

House File 2279 - Reprinted

HOUSE FILE 2279
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HSB 555)

(As Amended and Passed by the House April 19, 2024)

A BILL FOR

1 An Act relating to public utilities, including energy
2 production, public utility affiliates, and cable and video
3 service.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

ENERGY PRODUCTION

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Section 1. Section 364.2, subsection 4, Code 2024, is amended by adding the following new paragraph:

NEW PARAGRAPH. *h.* (1) When a person requests a franchise for a merchant line as defined in section 478.6A and that requester possesses a franchise issued by the Iowa utilities board outside of a city, and when the proposed merchant line is more than fifty miles in total length within the state and will be underground within the limits of the city, all of the following apply:

(a) A person shall submit a written franchise request including the proposed terms and conditions of the franchise.

(b) Upon receipt of the franchise request for a merchant line, a city shall conduct a hearing pursuant to this subsection. The city and the person may negotiate the terms of a franchise prior to the approval of an ordinance. A city may not unreasonably refuse to grant a franchise for a merchant line. If the city denies the franchise request, the city shall provide the person with a written denial of the franchise based on substantial evidence in the record demonstrating that the proposed transmission line would have a significant adverse impact on the health or safety of the city's residents or public facilities that would not have been considered by the Iowa utilities board.

(c) If the city has not held the required hearing or has not acted on a request for a franchise for a merchant line within ninety days of the receipt of the request, notwithstanding any other terms of the Code, the franchise is deemed approved by the city. If a request is timely denied, the person may seek a certiorari judicial review by filing a petition either in Polk county district court or in the district court for the county in which the petitioner resides or the principal place of the requester for the merchant line.

(d) This subsection applies to eligible merchant lines for

1 which a franchise has been granted pursuant to chapter 478
2 prior to the effective date of this subsection.

3 (2) This paragraph is repealed effective January 1, 2026.

4 Sec. 2. Section 476.42, subsection 1, paragraph a,
5 subparagraph (1), Code 2024, is amended to read as follows:

6 (1) A solar, wind turbine, electric storage unit, nuclear,
7 waste management, resource recovery, refuse-derived fuel,
8 agricultural crops or residues, or woodburning facility. For
9 purposes of this definition only, "waste management" includes a
10 facility using plasma gasification to produce synthetic gas,
11 either as a stand-alone fuel or for blending with natural gas,
12 the output of which is used to generate electricity or steam.
13 For purposes of this definition only, "plasma gasification"
14 means the thermal dissociation of carbonaceous material into
15 fragments of compounds in an oxygen-starved environment.

16 Sec. 3. Section 476.48, subsection 6, Code 2024, is amended
17 by striking the subsection.

18 Sec. 4. Section 476A.1, subsection 5, Code 2024, is amended
19 to read as follows:

20 5. "Facility" means any electric power generating plant,
21 electric storage unit, or a combination of plants or units
22 at a single site, owned by any person, with a total capacity
23 of twenty-five or more megawatts of electricity for plants
24 or twenty-five or more megawatt hours of electricity for
25 electric storage units, and those associated transmission lines
26 connecting the generating plant or electric storage unit to
27 either a power transmission system or an interconnected primary
28 transmission system or both. Transmission lines subject to the
29 provisions of [this subchapter](#) shall not require a franchise
30 under [chapter 478](#).

31 DIVISION II

32 PUBLIC UTILITY AFFILIATES

33 Sec. 5. Section 476.74, subsection 5, Code 2024, is amended
34 to read as follows:

35 5. *Exemption.* The provisions of [this section](#) requiring

1 filing of contracts or agreements with the board shall not
2 apply to transactions with an affiliate where the amount of
3 consideration involved is not in excess of ~~fifty thousand~~
4 ~~dollars or five percent of the capital equity of the utility,~~
5 ~~whichever is smaller~~ two hundred fifty thousand dollars.
6 However, regularly recurring payments under a general or
7 continuing arrangement ~~which~~ that aggregate a greater annual
8 amount shall not be broken down into a series of transactions
9 to come within this exemption. In any proceeding involving
10 the rates, charges, or practices of the public utility, the
11 board may exclude from the accounts of the public utility any
12 unreasonable payment or compensation made pursuant to any
13 contract or arrangement ~~which~~ that is not required to be filed
14 under [this subsection](#).

