

Energy and Technology Committee JOINT FAVORABLE REPORT

Bill No.: SB-278
AN ACT REQUIRING MULTICHANNEL VIDEO PROGRAMMING
Title: DISTRIBUTORS TO PAY A COMMUNITY ACCESS PROGRAMMING FEE.
Vote Date: 3/22/2022
Vote Action: Joint Favorable
PH Date: 3/8/2022
File No.:

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SPONSORS OF BILL:

[Rep. Michael A. Winkler, 56th Dist.](#)
[Rep. Maria P. Horn, 64th Dist.](#)
[Rep. Peter A. Tercyak, 26th Dist.](#)
[Rep. Gary A. Turco, 27th Dist.](#)
[Rep. Jaime S. Foster, 57th Dist.](#)
[Rep. Robin E. Comey, 102nd Dist.](#)

REASONS FOR BILL:

This bill requires the Public Utilities Regulatory Authority to establish a fee paid by subscribers of video streaming, Internet access and cable television to support Regional Community Access Providers and Public, Educational, and Government Access Programming channels. Also helps establish definitions of relevant "subscriber" and "video streaming" terms.

RESPONSE FROM ADMINISTRATION/AGENCY:

Senator Paul Cicarella & Representative Dave Yaccarino encourage the committee to further research this matter to find a solution that addresses this shift in consumer behavior, while preserving PEG community TV stations.

Representative Robin Comey, 102nd Assembly District-Support

NATURE AND SOURCES OF SUPPORT:

Dr. Henry Lee-Support

Charles Lewis, Director of Valley Shore Community Television-Support

Wendy Mackstutis, First Selectman-Town of Simsbury-Support

Michael Mainz-Support

Peter Mezzetti Clinton CT-Support

Stan Mingione, Executive Director of The Estuary in Old Saybrook-Support

Kathie Monaco, Sound View Community Media in Stratford, CT-Support

Augustine Montanaro, Sound View Community Media in Stratford, CT-Support

Chris Morgan Public Access Coordinator Valley Shore Community Television Westbrook, CT-Support

Mark Orenstein, Weatogue, CT-Support

Derek Phelps, Killingworth, CT-Support

Mary Ann Pleva, Essex, CT-Support

Francisco Rodriguez-Support

Peter Roper-Support

Terri Roper-Support

Luis Rosado-Support

Lon Seidman, Essex, CT-Support

Lisa Shepard-Support

Leroy E. Temple, President, Nutmeg TV-Support

Carl P. Fortuna, First Selectman of Old Saybrook-Support

Venita Lambert-Support

Cynthia Warren, Groton, CT-Support

Michele Zommer, Secretary, R19 Citizen's Cable Advisory Council, Southbury Representative-Support

Lionel Ketchian-Support

Kevin Gaiss, Haddam, CT-Support

Elizabeth S. Giannaros, Farmington, CT-Support

Deborah Gilbert of Clinton, CT-Support

Jean-Fritz Guerrier, Host of The Overcomer Hour-Support

Eric Hammerling, Executive Director, Connecticut Forest & Park Association-Support

Margot Hardenbergh-Support

Marty Heiser-Support

Frank Fulchiero-Support

Mike Freda, North Haven's First Selectman-Supports the bill because it represents a more stable way to fund local access TV by establishing a payment system that would be based on internet subscribers rather than being based on a payment system that has a declining number of cable TV subscriber accounts due to other platforms.

Colin Francis, Public Access Television Producer-Support

The League of Women Voters of Connecticut-Support

Frank Facchini, Executive Director of Southeastern Connecticut Television-Support

Jennifer Evans, West Hartford Community Interactive-Support

John Erlingheuser, Director of Advocacy & Outreach, CT AARP-Support

Gregory G. Davis, SVAC, R19CAC-Support

Claire E. Coleman, Interim Consumer Counsel, Connecticut Office of Consumer Council-Support

Donna Hamzy Carroccia, Advocacy Manager of CCM-Support

Margaret Boissoneau-Support

Chris Bennett, Director of Technology & Production Services Nutmeg TV-Support

NATURE AND SOURCES OF OPPOSITION:

David Lamendola-Verizon-Opposes the bill because it would impose a new tax on internet access and video streaming services to fund public access television

Angela Miele, Vice President, Motion Picture Association-Opposes the bill because it would create a new minimum \$5 annual fee on each subscription to video streaming services to pay for community access programming and operations.

Damon Stewart, DISH Network L.L.C. & DIRECTV, LLC-Opposes the bill because it would impose a new fee on streaming video customers to fund facilities, equipment and technical and managerial support for community access programming

Tim Wilkerson, President of the New England Cable and Telecommunications Association-Opposes the bill for the following reasons:

- If enacted, SB 278 would violate and thus be preempted by federal law
- Raise the cost of Internet access at a time when the nation is united in reducing barriers to access
- Prejudge ongoing proceedings before the Public Utility Regulatory Authority (“PURA”) concerning the adequacy of PEG funding

Brian Griffin, President, Greater Norwalk Chamber-Opposes the bill because of the per subscriber fee for community access

Gerard Keegan, CTIA-Opposes the bill because it would impose a new tax on internet access and video streaming services to fund public access television

Allison M. Ellis, Senior Vice President, Frontier Communications-Opposes the bill because it is preempted by federal law. The Permanent Internet Tax Freedom Act (Public Law 114 – 125), signed into law in 2016 by President Obama, prohibits taxation of Internet services by state and local governments

John D. Blair, Associate Counsel Connecticut Business and Industry Association-Opposes the bill because it seeks to potentially create a new cost on those virtual offices by creating a first of its kind tax on the internet for community access programming.

Altice USA, Inc.-Opposes the bill and proposes instead that rather than expand the Community Access Fee in the manner proposed by Raised Bill 278, the Legislature should eliminate or reduce the Community Access Fee to lower customer cable bills, reflect expressed customer preferences for alternatives to Community Access Programming, and to mitigate legal concerns with the legislation

Reported by: Jason Snukis

Date: March 25, 2022