

UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT (EXCERPT)
Act 480 of 2006

484.3301 Short title; definitions.

Sec. 1. (1) This act shall be known and may be cited as the "uniform video services local franchise act".

(2) As used in this act:

(a) "Cable operator" means that term as defined in 47 USC 522(5).

(b) "Cable service" means that term as defined in 47 USC 522(6).

(c) "Cable system" means that term as defined in 47 USC 522(7).

(d) "Commission" means the Michigan public service commission.

(e) "Franchising entity" means the local unit of government in which a provider offers video services through a franchise.

(f) "Household" means a house, an apartment, a mobile home, or any other structure or part of a structure intended for residential occupancy as separate living quarters.

(g) "Incumbent video provider" means a cable operator serving cable subscribers or a telecommunication provider providing video services through the provider's existing telephone exchange boundaries in a particular franchise area within a local unit of government on the effective date of this act.

(h) "IPTV" means internet protocol television.

(i) "Local unit of government" means a city, village, or township.

(j) "Low-income household" means a household with an average annual household income of less than \$35,000.00 as determined by the most recent decennial census.

(k) "Open video system" or "OVS" means that term as defined in 47 USC 573.

(l) "Person" means an individual, corporation, association, partnership, governmental entity, or any other legal entity.

(m) "Public rights-of-way" means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easements dedicated for compatible uses.

(n) "Uniform video service local franchise agreement" or "franchise agreement" means the franchise agreement required under this act to be the operating agreement between each franchising entity and video provider in this state.

(o) "Video programming" means that term as defined in 47 USC 522(20).

(p) "Video service" means video programming, cable services, IPTV, or OVS provided through facilities located at least in part in the public rights-of-way without regard to delivery technology, including internet protocol technology. This definition does not include any video programming provided by a commercial mobile service provider defined in 47 USC 332(d) or provided solely as part of, and via, a service that enables users to access content, information, electronic mail, or other services offered over the public internet.

(q) "Video service provider" or "provider" means a person authorized under this act to provide video service.

(r) "Video service provider fee" means the amount paid by a video service provider or incumbent video provider under section 6.

History: 2006, Act 480, Eff. Jan. 1, 2007.