15 DIVISION III

16 CABLE OR VIDEO SERVICE

17 Sec. 6. Section 474.1, subsection 4, Code 2024, is amended
18 to read as follows:

19 4. As used in [this chapter](#) and [chapters 475A, 476, 476A,](#)
20 [477A, 477C, 478, 479, 479A,](#) and [479B,](#) "board" and "utilities
21 board" mean the Iowa utilities board.

22 Sec. 7. Section 477A.1, Code 2024, is amended by adding the
23 following new subsections:

24 NEW SUBSECTION. 2A. "*Cable or video service*" includes the
25 terms "*cable service*", "*cable system*", and "*video service*".

26 NEW SUBSECTION. 4A. "*Competitive cable or video service*
27 *provider*" includes the terms "*competitive cable service provider*"
28 and "*competitive video service providers*".

29 Sec. 8. Section 477A.1, subsection 7, Code 2024, is amended
30 to read as follows:

31 7. "*Franchise*" means an initial authorization, or renewal
32 of an authorization, issued by the board or a municipality,
33 regardless of whether the authorization is designated as a
34 franchise, permit, license, resolution, contract, certificate,
35 agreement, or otherwise, that authorizes the ~~construction and~~

1 ~~operation of a cable system~~ person to erect, maintain, and
2 operate plants and systems for the provision of a cable or
3 video service provider's network in a public right-of-way.

4 Sec. 9. Section 477A.1, subsection 9, paragraph a, Code
5 2024, is amended to read as follows:

6 a. "*Gross revenues*" means all consideration of any kind or
7 nature, including but not limited to cash, credits, property,
8 and in-kind contributions, received from subscribers for the
9 provision of cable ~~service over a cable system by a competitive~~
10 ~~cable service provider or for the provision of or~~ video service
11 by a competitive cable or video service provider within a
12 municipality's jurisdiction. Gross revenues are limited to the
13 following:

14 (1) Recurring charges for cable ~~service~~ or video service.

15 (2) Event-based charges for cable ~~service~~ or video service,
16 including but not limited to pay-per-view and video-on-demand
17 charges.

18 (3) Rental of set-top boxes and other cable ~~service~~ or video
19 service equipment.

20 (4) Service charges related to the provision of cable
21 ~~service~~ or video service, including but not limited to
22 activation, installation, and repair charges.

23 (5) Administrative charges related to the provision of
24 cable ~~service~~ or video service, including but not limited to
25 service order and service termination charges.

26 (6) A pro rata portion of all revenue derived, less refunds,
27 rebates, or discounts, by a cable ~~service provider~~ or a video
28 service provider for advertising over the cable ~~service~~ or
29 video service network to subscribers within the franchise area
30 where the numerator is the number of subscribers within the
31 franchise area, and the denominator is the total number of
32 subscribers reached by such advertising. This subparagraph
33 applies only to municipalities that include this provision in
34 their franchise agreements as of January 1, 2007.

35 Sec. 10. Section 477A.1, subsection 9, paragraph b,

1 subparagraphs (2), (4), (5), (6), (7), (8), (9), and (11), Code
2 2024, are amended to read as follows:

3 (2) Revenues received by any affiliate or any other person
4 in exchange for supplying goods or services used by the person
5 providing cable ~~service~~ or video service.

6 (4) Regardless of whether the services are bundled,
7 packaged, or functionally integrated with cable ~~service~~
8 or video service, any revenues derived by the holder of
9 a certificate of franchise authority from services not
10 classified as cable ~~service~~ or video service, including,
11 without limitation, revenue received from telecommunications
12 services, revenue received from information services, revenue
13 received in connection with home-shopping services, or any
14 other revenues attributed by the competitive cable ~~service~~
15 ~~provider~~ or ~~competitive~~ video service provider to noncable
16 ~~service~~ or nonvideo service in accordance with the holder's
17 books and records kept in the regular course of business and
18 any applicable rules, regulations, standards, or orders.

19 (5) Revenues paid by subscribers to home-shopping
20 programmers directly from the sale of merchandise through any
21 home-shopping channel offered as part of the cable ~~services~~ or
22 video services.

23 (6) Revenues from the sale of cable ~~services~~ or video
24 services for resale in which the purchaser is required to
25 collect the franchise fee from the purchaser's customer.

