

**ASSEMBLY AMENDMENT 1,
TO SENATE AMENDMENT 14,
TO 2007 ASSEMBLY BILL 207**

December 11, 2007 – Offered by Representatives HEBL, GARTHWAITE, BLACK, STEINBRINK, SEIDEL, VRUWINK, GRONEMUS, SMITH, KRUSICK and SHERIDAN.

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

2 **1.** Page 1, line 10: after that line insert:

3 “4m. Page 30, line 14: after that line insert:

4 “**(14)** EXEMPTION. (a) If an incumbent cable operator was providing cable service
5 in a municipality immediately before the effective date of this paragraph [revisor
6 inserts date], and no other person was providing video service in the municipality
7 immediately before the effective date of this paragraph [revisor inserts date], this
8 section does not apply to the incumbent cable operator until a video service provider,
9 other than the incumbent cable operator, provides video service in that municipality.
10 If such a video service provider provides video service in the municipality after the
11 effective date of this paragraph [revisor inserts date], the incumbent cable
12 operator may continue to provide cable service in the municipality under the cable

1 franchise granted by the municipality, or may terminate that cable franchise and
2 apply for a video service franchise under sub. (3) (b) 2. b.

3 (b) During the period that this section does not apply to an incumbent cable
4 operator under par. (a), the municipality may regulate the incumbent cable operator,
5 including by doing any of the following:

6 1. Revoking, modifying, reissuing, or extending the incumbent cable operator's
7 cable franchise.

8 2. Regulating the operation of the incumbent cable operator's cable franchise.

9 3. Requiring the payment of franchise fees which, notwithstanding s. 66.0611,
10 may be based on the income or gross revenues of the incumbent cable operator's cable
11 system or measured by such income or gross revenues.

12 4. Establishing rates and regulating services of the incumbent cable operator
13 to the extent provided under federal law."."

14 (END)