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Planned Programming Change and Rate Change Notification

Sec. 16-333f-1. Planned programming and rate changes

As used in Sections 16-333f-2 to 16-333f-3, inclusive, of the Regulations of Connecticut State Agencies:

(1) "Planned programming change" means any deletion or channel reassignment within the existing signal package offered by a franchise holder, including any temporary change of channel assignment and any change affecting fifty or more subscribers for more than twenty-four hours but not temporary unplanned loss of signal; and

(2) "Rate change" means either an increase or decrease in the charge for any cable related service provided by a CATV company, including but not limited to, charges for installation, reconnection, equipment rental and recurring charges associated with the provision of basis service, cable programming service or premium service.

(Effective June 24, 1994; amended July 27, 1999)

Sec. 16-333f-2. Notification required

(a) Each franchise holder shall notify the department, the Chairperson of the advisory council, each subscriber and the chairpersons of the Joint Standing Committee on Energy and Technology, in writing, not less than thirty days in advance of the implementation date of any planned programming change or any rate change. Franchise holders shall not postpone the implementation of any rate decrease due to the notice requirements contained herein.

(b) An advisory council making a recommendation pursuant to section 16-333f of the Connecticut General Statutes shall provide a copy to the department and the Office of Consumer Counsel.

(Effective June 24, 1994; amended July 27, 1999)

Sec. 16-333f-3. Exceptions to the thirty day notice

(a) The notification requirement contained in section 16-333f-2 shall be in effect unless (1) otherwise required by federal law, (2) such planned programming or rate change is required by law to be made in fewer than thirty days, or (3) the department prescribes a longer or shorter period.

(b) When a franchise holder has actual or constructive knowledge that a planned programming rate change must, by law, be implemented in less than thirty days, such franchise holder shall notify the department, the chairperson of the advisory council and the chairpersons of the Joint Standing Committee on Energy and Technology, in writing, no later than two days of the franchise holder's knowledge, and notify each subscriber in the next bill or by separate notice no later than the next billing period, of such planned programming or rate change. Such notices shall include an explanation as to why the planned programming or rate change must be implemented with less than thirty days notice.

(c) Upon application of the franchise holder showing good cause as to why a planned programming or rate change should be implemented in less than thirty days, the department may prescribe, on a case by case basis, longer or shorter notice periods as the department deems to be in the best interest of subscribers.

(Effective June 24, 1994; amended July 27, 1999)