26 (7) Revenues from any tax of general applicability imposed
27 upon the competitive cable ~~service-provider~~ or ~~competitive~~
28 video service provider or upon subscribers by a city, state,
29 federal, or any other governmental entity and required to
30 be collected by the competitive cable ~~service-provider~~ or
31 ~~competitive~~ video service provider and remitted to the taxing
32 entity, including but not limited to sales or use tax, gross
33 receipts tax, excise tax, utility users tax, public service
34 tax, and communication taxes, and including the franchise fee
35 imposed under [section 477A.7](#).

1 (8) Revenues forgone from the provision of cable ~~services~~
2 or video services to public institutions, public schools, or
3 governmental entities at no charge.

4 (9) Revenues forgone from the competitive cable ~~service~~
5 ~~provider's~~ or competitive video service provider's provision of
6 free or reduced-cost video service to any person, including,
7 without limitation, any municipality and other public
8 institutions or other institutions.

9 (11) Revenues from reimbursements by programmers of
10 marketing costs incurred by the competitive cable ~~service~~
11 ~~provider~~ or competitive video service provider for the
12 introduction or promotion of new programming.

13 Sec. 11. Section 477A.2, Code 2024, is amended to read as
14 follows:

15 **477A.2 Certificate of franchise authority requirement.**

16 1. After July 1, 2007, a person providing cable ~~service~~
17 or video service in this state shall not provide such service
18 without a franchise. The franchise may be issued by either the
19 board pursuant to [section 477A.3](#) or by a municipality pursuant
20 to [section 364.2](#).

21 2. *a.* A person providing cable ~~service~~ or video service
22 under a franchise agreement with a municipality prior to July
23 1, 2007, is not subject to [this section](#) with respect to such
24 municipality until the franchise agreement expires or is
25 converted pursuant to [subsection 6](#).

26 *b.* Upon expiration of a franchise, a person may choose to
27 renegotiate a franchise agreement with a municipality or may
28 choose to obtain a certificate of franchise authority under
29 this chapter. An application for a certificate of franchise
30 authority pursuant to [this subsection](#) may be filed within
31 sixty days prior to the expiration of a municipal franchise
32 agreement. A certificate of franchise authority obtained
33 pursuant to an application filed prior to the expiration of
34 a municipal franchise agreement shall take effect upon the
35 expiration date of the municipal franchise agreement.

1 c. A municipal utility that provides cable ~~service~~ or
2 video service in this state is not subject to [this section](#) and
3 shall not be required to obtain a certificate of franchise
4 authority pursuant to [this chapter](#) in the municipality in
5 which the provision of cable ~~service~~ or video service by that
6 municipality was originally approved.

7 3. For purposes of [this section](#), a person providing
8 cable ~~service~~ or video service is deemed to have executed a
9 franchise agreement to provide cable ~~service~~ or video service
10 with a specific municipality if an affiliate or predecessor
11 of the person providing cable ~~service~~ or video service has
12 or had executed an unexpired franchise agreement with that
13 municipality as of May 29, 2007.

14 4. A competitive cable ~~service provider~~ or competitive
15 video service provider shall provide at least thirty days'
16 notice to each municipality with authority to grant a franchise
17 in the service area, and to the incumbent cable or video
18 provider, in which the competitive cable ~~service provider~~ or
19 ~~competitive~~ video service provider is granted authority to
20 provide service under a certificate of franchise authority that
21 the competitive cable ~~service provider~~ or ~~competitive~~ video
22 service provider will offer cable ~~services~~ or video services
23 within the jurisdiction of the municipality, and shall not
24 provide service without having provided such thirty days'
25 notice. A copy of the notice shall be filed with the board on
26 the date that the notice is provided. All notices required by
27 this subsection shall be sent by certified mail.

28 5. As used in [this section](#), "affiliate" includes but is
29 not limited to a person that directly, or indirectly through
30 one or more intermediaries, controls, is controlled by, or is
31 under common control with a person receiving, obtaining, or
32 operating under a franchise agreement with a municipality to
33 provide cable ~~service~~ or video service through merger, sale,
34 assignment, restructuring, or any other type of transaction.

35 6. If a competitive cable ~~service provider~~ or a ~~competitive~~

1 video service provider applies for a certificate of franchise
2 authority to operate within a municipality, the incumbent
3 cable provider may, at its discretion, apply for a certificate
4 of franchise authority for that same municipality. Such
5 application shall be automatically granted on the same day
6 as a competitive cable ~~service provider~~ or competitive video
7 service provider files a thirty days' notice of offering
8 service as required pursuant to [subsection 4](#). The franchise
9 agreement with the municipality is terminated on the date the
10 board issues the certificate of franchise authority to an
11 incumbent cable provider. The terms and conditions of the
12 certificate of franchise authority shall be the same as the
13 terms and conditions of a competitive cable ~~service provider~~ or
14 a ~~competitive~~ video service provider pursuant to [this chapter](#)
15 and shall replace the terms and conditions of the franchise
16 agreement previously granted by the municipality.

