



CABLE TELEVISION (JANUARY 2023)

Pursuant to R.I. Gen. Laws § 39-19-2, every company owning or operating CATV (Community Antenna Television Systems) plant in Rhode Island is subject to the jurisdiction and reasonable rules and regulations of the Division. In accordance with its regulatory authority under state law, the Division promulgated the *Rules Governing Community Antenna Television Systems (815-RICR-10-0501)* (“Rules”). Pursuant to the Rules, the Division has divided Rhode Island into nine CATV service areas. Except for now-dormant Area 9 (Block Island), three cable providers currently operate in the eight remaining territories. Cox Communications operates statewide. Verizon operates in Washington, Kent and Providence Counties (Areas 1, 2, 3, 4, and 6). i3 Broadband operates in Bristol County (Area 5). Only Newport County (Area 7) has a single provider, which is Cox.

What We Regulate:

PEG Channels – Studios: The Rules prescribe the requisite number of channels that are set aside for Public, Educational and Governmental (PEG) purposes. Apart from i3 Broadband, all providers utilize a statewide studio and playback system that the Division manages through an MOU with RIPBS (Channel 36). There are six studios in five locations: two on the Cranston/Providence line, one in Portsmouth, one in Lincoln, and two newly relocated studios in East Providence and Ashaway. i3 Broadband operates its own studios though a \$0.50/month per-subscriber PEG fee. The other providers remit a monthly fee of \$0.55 per subscriber to RIPBS. In 2021, fees remitted to RIPBS amounted to about \$1.5 million, down from about \$1.8 million in 2015. The declining subscriber numbers and changes in technology pose questions of sustainability and advise in favor of exploring next generation technology, such as an on-demand platform. The Division strongly supports live (where possible) and re-broadcasted public meetings. The Division manages the MOU, tracks the PEG fee collections, reviews annual reports on studio use, and resolves disputes when necessary.

Service Area Certificates: Absent any unanticipated cable system expansion, the Division reviews proposed ownership and/or transfers of control under standards set forth in the Rules. The two most recent cable dockets involved the transfer of the control and/or ownership of the incumbent Service Area 5 CATV company’s operations, the first transfer occurring in 2016-17 and the most recent in 2020.

General Rule Provisions: The Division possesses the authority to ensure compliance with the Rules on other matters within its jurisdiction, like line-extension requirements, service terminations, and outage refunds, as well as sales and service office requirements.

What we don’t regulate:

Rates: With Verizon’s entry into the video programming market in Rhode Island in the mid-2000’s via its FiOS network upgrade, the Federal Communications Commission (FCC) standard of “effective competition” has been satisfied for most of the state. Several years ago, Cox successfully petitioned the FCC to declare effective competition from other video programming suppliers to end basic cable rate regulation. In a subsequent FCC ruling, effective competition has since become the national standard in all but a few areas.

Broadband: Broadband regulation – the regulation of data, streaming services and the like – resides within the purview of the FCC, not the states. States that have established entities to manage state and municipal broadband systems, however, are excepted from the federal government’s oversight in this area.

Grey Area – Our “Ombudsman Role”: While we have in recent years a more limited regulatory role due to the advent of effective competition and streaming services, Division staff continues to endeavor to assist customers navigate service and billing issues that are brought to our attention.