

An Act To Support Implementation of Municipal Franchise Agreements.

Purpose: To clarify the implementation of upgrades to Facility Support Transmission Equipment in support of PL245 and Chapter 502 Public Law.

30-A MRSA §3008, sub-§1-A, para F is amended to read:

F. "Facility support transmission equipment" means the equipment associated with the interconnection between public, educational and governmental facility equipment and the headend of a video service provider's system, beginning at the point at which a public, educational and governmental signal enters transmitting equipment, which must be owned, maintained and upgraded upon request for audio and video signal quality or another reason by the video service provider. "Facility support transmission equipment" includes, but is not limited to, the equipment and facilities associated with signal transmission and carriage methodologies employed to send, receive, manage, troubleshoot and maintain audio and video signals; all physical wires, fiber lines and related connectivity medium or device; and all equipment associated with the formatting of public, educational and governmental programming for transmission to a subscriber of the video service provider. Notwithstanding any other provisions of the franchise agreement, PEG Facility Transmission Equipment must be maintained at current industry standards for audio and video quality at all times.

30-A MRSA §3010, sub-§5-D is amended to read:

5-D. Transmission. A video service provider, upon request, shall retransmit public, educational and governmental access channel signals in the format in which they are received from the originator and at the same audio and video signal quality as that provided to all subscribers of the cable television service for local broadcast channels. A video service provider may not diminish, down convert or otherwise tamper with the audio and video signal quality or format provided by the originator. A video service provider shall deliver a public, educational or governmental access channel signal to the subscriber in a quality and format equivalent to the audio and video quality and format of local broadcast channel signals carried on the cable television service if provided as such by the originator. A video service provider shall carry each public, educational or governmental access channel in both a high definition format and a standard digital format in the same manner as that in which local broadcast channels are provided, unless prohibited by federal law. Notwithstanding any other provisions of the franchise agreement, PEG Facility Transmission Equipment must be maintained at current industry standards for audio and video quality at all times.

Summary: This bill clarifies the requirement for video service providers to upgrade their PEG Facility Transmission Equipment at their expense when requested to do so by the municipality notwithstanding any other provisions of the franchise agreement and to maintain industry standards for audio and video quality going forward.