

House Bill 310

In The House

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| January 17, 1981 | Introduced and referred to Committee on Business and Industry. |
| January 20, 1981 | Fiscal note requested.   |
| January 26, 1981 | Fiscal note returned.  |
| February 2, 1981 | Committee recommend bill do not pass.                          |

1 HOUSE BILL NO. 310  
2 INTRODUCED BY Monahan Steve Brown Daryl  
3 Roush, Hager Arnold

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBJECT COMMUNITY  
5 ANTENNA SYSTEMS, COMMONLY REFERRED TO AS CABLE TV, TO THE  
6 SUPERVISION, REGULATION, AND CONTROL OF THE PUBLIC SERVICE  
7 COMMISSION; AMENDING SECTION 69-3-101, MCA."

IT IS ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. Section 1. Regulation of cable TV. The  
11 public service commission has full power of supervision,  
12 regulation, and control of community antenna systems,  
13 commonly referred to as cable TV. The provisions of Title  
14 69, chapter 3, apply to the supervision, regulation, and  
15 control of community antenna systems, and references to  
16 public utilities in Title 69, chapter 3, include community  
17 antenna systems.

18       Section 2. Section 69-3-101, MCA, is amended to read:  
19       "69-3-101. Meaning of term public utility. **111** The  
20 term "public utility", within the meaning of this chapter,  
21 shall embrace every corporation, both public and private,  
22 company, individual, association of individuals, their  
23 lessors, trustees, or receivers appointed by any court  
24 whatsoever, that now or hereafter may own, operate, or  
25 control any plant or equipment, any part of a plant or

1 equipment, or any water right within the state for the  
2 production, delivery, or furnishing for or to other persons,  
3 firms, associations, or corporations, private or municipal:  
4        ~~tele~~ heat;  
5        ~~tele~~ street-railway service;  
6        ~~tele~~ light;  
7        ~~tele~~ power in any form or by any agency;  
8        ~~tele~~ water for business, manufacturing, household  
9 use, or sewerage service, whether within the limits of  
10 municipalities, towns, and villages or elsewhere;  
11        ~~tele~~ telegraph or telephone service.  
12        (2) For the purpose of supervision, regulation, and  
13 control of community antenna systems as provided for in  
14 [section 1], the term "public utility" includes community  
15 antenna systems, commonly referred to as cable TV."

16       Section 3. Codification instruction. Section 1 is  
17 intended to be codified as an integral part of Title 69,  
18 chapter 3, and the provisions of Title 69, chapter 3, apply  
19 to section 1.

-End-

STATE OF MONTANA

REQUEST NO. 165-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 21, 19 81, there is hereby submitted a Fiscal Note for House Bill 310 pursuant to Chapter 53, Laws of Montana, 1985 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to include cable television systems as a public utility.

ASSUMPTIONS:

1. There are approximately 15 cable television companies in Montana.
2. All existing and future rate tariff schedules for cable TV companies will have to be analyzed for compliance.
3. To insure that construction, extension, and operation of Cable TV companies is provided as a public convenience a complete staff analysis must include engineering data from a communications engineer and a rate analyst.

FISCAL IMPACT:

|                    | FY 82           | FY 83           |
|--------------------|-----------------|-----------------|
| Revenue            | \$ 100          | \$ 100          |
| Less: Expenditures |                 |                 |
| Personal Services  | 43,720          | 44,628          |
| Operating Expenses | 4,000           | 4,500           |
| Capital Outlay     | 1,100           | 0               |
| Total Expenditures | 48,720          | 49,128          |
| NET EFFECT         | <u>\$48,620</u> | <u>\$49,028</u> |

Local Impact: None.

David M Lewis

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-26-81