

By Mr. Piro of Somerville, petition of Vincent J. Piro that the Community Antenna Television Commission be granted certain regulatory powers. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT PROVIDING THE STATE COMMUNITY ANTENNA TELEVISION COMMISSION WITH CERTAIN REGULATORY POWERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 2 of chapter 166A of the General Laws is
2 hereby amended by striking out the first two paragraphs of said
3 section, and inserting in place thereof the following new para-
4 graphs: —

5 *Section 2.* There shall be established in the executive office of
6 consumer affairs a community antenna television commission
7 which shall consist of seven commissioners. The commissioners
8 shall be appointed by the governor for a term coterminous with
9 that of the governor. The commissioners must be appointed from
10 the following constituencies: one from the category known as
11 Massachusetts mayors, one from the category known as Massa-
12 chusetts town selectmen, one from the category known as educa-
13 tors, one from the category known as telecommunications experts,
14 one from the category known as social service workers, and two
15 from the category known as consumers. All members must live in
16 cabled communities and shall be registered voters in the common-
17 wealth.

18 Not more than four members of said commission shall be of the
19 same political party. The governor shall designate one of the said
20 members as chairman. The commission shall appoint an executive
21 director who shall not be subject to chapter thirty-one and who
22 shall be knowledgeable in the field of telecommunications. He shall

23 be responsible for informing the commission and the public of
24 matters relating to cable television, and shall perform such duties
25 as the commission requires. Said executive director shall serve at
26 the pleasure of the commission who shall determine his rate of
27 compensation. The members shall be compensated at the rate of
28 fifty dollars for each day spent in the performance of their duties.
29 The commission may expend such sums for quarters and clerical
30 and other assistance as may be appropriated therefor.

1 SECTION 2. Section 2 of chapter 166A of the General Laws, as
2 most recently amended by section 3 of chapter 249 of the acts of
3 1979, is hereby further amended by striking out the first three
4 paragraphs of said section, and inserting in place thereof the
5 following new paragraph:—

6 *Section 2.* Initial rates for subscriber service over any commun-
7 ity antenna television system shall be determined through the
8 license agreement between the cable operator and the city or town
9 granting the cable franchise. Further petitions to alter subscriber
10 rates must first be heard by the issuing authority in each city and
11 town. In making a determination as to the equitability of such rate
12 change, the Issuing Authority may take into consideration the
13 degree of contract compliance evidenced by the cable operator, the
14 degree of subscriber complaints in a given community, and the rate
15 of return which the cable operator is receiving. The cable operator
16 has the ability to appeal a decision made by the issuing authority to
17 the state community antenna television commission. The state
18 community antenna television commission shall hold appeal pow-
19 er over local rate decisions.

1 SECTION 3. Section 16 of chapter 166A of the General Laws is
2 hereby amended by adding the following sentence to the first
3 paragraph. This sentence is to follow immediately after the first
4 sentence in section 16, paragraph 1:—

5 *Section 16.* These experts shall include, but not be limited to,
6 one program development specialist who shall have among his
7 duties the assisting of cities and towns throughout the common-
8 wealth in the development of their local educational and municipal
9 access cable channels.

1 SECTION 4. Chapter 166A of the General Laws is further
2 amended to include a new section following section 22. This sec-
3 tion, which will be called access channels, will be written as follows
4 as section 23: —

5 *Section 23. Access Channels:*

6 Every CATV system operator who is providing service to more
7 than 3500 subscribers in a city or town shall make available to all of
8 its residential subscribers at least one access channel in each of the
9 categories in subparagraphs (1), (2), (3) herein. The remaining
10 channels for access purposes shall be apportioned and designated
11 in response to demonstrated community need. Those systems
12 which currently have 3500 subscribers or more and do not have the
13 required access channels will have until September 15 of 1983 to
14 comply with this regulation. In the event of limited use, access
15 channels for subparagraphs (2) and (3) may be combined into one
16 channel. Channels reserved for access purposes shall be designated
17 as one of the following:

18 (1) *Public:* Public access channels shall be made available for use
19 by members of the general public on a first-come, first-served
20 nondiscriminatory basis. The VHF spectrum shall be used for at
21 least one of these channels;

22 (2) *Educational:* Educational access channels shall be made
23 available for use by local educational authorities and institutions
24 including, but not limited to, school departments, colleges, librar-
25 ies, private parochial schools, universities but excluding commer-
26 cial educational enterprises;

27 (3) *Government:* Government access channels shall be made
28 available for use by municipal and state government;

29 (4) *Leased:* Leased access channels shall be made available on a
30 first-come, first-served non-discriminatory basis.

