

2023 -- H 6046

LC001192

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- COMMUNITY ANTENNA  
TELEVISION SYSTEMS

Introduced By: Representative Michelle E. McGaw

Date Introduced: March 03, 2023

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 39-19-6 of the General Laws in Chapter 39-19 entitled "Community  
2 Antenna Television Systems" is hereby amended to read as follows:

3 **39-19-6. Jurisdiction of division.**

4 [\(a\)](#) The division shall supervise and regulate every CATV company operating within this  
5 state so far as may be necessary to prevent the operation from having detrimental consequences to  
6 the public interest, and for this purpose may promulgate and enforce such reasonable rules and  
7 regulations as it may deem necessary with reference to issuance of certificates, territory of  
8 operation, abandonment of facilities, elimination of unjust discrimination among subscribers,  
9 financial responsibility, and insurance covering personal injury and property damage, safety of  
10 equipment and operation, and filing of reports. No certificates shall be issued or remain valid unless  
11 the applicant has filed with the division and revised to keep current a schedule of rates and charges  
12 for its services. The rates and charges shall be reasonably compensatory so as not to encourage  
13 unfair or destructive competitive practices and shall be applied without discrimination. The cable  
14 television section of the division of public utilities and carriers shall take all necessary steps to  
15 ensure that Rhode Island shall regulate the rates charged by cable television companies to the full  
16 extent allowable under federal law; provided, however, the division shall hold public hearings and  
17 the cable television companies shall justify and explain at the hearings the necessity for all rate  
18 increases of regulated rates [pursuant to § 39-19-6.2](#). This section shall constitute authority to make

1 any and all certifications to the Federal Communications Commission required under the Cable  
2 Television Consumer Protection and Competition Act of 1992, Pub. L. No. 102-385.

3 (b) The division shall supervise and regulate every CATV company operating within this  
4 state to the fullest extent possible within limits established by federal law or where federal law does  
5 not currently apply, including any emerging technology not currently regulated by federal law.

6 SECTION 2. Chapter 39-19 of the General Laws entitled "Community Antenna Television  
7 Systems" is hereby amended by adding thereto the following section:

8 **39-19-6.2. Regulation of rates.**

9 (a) The division, whenever a rate increase is proposed by any CATV company for any tier  
10 of cable service, shall hold public hearings and the CATV companies shall justify and explain at  
11 the hearings the necessity for all rate increases of regulated rates. This justification and explanation  
12 shall include, at a minimum, all the filing of information, documents and evidence as required  
13 pursuant to subsection (b) of this section and shall additionally include any data, statistics,  
14 schedules, or information the division deems proper or necessary to enable the division to analyze  
15 and determine appropriate, fair and reasonable rates that serve the best interest of the public. The  
16 division may issue orders as the division finds proper, expedient or necessary to enforce and  
17 administer the provisions of this section to secure compliance with any rules or regulations made  
18 thereunder and to protect the public interest.

19 (b) Any and all filings submitted by the cable companies to the Federal Communications  
20 Commission (FCC) regarding cable programming rates shall be submitted to the division.

21 (c) For any proposed or implemented rate increase, the office of auditor general shall  
22 conduct an audit on the information required pursuant to this section to determine the accuracy of  
23 all information submitted and for the purpose of determining the reasonableness of any rate increase  
24 and any other matter or facts properly within the purview of the auditor general as requested by the  
25 division.

26 (d) Should the auditor general find any fraudulent, false or deceptive statements,  
27 documents or evidence provided by any CATV company pursuant to the requirements of subsection  
28 (a) or (b) of this section then the matter shall be forwarded by the auditor general to the attorney  
29 general for review and possible prosecution.

30 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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RELATING TO PUBLIC UTILITIES AND CARRIERS -- COMMUNITY ANTENNA  
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1           This act would require the division of public utilities to hold public hearings related to  
2 proposed rate increases by cable television companies and require the companies to justify and  
3 explain the necessity for all rate increases. The auditor general would audit all information  
4 submitted to justify any proposed rate increase.

5           This act would take effect upon passage.

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