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State of Misconsin 2007 - 2008 LEGISLATURE

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SENATE AMENDMENT 6, TO 2007 ASSEMBLY BILL 207

November 8, 2007 - Offered by Senators Vinehout, Miller, Risser, Robson, Erpenbach, Jauch, Lassa and Kreitlow.

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

1. Page 30, line 14: after that line insert:

"(14) Exemption. (a) If an incumbent cable operator was providing cable service in a municipality immediately before the effective date of this paragraph [revisor inserts date], and no other person was providing video service in the municipality immediately before the effective date of this paragraph [revisor inserts date], this section does not apply to the incumbent cable operator until a video service provider, other than the incumbent cable operator, provides video service in that municipality. If such a video service provider provides video service in the municipality after the effective date of this paragraph [revisor inserts date], the incumbent cable operator may continue to provide cable service in the municipality under the cable franchise granted by the municipality, or may terminate that cable franchise and apply for a video service franchise under sub. (3) (b) 2. b.

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- (b) During the period that this section does not apply to an incumbent cable operator under par. (a), the municipality may regulate the incumbent cable operator, including by doing any of the following:
- 1. Revoking, modifying, reissuing, or extending the incumbent cable operator's cable franchise.
 - 2. Regulating the operation of the incumbent cable operator's cable franchise.
- 3. Requiring the payment of franchise fees which, notwithstanding s. 66.0611, may be based on the income or gross revenues of the incumbent cable operator's cable system or measured by such income or gross revenues.
- 4. Establishing rates and regulating services of the incumbent cable operator to the extent provided under federal law.".

12 (END)