31 Within six months of commencement of service, each CATV sys-
32 tem operator shall provide and thereafter maintain throughout the
33 life of its contract one fixed studio in each municipality with a
34 population of 50,000 or greater (as determined by the most recent
35 United States census). Each such a studio shall be equipped for
36 full-color production and transmission of live, videotape and film
37 television programs. This studio will be used for programming
38 over the public access channel. In addition, the operator should

23 be responsible for informing the commission and the public of
24 matters relating to cable television, and shall perform such duties
25 as the commission requires. Said executive director shall serve at
26 the pleasure of the commission who shall determine his rate of
27 compensation. The members shall be compensated at the rate of
28 fifty dollars for each day spent in the performance of their duties.
29 The commission may expend such sums for quarters and clerical
30 and other assistance as may be appropriated therefor.

1 SECTION 2. Section 2 of chapter 166A of the General Laws, as
2 most recently amended by section 3 of chapter 249 of the acts of
3 1979, is hereby further amended by striking out the first three
4 paragraphs of said section, and inserting in place thereof the
5 following new paragraph: —

6 *Section 2.* Initial rates for subscriber service over any commun-
7 ity antenna television system shall be determined through the
8 license agreement between the cable operator and the city or town
9 granting the cable franchise. Further petitions to alter subscriber
10 rates must first be heard by the issuing authority in each city and
11 town. In making a determination as to the equitability of such rate
12 change, the Issuing Authority may take into consideration the
13 degree of contract compliance evidenced by the cable operator, the
14 degree of subscriber complaints in a given community, and the rate
15 of return which the cable operator is receiving. The cable operator
16 has the ability to appeal a decision made by the issuing authority to
17 the state community antenna television commission. The state
18 community antenna television commission shall hold appeal pow-
19 er over local rate decisions.

1 SECTION 3. Section 16 of chapter 166A of the General Laws is
2 hereby amended by adding the following sentence to the first
3 paragraph. This sentence is to follow immediately after the first
4 sentence in section 16, paragraph 1: —

5 *Section 16.* These experts shall include, but not be limited to,
6 one program development specialist who shall have among his
7 duties the assisting of cities and towns throughout the common-
8 wealth in the development of their local educational and municipal
9 access cable channels.

1 SECTION 4. Chapter 166A of the General Laws is further
2 amended to include a new section following section 22. This sec-
3 tion, which will be called access channels, will be written as follows
4 as section 23: —

5 *Section 23. Access Channels:*

6 Every CATV system operator who is providing service to more
7 than 3500 subscribers in a city or town shall make available to all of
8 its residential subscribers at least one access channel in each of the
9 categories in subparagraphs (1), (2), (3) herein. The remaining
10 channels for access purposes shall be apportioned and designated
11 in response to demonstrated community need. Those systems
12 which currently have 3500 subscribers or more and do not have the
13 required access channels will have until September 15 of 1983 to
14 comply with this regulation. In the event of limited use, access
15 channels for subparagraphs (2) and (3) may be combined into one
16 channel. Channels reserved for access purposes shall be designated
17 as one of the following:

18 (1) *Public:* Public access channels shall be made available for use
19 by members of the general public on a first-come, first-served
20 nondiscriminatory basis. The VHF spectrum shall be used for at
21 least one of these channels;

22 (2) *Educational:* Educational access channels shall be made
23 available for use by local educational authorities and institutions
24 including, but not limited to, school departments, colleges, librar-
25 ies, private parochial schools, universities but excluding commer-
26 cial educational enterprises;

27 (3) *Government:* Government access channels shall be made
28 available for use by municipal and state government;

29 (4) *Leased:* Leased access channels shall be made available on a
30 first-come, first-served non-discriminatory basis.

31 Within six months of commencement of service, each CATV sys-
32 tem operator shall provide and thereafter maintain throughout the
33 life of its contract one fixed studio in each municipality with a
34 population of 50,000 or greater (as determined by the most recent
35 United States census). Each such a studio shall be equipped for
36 full-color production and transmission of live, videotape and film
37 television programs. This studio will be used for programming
38 over the public access channel. In addition, the operator should

39 provide sufficient portable video production and editing equip-
40 ment so as to allow for the production of out of the studio televi-
41 sion programs.

42 Every cable operator furnishing these access channels shall es-
43 tablish and publish rules pertaining to the administration and use
44 of the specially designated access channels and access production
45 equipment and facilities required by this section. Such rules shall
46 be filed with the commission within 30 days of the time that any
47 access channel is put into use. Any revisions to such rules shall be
48 promptly filed with the commission. Copies of such operating rules
49 shall be kept available for public inspection at the local business
50 office of the cable operator.

