

**Title 207: ~~Community Antenna Television Commission~~Department of Telecommunications and Cable**

**207 CMR 2.00: GENERAL RULES**

Section 2.01: Petition for Adoption, Amendment or Repeal of Regulations

Section 2.02: Notice of Public Hearings

Section 2.03: Statutory Reporting Forms

Section 2.04: Waiver

**2.01: Petition for Adoption, Amendment or Repeal of Regulations**

- (1) Any interested person may at any time petition the ~~Commission~~Department to adopt, amend, or repeal any regulation contained within 207 CMR pursuant to M.G.L. c. 30A, § 4. ~~The petition shall be addressed to the Commission~~Department, shall be signed by the petitioner, and shall set forth clearly and concisely the text of the proposed regulation.
- (2) Upon receipt of a petition, the ~~Commission~~Department shall determine whether to schedule the petition for further proceedings in accordance with M.G.L. c. 30A and shall so notify the petitioner.

**2.02: Notice of Public Hearings on Cable Licensing and Transfers**

- (1) Any public hearing held pursuant to 207 CMR 3.00 or, 207 CMR 4.00, ~~or 207 CMR 6.00~~ shall require prior public notice identifying the time, place, and purpose of the hearing. The notice shall be published in a newspaper of general circulation in the affected city or town once in each of two successive weeks, the first publication being not less than 14 days before the day of any such hearing. If there is no newspaper in the city or town, the notice shall be posted in a conspicuous place in the city or town hall not less than 14 days before the day of such hearing. The notice shall also state that any applications, reports, statements and amendments to be considered at the hearing that constitute public records under state law are available for public inspection during regular business hours and for reproduction at a reasonable fee. Evidence of such notice shall be incorporated in the record of any hearing. The issuing authority shall provide prior public notice for all public hearings held pursuant to 207 CMR 3.00 and 207 CMR 4.00. ~~The cable operator shall provide prior public notice for all public hearings held pursuant to 207 CMR 6.00.~~
- (2) Within an area served by an operating cable system and having cablecasting facilities within the control of the cable operator, the operator shall cablecast the prescribed notice over its facilities at least twice a week, on separate days, during each of the two weeks preceding the hearing date. If the cablecasting facilities are not within the control of the cable operator, the operator shall use its best efforts to cablecast the prescribed notice. The notice shall be cablecast at times most likely to reach the maximum viewing audience. The log of such cablecasts shall be incorporated in the record of any hearing.

**2.03: Statutory CATV Reporting Forms**

- (1) Application for an Initial or Renewal Cable License. Pursuant to M.G.L. c. 166A, §§ 4 and 13, the ~~Commission-Department~~ shall prescribe an application form. No cable license or renewal thereof shall be issued except upon written application in accordance with this form.
- (2) Annual Financial Reporting Forms. Pursuant to M.G.L. c. 166A, § 8, the ~~Commission-Department~~ shall prescribe financial reporting forms, which shall be filed annually by the cable licensee, on or before April 30, for operations during the preceding calendar year. The ~~Commission-Department~~ may prescribe a uniform reporting system for the completion of the financial reporting forms.
- (3) Complaint Forms. The ~~Commission-Department~~ shall prescribe a complaint form, to be filed by the cable licensee with the ~~Commission-Department~~ on an annual ~~quarterly~~ basis pursuant to M.G.L. c. 166A, § 10.

#### 2.04: Waiver

Consistent with the public interest, upon receipt of a request from ~~an issuing authority, a cable operator, party as defined in 207 CMR 1.00~~ or upon its own initiative, the ~~Commission-Department~~ may waive particular provisions of 207 CMR for good cause shown.

#### REGULATORY AUTHORITY

207 CMR 2.00: M.G.L. c. 166A, §§ 4, 6, 8, 10, 13, 16.