

# HOUSE . . . . . No. 6336

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## **The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES, May 24, 2983.

The committee on Bills in the Third Reading, to whom was referred the Bill changing the designation community antenna television commission to cable television commission (House, No. 49), reports recommending that the same be amended by the substitution of the accompanying bill (House, No. 6336).

For the committee,

ALFRED E. SAGGESSE, Jr.

**The Commonwealth of Massachusetts**

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

AN ACT DESIGNATING THE COMMUNITY ANTENNA TELEVISION SYSTEMS  
AS THE CABLE TELEVISION SYSTEMS.

*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. Chapter 166A of the General Laws is hereby  
2 amended by striking out the caption "COMMUNITY ANTENNA  
3 TELEVISION SYSTEMS" and inserting in place thereof the  
4 following caption: — CABLE TELEVISION SYSTEMS.

1 SECTION 1A. The first paragraph of section 1 of said chapter  
2 166A is hereby amended by striking out clause (a), as amended by  
3 section 1 of chapter 670 of the acts of 1979, and inserting in place  
4 thereof the following clause; —

5 (a) "Commission", the cable television commissioner appointed  
6 pursuant to section two.

1 SECTION 2. Said first paragraph of said section 1 of said  
2 chapter 166A is hereby further amended by striking out clause (b),  
3 as amended by section 1 of chapter 674 of the acts of 1975, and  
4 inserting in place thereof the following clause: —

5 (b) "Cable television system" or "cable system", a facility which  
6 receives and amplifies the signals broadcast by one or more televi-  
7 sion stations and redistributes such signals to subscribing members  
8 of the public for a fixed or periodic fee, employing wires or cables  
9 passing along, over, under, across, and upon streets, ways, lanes,  
10 alleys, parkways, bridges, highways, and other public places,  
11 including property over which a city or town has an easement or  
12 right-of-way, and including facilities which in addition to provid-  
13 ing such reception, amplification and redistribution, are also used  
14 to originate and distribute program or other material to such  
15 subscribers, but excluding any system which serves fewer than fifty  
16 subscribers.

1 SECTION 3. Said first paragraph of said section 1 of said  
2 chapter 166A is hereby further amended by striking out clause (c),  
3 as appearing in section 1 of chapter 1103 of the acts of 1971, and  
4 inserting in place thereof the following clause: —

5 (c) "Cable operator" or "operator", a person operating a cable  
6 television system.

1 SECTION 4. The first paragraph of section 2 of chapter 166A,  
2 as amended by section 2 of chapter 670 of the acts of 1979, is  
3 hereby further amended by striking out, in line 2, the words  
4 "community antenna" and inserting in place thereof the word: —  
5 cable.

1 SECTION 5. Section 3 of said chapter 166A, as appearing in  
2 section 1 of chapter 1103 of the acts of 1971, is hereby amended by  
3 striking out, in line 2, the word "CATV" and inserting in place  
4 thereof the word: — cable.

1 SECTION 6. Section 7 of said chapter 166A is hereby  
2 amended by striking out the last sentence, as amended by section 1  
3 of chapter 249 of the acts of 1979, and inserting in place thereof the  
4 following sentence: — The consent of an issuing authority to a  
5 transfer or assignment of a license for an unconstructed cable  
6 system shall not be given if the consideration being paid in the  
7 proposed transaction includes a substantial payment for the  
8 license.

1 SECTION 7 Section 8 of said chapter 166A is hereby amended  
2 by striking out the first sentence, as amended by section 1 of  
3 chapter 402 of the acts of 1972, and inserting in place thereof the  
4 following sentence: — Each license shall install its cable system  
5 and maintain the quality of the signals transmitted over its system  
6 to its subscribers in accordance with standards to be prescribed by  
7 the Federal Communications Commission and the commission.

1 SECTION 8. Section 9 of said chapter 166A is hereby amended  
2 by striking out the first sentence, as amended by section 8 of  
3 chapter 674 of the acts of 1975, and inserting in place thereof the  
4 following sentence: — No application for a license to operate a

5 cable system or for renewal, transfer or assignment of such a  
6 license shall be considered by an issuing authority unless it is  
7 accompanied by an application fee of one hundred dollars payable  
8 to the city or town.

1 SECTION 9. Section 10 of said chapter 166A, as appearing in  
2 section I of chapter 1103 of the acts of 1971, is hereby amended by  
3 striking out, in line 2, the word "CATV" and inserting in place  
4 thereof the word: — cable.

