



# FAQs for Local Governments

## **1. Why has the cable company/telephone company sent my municipality or township a notice that the company has been granted a video service authorization from the Ohio Department of Commerce?**

The notice is to inform the community that the provider has been issued a video service authorization. Additionally, the provider must inform the community in the notice that Ohio Revised Code Section 1332.23(B)(2)(d) provides that upon the effective date of the video service authorization the franchise or competitive video service agreement terminates and no provision of that franchise or agreement is enforceable. Further, the notice shall state that the municipality or township is advised to review section 1332.21 through 1332.34 of the Ohio Revised Code to determine its rights and responsibilities. The video service provider is also required to provide a copy of the notice to the Ohio Department of Commerce. Please call 1-877-207-2225 if you would like further information to determine whether your community has been sent a notification.

## **2. What happens to the municipality or townships' unexpired franchise agreement when a company has been granted a video service authorization?**

Upon the effective date of a video service authorization, the franchise or competitive video service agreement terminates and no provision of that franchise or agreement is enforceable. See Ohio Revised Code Section 1332.23 (B)(2)(d)

## **3. What action does the municipality or township need to take when it is notified that its cable provider has been granted a video service authorization?**

The municipality or township must provide notice to the video service provider of the appropriate percentage of gross revenue it is requiring the provider to pay to the municipality or township. See also Ohio Revised Code Section 1332.32 (C)(b)(2). (In the past this fee may have been referred to as the "franchise fee.")

## **4. How is gross revenue determined?**

Please review Ohio Revised Code Section 1332.32 for the types of income included as gross revenue. Please note that advertising revenue may be included as gross revenue, but the municipality or township must adopt an ordinance or resolution that specifically states that advertising revenue is included. A copy of this ordinance or resolution must then be provided to the cable provider. See Ohio Revised Code Section 1332.32 (B)(2)(g) for specific requirements.

## **5. When will the municipality or township receive the video service provider fee?**

Ohio Revised Code Section 1332.32(A) states that: "Not sooner than forty-five nor later than sixty days after the end of each calendar quarter, a video service provider shall pay a video service provider fee to each municipal corporation and each township in which it offers video service." For specific details please see Ohio Revised Code Section 1332.32

**6. May the video service provider pass the video service fee on to the customer?**

A video service provider that pays a video service provider fee may identify and collect the amount of that fee as a separate line item on the regular bill of each of its video service subscribers who has a service address within any portion of the municipality or, respectively, within the unincorporated area of the township.

**7. How do I determine if a company has received a video service authorization for my municipality or township?**

The Ohio Department of Commerce has posted on its Web site all authorizations issued. This Web site is continually updated. The Web site includes authorizations and a list or map of the municipalities and townships included within the provider's video service area. Please refer to: <http://www.com.ohio.gov/vsamaps.aspx>.

**8. A consumer in my municipality or township wants to file a consumer complaint against a cable provider. The company has been issued an authorization. Who handles the complaint?**

The Ohio Department of Commerce now handles all cable complaints against companies that have received video service authorizations. The Department does not have the authority to handle Internet or phone complaints unless it is a bundled service and the cable service is also affected. Please refer to the "For Consumer" section of the Department's Web site for information about consumer service standards and instructions on filing a consumer complaint.

**9. A consumer called the toll free number on the Ohio Department of Commerce's Web site and PUCO answered the call. Does PUCO have jurisdiction over cable consumer complaints?**

The PUCO Call Center has agreed to accept consumer cable complaints for the Department. PUCO gathers the information from the caller and the complaint is forwarded to the Ohio Department of Commerce to follow up with the consumer and the cable provider.

**10. Once my cable company becomes a video service provider is it required to carry the city's Public, Education, and Government (PEG) channels?**

According to Ohio Revised Code Section 1332.30 if the municipality or township had one or more PEG channels programmed on January 1, 2007, the person providing those channels pursuant to a franchise, competitive video service agreement, ordinance or resolution or otherwise shall continue to provide one or more PEG channels after becoming a video service provider. Please refer to Ohio Revised Code Section 1332.30 for information concerning the maximum number of PEG channels the video service provider must provide and the placement of the channels on the provider's basic cable service tier or on other service tiers. See also Ohio Revised Code Section 1332.30 for information concerning institutional networks, connectivity for PEG channels and unfulfilled obligations under prior agreements with the cable provider.



**Department  
of Commerce**

Division of Real Estate &  
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