

STATE OF NEW YORK

6466

2019-2020 Regular Sessions

IN SENATE

June 12, 2019

Introduced by Sen. PARKER -- (at request of the Department of Public Service) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public service law, in relation to transfers of cable systems

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 3 of section 222 of the public service law, as
2 added by chapter 83 of the laws of 1995, is amended to read as follows:

3 3. (a) The commission shall approve the application for renewal or
4 amendment of a franchise unless it finds that the applicant[~~the~~
5 ~~proposed transferee~~] or the cable television system does not conform to
6 the standards established in the regulations promulgated by the commis-
7 sion pursuant to section two hundred fifteen of this article or that
8 approval would be in violation of law, any regulation or standard
9 promulgated by the commission or the public interest, provided however,
10 that a failure to conform to the standards established in the regu-
11 lations promulgated by the commission shall not preclude approval of any
12 such application if the commission finds that such approval would serve
13 the public interest.

14 (b) The commission shall not approve the application for a transfer of
15 a franchise, any transfer of control of a franchise or certificate of
16 confirmation, or of facilities constituting a significant part of any
17 cable television system unless the applicant demonstrates that the
18 proposed transferee and the cable television system conform to the stan-
19 dards established in the regulations promulgated by the commission
20 pursuant to section two hundred fifteen of this article, that approval
21 would not be in violation of law, or any regulation or standards promul-
22 gated by the commission, and that the transfer is otherwise in the
23 public interest; provided, however, that a failure to conform to the
24 standards established in the regulations promulgated by the commission

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

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- 1 shall not preclude approval of any such application if the commission
- 2 finds that such approval would serve the public interest.
- 3 § 2. This act shall take effect immediately and shall apply to any
- 4 application pending before the public service commission on such date.