1 SECTION 10. The first paragraph of section 15 of said chapter  
2 166A, as amended by section 14 of chapter 674 of the acts of 1975,  
3 is hereby further amended by striking out the first sentence and  
4 inserting in place thereof the following sentence: — For a period  
5 of three years from the effective date of this chapter, the commis-  
6 sion shall study the necessity and desirability or rate regulation,  
7 and thereafter it may, upon its own motion or upon request of any  
8 issuing authority or licensee, after due hearing and investigation,  
9 fix, and establish, for each cable television system in the common-  
10 wealth, a fair and reasonable rate of return from subscription rates  
11 charged to subscribers, said rates to be adequate, just, reasonable  
12 and nondiscriminatory.

1 SECTION 11. Section 16 of said chapter 166A, as appearing in  
2 section I of chapter 1103 of the acts of 1971, is hereby amended by  
3 striking out, in lines 7 and 10, the word "CATV" and inserting in  
4 place thereof, in each instance, the word: — cable.

1 SECTION 12. Section 17 of chapter 166A, as so appearing, is  
2 hereby amended by striking out, in line 3, the word "CATV" and  
3 inserting in place there of the word: — cable.

1 SECTION 13. Said chapter 166A is hereby further amended by  
2 striking out section 20, as so appearing, and inserting in place  
3 thereof the following section: —

4 *Section 20.* Any city of town may construct, pruchase and  
5 operate a cable system, but such operation shall be subject to this  
6 chapter as if the system were privately owned and operated.



1 SECTION 14. Said chapter 166A is hereby further amended by  
2 striking out section 22, as amended by chapter 225 of the acts of  
3 1977, and inserting in place thereof the section: —

4 *Section 22.* No operator shall enter into any agreement with  
5 persons owning, leasing, controlling or managing buildings served  
6 by a cable system, or perform any act, that would directly or  
7 indirectly diminish or interfere with existing rights of any tenant or  
8 other occupant of such a building to the use of master or individual  
9 antenna equipment.

10 An operator who affixes, or causes to be affixed, cable system  
11 facilities to the dwelling of a tenant shall do so at no cost to the  
12 landlord of such dwelling, shall indemnify the landlord of such  
13 dwelling for any damage arising out of such actions, and shall not  
14 interfere with the safety, functioning, appearance or use of such  
15 dwelling.

16 The consent required by section thirty-five of chapter one  
17 hundred and sixty-six shall be deemed to have been granted to an  
18 operator upon his delivery to the owner or lawful agent of the  
19 owner of property upon which he proposes to affix cable system  
20 facilities of a copy of this section, and a signed statement that he  
21 agrees to be bound by the terms of this section.

22 An owner of property, or his lawful agent, may sue in contract to  
23 enforce the provisions of an operator's agreement under this  
24 section.

25 No person owning, leasing, controlling or managing buildings  
26 served by a cable system shall discriminate in rental or other  
27 charges between tenants who subscribe to such cable services, and  
28 those who do not, or demand or accept payment, in any form, for  
29 the affixing of cable system equipment to such buildings, except  
30 that to which he is entitled under the provisions of this section.

The first part of the report deals with the general situation of the country, and the progress of the war. It is a very interesting and valuable document, and one which should be read by every citizen of the United States.

The second part of the report deals with the military operations of the army, and the progress of the war. It is a very interesting and valuable document, and one which should be read by every citizen of the United States.

The third part of the report deals with the financial operations of the government, and the progress of the war. It is a very interesting and valuable document, and one which should be read by every citizen of the United States.

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The fifth part of the report deals with the internal affairs of the United States, and the progress of the war. It is a very interesting and valuable document, and one which should be read by every citizen of the United States.

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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 components and their interactions. The following sections will detail the specific implementation and the expected outcomes of the project.

The second part of the document focuses on the technical aspects of the system. It describes the hardware and software requirements, as well as the data flow and processing methods. This section is crucial for understanding the practical details of the system's operation.

The third part of the document addresses the organizational and administrative aspects of the project. It outlines the roles and responsibilities of the various stakeholders, as well as the timeline and budget for the project. This section is essential for ensuring that the project is managed effectively and efficiently.

The fourth part of the document provides a detailed analysis of the system's performance and its impact on the organization. It includes a comparison of the proposed system with existing alternatives, as well as a discussion of the potential risks and challenges. This section is important for making informed decisions about the project's viability and success.

The fifth part of the document concludes with a summary of the key findings and recommendations. It emphasizes the importance of ongoing communication and collaboration throughout the project, as well as the need for flexibility and adaptability in response to changing circumstances. The final section provides a list of references and a glossary of terms used throughout the document.