17 Sec. 12. Section 477A.3, subsection 1, paragraphs a, c, d,
18 and f, Code 2024, are amended to read as follows:

19 *a.* That the applicant has filed or will timely file with
20 the federal communications commission all forms required by
21 the commission in advance of offering cable ~~service~~ or video
22 service in this state.

23 *c.* That the applicant agrees to comply with all applicable
24 state laws and nondiscriminatory municipal ordinances and
25 regulations regarding the use and occupation of a public
26 right-of-way in the delivery of the cable ~~service~~ or video
27 service, to the extent consistent with [this chapter](#), including
28 the police powers of the municipalities in which the service
29 is delivered.

30 *d.* A description of the service area to be served and the
31 municipalities to be served by the applicant, which may include
32 certain designations of unincorporated areas. This description
33 shall be updated by the applicant prior to the expansion of
34 cable ~~service~~ or video service to a previously undesignated
35 service area and, upon such expansion, notice shall be given to

1 the board of the service area to be served by the applicant.

2 *f.* Documentation that the applicant possesses sufficient
3 managerial, technical, and financial capability to provide the
4 cable ~~service~~ or video service proposed in the service area.

5 Sec. 13. Section 477A.3, subsection 1, paragraph g, Code
6 2024, is amended by striking the paragraph.

7 Sec. 14. Section 477A.3, subsections 5 and 9, Code 2024, are
8 amended to read as follows:

9 5. The certificate of franchise authority issued by the
10 board shall contain all of the following:

11 *a.* A grant of authority to provide cable ~~service~~ or video
12 service in the service area designated in the application.

13 *b.* A grant of authority to use and occupy the public
14 right-of-way in the delivery for the purpose of erecting,
15 maintaining, and operating plants and systems for the provision
16 of cable ~~service~~ or video service, subject to the laws of this
17 state, including the police powers of the municipalities in
18 which the service is delivered.

19 *c.* A statement that the grant of authority provided by the
20 certificate is subject to the lawful operation of the cable
21 ~~service~~ or video service by the applicant or the applicant's
22 successor.

23 *d.* A statement that the franchise is for a term of ~~ten~~
24 twenty-five years, is renewable under the terms of this
25 section, and is nonexclusive.

26 9. The certificate of franchise authority issued by the
27 board may be terminated by a person providing cable ~~service~~ or
28 video service by submitting written notice to the board and
29 any affected municipality. Neither the board nor an affected
30 municipality shall have authority to review or require approval
31 of such termination.

32 Sec. 15. Section 477A.3, subsection 6, paragraph a, Code
33 2024, is amended to read as follows:

34 *a.* If the holder of a certificate of franchise authority
35 fails to commence operation of a cable ~~system~~ or video service

1 network within twelve months from the date the application is
2 granted, the board may determine that the applicant is not in
3 compliance with the certificate of franchise authority and may
4 revoke the certificate.

5 Sec. 16. Section 477A.3, subsection 7, paragraph a, Code
6 2024, is amended to read as follows:

7 a. In the event that an applicant granted a certificate
8 of franchise authority subsequently ceases to engage in
9 construction or operation of a cable ~~system~~ or video service
10 network and is no longer providing service, the applicant
11 shall notify the municipality, the board, and the incumbent
12 cable provider on the date that construction or service is
13 terminated.

14 Sec. 17. Section 477A.4, Code 2024, is amended to read as
15 follows:

16 **477A.4 Applicability to federal law.**

17 To the extent required by applicable law, a certificate of
18 franchise authority issued under [this chapter](#) shall constitute
19 a "franchise" for the purposes of 47 U.S.C. §541(b)(1). To
20 the extent required for the purposes of 47 U.S.C. §521 –
21 561, only the state of Iowa shall constitute the exclusive
22 franchising authority for competitive cable ~~service providers~~
23 and ~~competitive~~ video service providers in this state.

