

**CHAPTER 2355**  
**CABLE COMMUNICATIONS BOARD**  
**CABLE ACCESS FOR ALTERNATIVE PROVIDERS**

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**2355.0100 DEFINITIONS.**

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Alternative providers.** "Alternative providers" means other providers of television programming or cable communications services.

Subp. 3. **Association member.** "Association member" means an individual owner of a cooperatively owned multiple dwelling complex.

Subp. 4. **Other providers of television programming or cable communications services.** "Other providers of television programming or cable communications services" means operators of master antenna television systems (MATV), satellite master antenna television systems (SMATV), multipoint distributions systems (MDS), and direct broadcast satellite systems (DBS).

**Statutory Authority:** *MS s 238.05; 238.06; 238.24 subd 10*

**History:** *9 SR 295*

**2355.0200 CONDITIONS FOR ACCESS BY ALTERNATIVE PROVIDERS.**

Subpart 1. **Channel capacity.** Cable companies granted access to a multiple dwelling complex under Minnesota Statutes, section 238.25 shall provide equipment with sufficient channel capacity to be used by alternative providers of television programming or cable communications services.

Subp. 2. **Technical plan approval.** The cable communications company shall determine the technical plan best suited for providing the necessary channel capacity sufficient to allow access to other providers. The plan must be submitted to the property owner for approval. The owner's approval may not be unreasonably withheld. No additional compensation for evaluation of the plan may be paid or given to the property owner over and above that permitted under Minnesota Statutes, section 238.24, subdivision 8.

Subp. 3. **Duplicate connections.** The cable communications company is not required to provide equipment for connecting more than one television receiver in one dwelling unit within the multiple dwelling complex. However, the company may provide duplicate connections at its discretion.

**Statutory Authority:** *MS s 238.05; 238.06; 238.24 subd 10*

**History:** *9 SR 295*

**2355.0300 REIMBURSEMENT.**

Subpart 1. **Providing alternative service.** Other providers of television programming or cable communications services shall notify the cable communications company when a resident or association member occupying a dwelling unit in a multiple dwelling complex requests the services provided for by this chapter. After reaching agreement with the alternative service provider for reimbursement to be paid for use of the equipment, the cable communications company shall make available the equipment necessary to provide the alternative service without unreasonable delay.

Subp. 2. **Reimbursement determination.** The amount to be reimbursed must be determined under Minnesota Statutes, section 238.24, subdivision 10. The reimbursed amount must be paid in one installment for each instance of requested use. The payment may not be refunded upon subscriber cancellation of the alternative service.

Subp 3. **Financial records made available.** The cable communications company, upon written request, shall make available to the alternative provider financial records supporting the reimbursement cost requested.

**Statutory Authority:** *MS s 238.05; 238.06; 238.24 subd 10*

**History:** *9 SR 295*

#### **2355.0400 APPEALS TO BOARD.**

An interested or affected person may appeal an action taken by another person under parts 2355.0200 and 2355.0300 to the board using the procedure in parts 2300.3000 to 2300.4300.

**Statutory Authority:** *MS s 238.05; 238.06; 238.24 subd 10*

**History:** *9 SR 295*