STATE OF NEW YORK

4847

2023-2024 Regular Sessions

IN SENATE

February 15, 2023

Introduced by Sen. PARKER -- 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 transfers of cable systems

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

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

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

(b) The commission shall not approve the application for a transfer of a franchise, any transfer of control of a franchise or certificate of confirmation, or of facilities constituting a significant part of any cable television system unless the applicant demonstrates that the proposed transferee and the cable television system conform to the standards established in the regulations promulgated by the commission pursuant to section two hundred fifteen of this article, that approval would not be in violation of law, or any regulation or standards promulgated by the commission, and that the transfer is otherwise in the public interest; provided, however, that a failure to conform to the 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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shall not preclude approval of any such application if the commission finds that such approval would serve the public interest.

§ 2. This act shall take effect immediately and shall apply to any application pending before the public service commission on such date.