24 Sec. 18. Section 477A.6, subsections 1 and 2, Code 2024, are
25 amended to read as follows:

26 1. Not later than one hundred eighty days after a request by
27 a municipality in which a competitive cable ~~service provider~~ or
28 a ~~competitive~~ video service provider is providing cable ~~service~~
29 or video service, the holder of the certificate of authority
30 for that municipality shall designate a sufficient amount of
31 capacity on the certificate holder's communications network
32 to allow the provision of a comparable number of public,
33 educational, and governmental channels that the incumbent cable
34 provider in the municipality has activated and provided in the
35 municipality under the terms of a franchise agreement with a

1 municipality prior to July 1, 2007. If no such channels are
2 active, the municipality may request a maximum of three public,
3 educational, and governmental channels for a municipality
4 with a population of at least fifty thousand, and a maximum
5 of two public, educational, and governmental channels for a
6 municipality with a population of less than fifty thousand.

7 a. The public, educational, and governmental content to
8 be provided pursuant to [this section](#) and the operation of
9 the public, educational, and governmental channels shall be
10 the responsibility of the municipality receiving the benefit
11 of such capacity. The holder of a certificate of franchise
12 authority shall be responsible only for the transmission of
13 such content, subject to technological restraints.

14 b. The municipality receiving capacity under [this section](#)
15 shall ensure that all transmissions, content, or programming to
16 be transmitted by the holder of the certificate of franchise
17 authority are provided or submitted to the competitive
18 ~~cable service provider~~ or ~~competitive~~ video service provider
19 in a manner or form that is capable of being accepted and
20 transmitted by the competitive cable ~~service provider~~ or
21 ~~competitive~~ video service provider, without requirement for
22 additional alteration or change in the content, over the
23 particular network of the competitive cable ~~service provider~~
24 or ~~competitive~~ video service provider, which is compatible
25 with the technology or protocol utilized by the competitive
26 cable ~~service provider~~ or ~~competitive~~ video service provider
27 to deliver services. At its election the municipality may
28 reasonably request any cable ~~service provider~~ or video service
29 provider to make any necessary change to the form of any
30 programming, furnished for transmission, which shall be charged
31 to the municipality, not to exceed the provider's incremental
32 costs. The municipality shall have up to twelve months to
33 reimburse the cable ~~service provider~~ or video service provider.
34 The provision of such transmissions, content, or programming
35 to the competitive cable ~~service provider~~ or ~~competitive~~ video

1 service provider shall constitute authorization for such
2 holder to carry such transmissions, content, or programming,
3 at the holder's option, beyond the jurisdictional boundaries
4 stipulated in any franchise agreement.

5 2. Where technically feasible, a competitive cable ~~service~~
6 ~~provider~~ or ~~competitive~~ video service provider that is a holder
7 of a certificate of franchise authority and an incumbent
8 cable provider shall use reasonable efforts to interconnect
9 the cable or video communications network systems of the
10 certificate holder and incumbent cable provider for the purpose
11 of providing public, educational, and governmental programming.
12 Interconnection may be accomplished by direct cable, microwave
13 link, satellite, or other reasonable method of connection. A
14 holder of a certificate of franchise authority and an incumbent
15 cable provider shall negotiate in good faith and an incumbent
16 cable provider shall not withhold interconnection of public,
17 educational, or governmental channels.

18 Sec. 19. Section 477A.7, subsections 1 and 3, Code 2024, are
19 amended to read as follows:

20 1. a. In any service area in which a competitive cable
21 ~~service provider~~ or a ~~competitive~~ video service provider
22 holding a certificate of franchise authority offers or provides
23 cable ~~service~~ or video service, the competitive cable ~~service~~
24 ~~provider~~ or ~~competitive~~ video service provider shall calculate
25 and pay a franchise fee to the municipality with authority to
26 grant a certificate of franchise authority in that service area
27 upon the municipality's written request. If the municipality
28 makes such a request, the franchise fee shall be due and paid
29 to the municipality on a quarterly basis, not later than
30 forty-five days after the close of the quarter, and shall be
31 calculated as a percentage of gross revenues. The municipality
32 shall not demand any additional franchise fees from the
33 competitive cable ~~service provider~~ or ~~competitive~~ video service
34 provider, and shall not demand the use of any other calculation
35 method for the franchise fee.

1 *b.* All cable ~~service providers~~ and video service providers
2 shall pay a franchise fee at the same percent of gross revenues
3 as had been assessed on the incumbent cable provider by the
4 municipality as of January 1, 2007, and such percentage shall
5 continue to apply for the period of the remaining term of the
6 existing franchise agreement with the municipality. Upon
7 expiration of the period of the remaining term of the agreement
8 with the incumbent cable service provider, a municipality may
9 request an increase in the franchise fee up to five percent of
10 gross revenues.