51 All operating rules submitted in accordance with this section
52 shall include, but not be limited to, the following provisions:

53 (1) procedures for scheduling the use of television production
54 equipment provided by the system operator, and for scheduling the
55 cablecasting of programming on the specially designated access
56 channels;

57 (2) a provision requiring the CATV system operator to maintain
58 a complete record of all users of the specially designated public,
59 educational, government, and leased access channels, and to keep
60 such record available for public inspection at the local business
61 office of the cable operator. Such record shall be retained by the
62 operator for a period of two years.

63 (3) a provision that the cable operator shall not attempt to
64 control program content of specially designated access channels,
65 except to the extent necessary to protect it from applicable state,
66 local and federal law.

67 Each cable operator shall make available an adequate number of
68 appropriate programming and technical personnel to maintain
69 and oversee the use of the production equipment required to be
70 provided by this section, and to provide the following training and
71 technical assistance:

72 (1) training of government employees, employees of educational
73 institutions, and representatives of non-profit community organi-
74 zations and institutions in the use of system production equipment
75 available for access and institutional program production;

76 (2) training of the public in the use of system production equip-

77 ment available for public access program production;
78 (3) guidance and planning assistance to government officials,
79 officials of educational institutions, and officials of non-profit
80 community institutions and organizations in the development of
81 access programming and institutional services, and the design and
82 utilization of facilities for production, origination, and internal
83 distribution within buildings.

84 Each cable operator shall employ at least one full-time coordina-
85 tor of access and institutional services, who shall have continuing
86 oversight and administration of the development and utilization of
87 access programming and institutional services. Any and all techni-
88 cal, planning and instructional assistance provided by a cable
89 operator pursuant to this section shall be provided to the access
90 user at no expense.

1 SECTION 5. Chapter 166A of the General Laws is further
2 amended to include a new section following section 23. This section
3 which will be called community advisory boards, will be written as
4 follows as section 24: —

5 *Section 24. Community Advisory Boards:*

6 The Issuing Authority may create, at any time, a community
7 advisory board, vesting it with authority to create policy and/or
8 regulate on-going matters concerning administration of the cable
9 system, as well as other matters related to a municipal license,
10 subject to the issuing authority's ultimate authority as set forth in
11 this chapter and other applicable regulations. The advisory board
12 may deal with censorship, consumer complaints, monitoring pro-
13 hibition rules, make recommendations for staff and consultants,
14 and it may be the duty of said board to provide and gather
15 information regarding the public's interest in cable participation
16 and/or to establish guidelines, all subject to the ultimate approval
17 of the issuing authority as set forth in this chapter and other
18 applicable regulations. Subject to appeal to, and the authority of,
19 the issuing authority, the cable operator shall recognize the com-
20 munity advisory board as vested with the powers and rights of the
21 issuing authority.

The first part of the document discusses the general principles of the proposed system. It is intended to provide a comprehensive overview of the various aspects involved in the implementation of the new regulations. The document is divided into several sections, each addressing a specific area of concern. The first section deals with the overall objectives and the scope of the project. The second section outlines the key components and the roles of the various stakeholders involved. The third section provides a detailed description of the proposed system, including its structure and the way it is intended to be implemented. The fourth section discusses the potential benefits and challenges of the system, and the fifth section provides a summary of the key findings and recommendations.

The second part of the document provides a detailed description of the proposed system. It is intended to provide a comprehensive overview of the various aspects involved in the implementation of the new regulations. The document is divided into several sections, each addressing a specific area of concern. The first section deals with the overall objectives and the scope of the project. The second section outlines the key components and the roles of the various stakeholders involved. The third section provides a detailed description of the proposed system, including its structure and the way it is intended to be implemented. The fourth section discusses the potential benefits and challenges of the system, and the fifth section provides a summary of the key findings and recommendations.

The first part of the report is devoted to a general survey of the progress of the work during the year. It is followed by a detailed account of the various experiments conducted, and the results obtained. The report concludes with a summary of the work done, and a list of the publications of the author.

The second part of the report is devoted to a detailed account of the various experiments conducted, and the results obtained. It is followed by a summary of the work done, and a list of the publications of the author.

The third part of the report is devoted to a detailed account of the various experiments conducted, and the results obtained. It is followed by a summary of the work done, and a list of the publications of the author.

The fourth part of the report is devoted to a detailed account of the various experiments conducted, and the results obtained. It is followed by a summary of the work done, and a list of the publications of the author.

The fifth part of the report is devoted to a detailed account of the various experiments conducted, and the results obtained. It is followed by a summary of the work done, and a list of the publications of the author.

The sixth part of the report is devoted to a detailed account of the various experiments conducted, and the results obtained. It is followed by a summary of the work done, and a list of the publications of the author.

The seventh part of the report is devoted to a detailed account of the various experiments conducted, and the results obtained. It is followed by a summary of the work done, and a list of the publications of the author.

