

HOUSE No. 2907

The Commonwealth of Massachusetts

PRESENTED BY:

Tom Sannicandro

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act protecting the public interest in cable mergers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>

HOUSE No. 2907

By Mr. Sannicandro of Ashland, a petition (accompanied by bill, House, No. 2907) of Tom Sannicandro and Denise Provost relative to the protection of the public interest by the Department of Telecommunications and Cable in cable mergers. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act protecting the public interest in cable mergers.

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, as appearing in the 2012 Official
2 Edition, is hereby amended by inserting after section 22 the following new section:-

3 Section 23.

4 (a) No transfer, renewal or amendment of any license, or any transfer of control of a
5 license or of facilities constituting a significant part of any CATV system shall be effective
6 without the prior approval of the department. Such approval shall be required in addition to any
7 approval required by an issuing authority under this chapter. For the purposes of this section, a
8 merger or consolidation of two or more cable television companies or CATV Operators shall be
9 deemed to be a transfer of a license.

10 (b) A person wishing to transfer, renew or amend a license, or to transfer control of a
11 license or of a substantial part of the facilities thereof shall file with the department an
12 application for approval of such change, in such form and containing such information and

13 supporting documents as the department may require. The application shall be accompanied by
14 proof of service thereof upon the licensee, if any, and by such fee as the department may set. The
15 department shall hold a public hearing on any such application.

16 (c) The department shall approve the application unless it finds that approval would be in
17 violation of the public interest.

18 (d) The department may approve the application contingent upon compliance with
19 standards, terms or conditions set by the department which it determines would not have been
20 met by the proposed transfer, renewal or amendment.

21 (e) In the event the department refuses to approve the application, it shall set forth in
22 writing the reasons for its decision.

23 (f) Approval of a transfer, renewal or amendment under this section shall not preclude
24 invalidation of a license illegally obtained.

25 (g) Nothing in this section shall be construed to affect or modify the powers and duties of
26 issuing authorities under this chapter.

27 SECTION 2. Section 11E of Chapter 12 of the General Laws, as appearing in the 2012
28 Official Edition, is hereby amended by inserting after the word “involving”, on line 5, the
29 following:-

30 license transfers,