

REGULATIONS OF CONNECTICUT STATE AGENCIES

Department of Energy and Environmental Protection

Public Utilities Regulatory Authority

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Viewing Time Reliability Standards and Schedules for Credits or Refunds for CATV Service

Sec. 16-333e-1. Viewing time reliability standards

(a) Definition

(1) “Qualifying outage”: For the purposes of this section, an outage qualifies for inclusion in the calculation of system reliability if it were a total loss of CATV service on all channels and meets all of the following criteria: (A) affected 50 or more subscribers, (B) occurred in whole or in part between the hours from 7:00 a.m. through 11:00 p.m. during the previous month, (C) had a duration of one hour or more between the hours from 7:00 a.m. through 11:00 p.m., but a total duration of less than or equal to 24 hours, (D) was not the result of the failure of plant or equipment associated with an extension of distribution plant first energized during the preceding 12 month period, (E) was not solely the result of loss of commercial electric power to the CATV distribution system, and (F) was not caused by subscribers.

(b) Formula for determining system reliability

(1) System reliability (SR) is to be determined monthly by each CATV company according to the following system reliability formula:

$$SR = 100\% \left(1 - \frac{\text{subscriber qualifying outage hours}}{\text{average number of subscribers} \times \text{days in month} \times 16 \text{ hrs}} \right)$$

where subscriber qualifying outage hours equal the summation of the products of the qualifying outage length in hours during the 16 hour period from 7:00 a.m. through 11:00 p.m. and the number of subscribers affected.

(2) The formula above shall exclude from the average number of subscribers used in the denominator of the equation those subscribers served by plant first energized during the preceding 12 months.

(c) Determination of credits and refunds

(1) When the SR falls below 99.8%, a credit, according to the schedule in subsection (d) of this section, is due all subscribers who experienced an outage during the month, and whose outage was used in the numerator of the equation to calculate the SR in subsection (b) above.

(2) The number of days credit due each qualifying subscriber shall be the same, although the total monetary credit shall be based on the individual subscriber’s total monthly charge as follows:

$$\text{Credits or refunds} = \frac{(\text{number of days credit}) \times (\text{total monthly charge}^*)}{(\text{number of days in month})}$$

*includes basic service, additional outlets, premium services, etc.

(d) Schedule of credits and refunds

When the SR falls below the threshold of 99.8%, credits or refunds for bills or statements shall be applied over the next full billing cycle in which it is administratively practical to apply the credits or refunds, unless the Department rejects the calculations as provided for in subsection 2 (a) below. Credits or refunds (C/R) shall be uniformly applied according to the following schedule:

SR greater than or equal to 99.8%	No C/R
SR greater than or equal to 99.6% but less than 99.8%	0.5 days C/R
SR greater than or equal to 99.4% but less than 99.6%	1.0 days C/R

SR greater than or equal to 99.2% but less than 99.4%	1.5 days C/R
SR greater than or equal to 99.0% but less than 99.2%	2.0 days C/R
SR greater than or equal to 98.8% but less than 99.0%	2.5 days C/R
SR less than 98.8%	3.0 days C/R

shall be applied initially. If the SR falls below 98.8%, the Department shall investigate the level of service and shall take any necessary remedial action, including, but not limited to, the following: holding a hearing, determining additional credits or refunds to be given, and investigating potential improvements for the system.

(Effective November 20, 1986)

Sec. 16-333e-2. Filing requirements

(a) Calculations

Each CATV company shall calculate its system reliability monthly and provide the calculations with the list of qualifying outages underlying its calculations to the Department for its review not later than the 15th day of the month following the month for which the calculation was completed. Each CATV company shall file this information on a form, which incorporates the provisions of these regulations, to be made available by the Department. If the SR so calculated falls below the SR threshold of 99.8%, the company shall include with its filing the calculations and distribution of the credits or refunds due subscribers. Companies' filings will be deemed acceptable unless the company receives notification from the Department of its rejection of a filing on or before the last day of the month in which the calculations were filed.

(b) Implementation plan

Each CATV company shall submit an implementation plan for the application of these regulations, for the Department's review, within 30 days of the effective date of these regulations. The plan shall include, but not be limited to, the following components: descriptions of the systems to be used to gather and record the necessary data; description of the mechanism for identifying new plant, and description of the mechanism to be used to provide credits or refunds expeditiously through the billing process.

(Effective November 20, 1986)

Sec. 16-333e-3. Responsibility for responding to and resolving all service outages

(a) Outage restoral responsibilities

The requirements of sections 16-333e-1 and 16-333e-2 above do not relieve CATV companies from their continuing responsibility for responding to and resolving all service outages in an expeditious manner. Intentional delays on the part of the company in the restoral of service in order to prolong outages (i.e., beyond 24 hours) to avoid the heavier credit penalties that would otherwise be incurred is subject to Department review and investigation, and an appropriate penalty issued pursuant to § 16-41 of the CGS.

(b) Franchise conditions

The requirements of sections 16-333e-1, 16-333e-2 and 16-333e-3 are considered conditions of the franchise.

(Effective November 20, 1986)