S T A T E O F N E W Y O R K

826

2009-2010 Regular Sessions

I N S E N A T E

January 18, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to authorizing the public service commission to issue temporary operating authority in certain circumstances

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 219 of the public service law is amended by adding a new subdivision 4 to read as follows:

4. EXCEPT AS PROVIDED IN THIS SUBDIVISION, NOTHING IN THIS ARTICLE SHALL BE CONSTRUED AS AUTHORIZING THE COMMISSION TO TEMPORARILY OR PERMANENTLY AUTHORIZE A CABLE TELEVISION SYSTEM TO CONDUCT OPERATIONS OR PROVIDE SERVICES WITHOUT A CURRENTLY VALID FRANCHISE FROM THE MUNICIPALITY IN WHICH IT CONDUCTS OPERATIONS OR PROVIDES SERVICE. IN THE ABSENCE OF A CURRENTLY VALID MUNICIPAL FRANCHISE, THE COMMISSION MAY ISSUE TEMPORARY OPERATING AUTHORITY ONLY WITH THE WRITTEN CONSENT OF THE MUNICIPALITY.

S 2. This act shall take effect on the first of July next succeeding the date on which it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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