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1 Department of Administration

2 Cable Communications Board

3

4 Adopted Rules Governing the Provision by Cable Companies Granted

5 Access to Multiple Dwelling Complexes of Equipment with

6 Sufficient Channel Capacity so as to Allow for Service by

7 Alternative Providers

8

9 Rules as Adopted

10 4 MCAR S 4.260 Definitions.

11 A. Scope. The terms used in 4 MCAR SS 4.260-4.263 have the
12 meanings given them in this rule.

13 B. Alternative providers. "Alternative providers" means
14 other providers of television programming or cable
15 communications services.

16 C. Association member. "Association member" means an
17 individual owner of a cooperatively owned multiple dwelling
18 complex.

19 D. Other providers of television programming or cable
20 communications services. "Other providers of television
21 programming or cable communications services" means operators of
22 master antenna television systems (MATV), satellite master
23 antenna television systems (SMATV), multipoint distributions
24 systems (MDS), and direct broadcast satellite systems (DBS).

25 4 MCAR S 4.261 Conditions for access by alternative providers.

26 A. Channel capacity. Cable companies granted access to a
27 multiple dwelling complex under Minnesota Statutes, section
28 238.25 shall provide equipment with sufficient channel capacity
29 to be used by alternative providers of television programming or
30 cable communications services.

31 B. Technical plan approval. The cable communications
32 company shall determine the technical plan best suited for
33 providing the necessary channel capacity sufficient to allow
34 access to other providers. The plan must be submitted to the
35 property owner for approval. The owner's approval may not be

1 unreasonably withheld. No additional compensation for
2 evaluation of the plan may be paid or given to the property
3 owner over and above that permitted under Minnesota Statutes,
4 section 238.24, subdivision 8.

5 C. Duplicate connections. The cable communications company
6 is not required to provide equipment for connecting more than
7 one television receiver in one dwelling unit within the multiple
8 dwelling complex. However, the company may provide duplicate
9 connections at its discretion.

10 4 MCAR S 4.262 Reimbursement.

11 A. Providing alternative service. Other providers of
12 television programming or cable communications services shall
13 notify the cable communications company when a resident or
14 association member occupying a dwelling unit in a multiple
15 dwelling complex requests the services provided for by 4 MCAR SS
16 4.260-4.263. After reaching agreement with the alternative
17 service provider for reimbursement to be paid for use of the
18 equipment, the cable communications company shall make available
19 the equipment necessary to provide the alternative service
20 without unreasonable delay.

21 B. Reimbursement determination. The amount to be reimbursed
22 must be determined under Minnesota Statutes, section 238.24,
23 subdivision 10. The reimbursed amount must be paid in one
24 installment for each instance of requested use. The payment may
25 not be refunded upon subscriber cancellation of the alternative
26 service.

27 C. Financial records made available. The cable
28 communications company, upon written request, shall make
29 available to the alternative provider financial records
30 supporting the reimbursement cost requested.

31 4 MCAR S 4.263 Appeals to board.

32 An interested or affected person may appeal an action taken
33 by another person under 4 MCAR SS 4.261 and 4.262 to the board
34 using the procedure in 4 MCAR SS 4.003-4.016.