11 *c.* A provider who is both a competitive cable ~~service~~
12 ~~provider~~ and a competitive video service provider shall be
13 subject to and only be required to pay one franchise fee to a
14 municipality under [this subsection](#) regardless of whether the
15 provider provides both cable service and video service.

16 *d.* At the request of a municipality and not more than once
17 per year, an independent auditor may perform reasonable audits
18 of the competitive cable ~~service provider's~~ or competitive
19 video service provider's calculation of the franchise fee under
20 this subsection. The municipality shall bear the costs of
21 any audit requested pursuant to [this subsection](#), unless the
22 audit discloses that the competitive cable ~~service provider~~ or
23 ~~competitive~~ video service provider has underpaid franchise fees
24 by more than five percent, in which case the competitive cable
25 ~~service provider~~ or competitive video service provider shall
26 pay all of the reasonable and actual costs of the audit.

27 *e.* A competitive cable ~~service provider~~ or competitive video
28 service provider may identify and collect the amount of the
29 franchise fee as a separate line item on the regular bill of
30 each subscriber.

31 3. *a.* If an incumbent cable provider is required by
32 a franchise agreement as of January 1, 2007, to provide
33 institutional network capacity to a municipality for use by
34 the municipality for noncommercial purposes, the incumbent
35 cable provider and any subsequent holder of a certificate of

1 franchise authority shall provide support only for the existing
2 institutional network on a pro rata basis per customer. Any
3 financial support provided for an institutional network shall
4 be limited to ongoing maintenance and support of the existing
5 institutional network. **This subsection** shall be applicable
6 only to a cable ~~service provider's~~ or video service provider's
7 first certificate of franchise authority issued under this
8 chapter, and shall not apply to any subsequent renewals. For
9 the purposes of **this subsection**, maintenance and support shall
10 only include the reasonable incremental cost of moves, changes,
11 and restoring connectivity of the fiber or coaxial cable lines
12 up to a demarcation point at the building.

13 *b.* For purposes of **this subsection**, the number of customers
14 of a cable ~~service provider~~ or video service provider shall
15 be determined based on the relative number of subscribers in
16 that municipality at the end of the prior calendar year as
17 reported to the municipality by all incumbent cable providers
18 and holders of a certificate of franchise authority. Any
19 records showing the number of subscribers shall be considered
20 confidential records pursuant to **section 22.7**. The incumbent
21 cable provider shall provide to the municipality, on an annual
22 basis, the maintenance and support costs of the institutional
23 network, subject to an independent audit. A municipality
24 acting under **this subsection** shall notify and present a bill
25 to competitive cable ~~service providers~~ or competitive video
26 service providers for the amount of such support on an annual
27 basis, beginning one year after issuance of the certificate of
28 franchise authority. The annual institutional network support
29 shall be due and paid by the providers to the municipality in
30 four quarterly payments, not later than forty-five days after
31 the close of each quarter. The municipality shall reimburse
32 the incumbent cable provider for the amounts received from
33 competitive cable ~~service providers~~ or competitive video
34 service providers.

35 *c.* **This subsection** shall not apply if the incumbent

1 cable service provider is a municipal utility providing
2 telecommunications services under [section 388.10](#).

3 Sec. 20. Section 477A.10, subsection 2, Code 2024, is
4 amended to read as follows:

5 2. A competitive cable ~~service provider~~ or competitive
6 video service provider holding a certificate of franchise
7 authority shall not deny access to any group of potential
8 residential subscribers because of the income of residents in
9 the local area in which such group resides.

10 Sec. 21. Section 477A.10, subsection 3, paragraph a,
11 subparagraph (3), Code 2024, is amended to read as follows:

12 (3) These dwelling units do not have cable or video service
13 available from another cable ~~service provider~~ or video service
14 provider.

15 Sec. 22. Section 477A.10, subsection 3, paragraph b, Code
16 2024, is amended to read as follows:

17 b. [This subsection](#) shall be applicable only after the first
18 date on which the video service provider operating under a
19 certificate of franchise authority is providing cable ~~service~~
20 or video service to more than fifty percent of all cable and
21 video subscribers receiving cable or video service from the
22 holders of certificates of franchise authority and any other
23 providers of cable or video services operating under franchise
24 agreements with a municipality.