of this amendment is identical to LRBa0286/1.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

2

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT (LRBs0061/1),
TO 2007 ASSEMBLY BILL 207**

INSERT 1-2

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 30, line 4: delete lines 4 to 12 and substitute:
- 3 **SECTION 27d.** 100.209 (title) of the statutes is amended to read:
- 4 **100.209 (title) Cable television Video programming service subscriber**
- 5 **rights.**
- 6 **SECTION 27h.** 100.209 (1) (a) and (b) of the statutes are repealed.
- 7 **SECTION 27k.** 100.209 (1) (c) and (d) of the statutes are created to read:
- 8 100.209 (1) (c) "Multichannel video provider" means an interim cable operator,
- 9 as defined in s. 66.0420 (2) (n), video service provider, as defined in s. 66.0420 (2) (zg),
- 10 or multichannel video programming distributor, as defined in 47 USC 522 (13).
- 11 (d) "Video programming" has the meaning given in s. 66.0420 (2) (x).
- 12 **SECTION 27p.** 100.209 (2) of the statutes is amended to read:

1 100.209 (2) RIGHTS. (a) A ~~cable operator~~ multichannel video provider shall
2 repair ~~cable~~ video programming service within 72 hours after a subscriber reports
3 a service interruption or requests the repair if the service interruption is not the
4 result of a natural disaster.

5 (b) Upon notification by a subscriber of a service interruption, a ~~cable operator~~
6 multichannel video provider shall give the subscriber a credit for one day of ~~cable~~
7 video programming service if ~~cable~~ video programming service is interrupted for
8 more than 4 hours in one day and the interruption is caused by the ~~cable operator~~
9 multichannel video provider.

10 (bm) Upon notification by a subscriber of a service interruption, a ~~cable~~
11 ~~operator~~ multichannel video provider shall give the subscriber a credit for each hour
12 that ~~cable~~ video programming service is interrupted if ~~cable~~ video programming
13 service is interrupted for more than ~~4~~ 24 hours ~~in one day~~ and the interruption is
14 not caused by the ~~cable operator~~ multichannel video provider.

15 (c) A ~~cable operator~~ multichannel video provider shall give a subscriber at least
16 30 days' advance written notice before deleting a program service from its ~~cable~~ video
17 programming service. A ~~cable operator~~ multichannel video provider is not required
18 to give the notice under this paragraph if the ~~cable operator~~ multichannel video
19 provider makes a channel change because of circumstances beyond the control of the
20 ~~cable operator~~ multichannel video provider.

21 (d) A ~~cable operator~~ multichannel video provider shall give a subscriber at least
22 30 days' advance written notice before instituting a rate increase.

23 (e) 1. A ~~cable operator~~ multichannel video provider may not disconnect a
24 subscriber's ~~cable~~ video programming service, or a portion of that service, for failure
25 to pay a bill until the unpaid bill is at least 45 days past due.

1 2. If a ~~cable operator~~ multichannel video provider intends to disconnect a
2 subscriber's cable video programming service, or a portion of that service, the cable
3 ~~operator~~ multichannel video provider shall give the subscriber at least 10 days'
4 advance written notice of the disconnection. A ~~cable operator~~ multichannel video
5 provider is not required to give the notice under this subdivision if the disconnection
6 is requested by the subscriber, is necessary to prevent theft of cable video
7 programming service or is necessary to reduce or prevent signal leakage, as
8 described in 47 CFR 76.611.

9 **SECTION 27t.** 100.209 (3) of the statutes is amended to read:

10 100.209 **(3)** ~~RULES AND LOCAL ORDINANCES~~ ORDERS ALLOWED. This section does
11 not prohibit the department from promulgating a rule or from issuing an order
12 consistent with its authority under this chapter that gives a subscriber greater rights
13 than the rights under sub. (2) or ~~prohibit a city, village or town from enacting an~~
14 ~~ordinance that gives a subscriber greater rights than the rights under sub. (2)."~~.

15 (END)

**2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0294/2ins
MDK:.....

1

INSERT 1-2:

2

1. Page 24, line 21: delete "No video" and substitute "Except as provided in s.

3

✓
100.209, no video".

Sent per cmH
4-13-07

Duerst, Christina

From: Duerst, Christina
Sent: Friday, April 13, 2007 5:24 PM
To: Rep.Montgomery
Cc: Stolzenberg, John; Lovell, David
Subject: LRB 07a0294/2 ATTACHED

Attachments: 07a0294/2



07a02942.pdf (17
KB)