



State of Wisconsin
Department of Financial Institutions

Jim Doyle, Governor

Lorrie Keating Heinemann, Secretary

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN That pursuant to ss. 66.0420(3)(f)4., 66.0420(13)(a) and 227.11(2), Stats., and interpreting s. 66.0420, Stats., the Wisconsin Department of Financial Institutions, Division of Corporate and Consumer Affairs will hold a public hearing at the Department of Financial Institutions, 345 W. Washington Avenue, 5th Floor in the city of Madison, Wisconsin, on the 3rd day of June, 2008, at 1:00 p.m. to consider a rule to create ch. DFI-CCS 20 relating to video service franchise.

Analysis Prepared by the Department of Financial Institutions, Division of Corporate and Consumer Affairs

Statute(s) interpreted: s. 66.0420, Stats.

Statutory authority: ss. 66.0420(3)(f)4., 66.0420(13)(a) and 227.11(2), Stats.

Related statute or rule: none.

Explanation of agency authority: Pursuant to s. 66.0420(13)(c), Stats., the department shall enforce s. 66.0420 except sub. (8).

Summary of proposed rule: The objective of the rule is to create ch. DFI—CCS 20. Pursuant to s. 66.0420(13)(a), Stats., the department shall promulgate rules for determining whether an applicant is legally, financially, and technically qualified to provide video service, and may promulgate rules interpreting or establishing procedures for s. 66.0420, Stats. The purpose of this rule is to set forth certain matters regarding definitions, filings, fees and reports, certificates, maps, video franchise area descriptions, amendments to maps and video franchise area descriptions, qualifications, and proceedings and hearings.

Summary of and preliminary comparison with existing or proposed federal regulation: Comparable franchise application processes and proceedings are set forth in 47CFR76.

Comparison with rules in adjacent states: Illinois has enacted video franchise area legislation but no rules regarding this legislation.

Summary of factual data and analytical methodologies: The department reviewed the legislative findings of 66.0420, Stats., reviewed the video service franchise statutes and rules of other states that have adopted similar legislation, contacted video service franchise regulators in other states, and applied its own experience in regulation of financial industries generally.

Analysis and supporting documentation used to determine effect on small business: The rule does not have a significant economic impact on small business. Mandates and proceedings addressed by the rule are the result of and set forth in 2007 Wisconsin Act 42 and ch. 227, subch.

Office of the Secretary

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III, and not the rule. The rule largely addresses filing matters or requests information otherwise already prepared for other agencies.

Fiscal Estimate

The rule creates new appropriations, increases existing revenues, and increases costs that may not be possible to absorb within the agency's budget. The rule has an indeterminate effect on local government cost.

Contact Person

To obtain a copy of the proposed rule or fiscal estimate at no charge:

A copy of the proposed rule and fiscal estimate may be obtained at the department's website, www.wdfi.org or by contacting Mark Schlei, Deputy General Counsel, Wisconsin Department of Financial Institutions, Office of the Secretary, P.O. Box 8861, Madison, WI 53708-8861, tel. (608) 267-1705, e-mail mark.schlei@dfi.state.wi.us.

To submit written comments regarding the proposed rule:

Written comments may be sent to Mark Schlei, Deputy General Counsel, Wisconsin Department of Financial Institutions, Office of the Secretary, P.O. Box 8861, Madison, WI 53708-8861, tel. (608) 267-1705, e-mail mark.schlei@dfi.state.wi.us. Written comments must be received by the conclusion of the department's hearing regarding the proposed rule.

For questions regarding the agency's internal processing of the proposed rule:

Contact Mark Schlei, Deputy General Counsel, Wisconsin Department of Financial Institutions, Office of the Secretary, 345 W. Washington Avenue, 5th Floor, P.O. Box 8861, Madison, WI 53708-8861, tel. (608) 267-1705, e-mail mark.schlei@dfi.state.wi.us.

For substantive questions on the rule:

Contact Cheryll Olson-Collins, Administrator, Wisconsin Department of Financial Institutions, Division of Corporate and Consumer Affairs, P.O. Box 7846, Madison, WI 53708-7846, tel. (608) 266-6810, e-mail cheryll.olsoncollins@dfi.state.wi.us or Ray Allen, Deputy Administrator, Wisconsin Department of Financial Institutions, Division of Corporate and Consumer Affairs, P.O. Box 7846, Madison, WI 53708-7846, tel. (608) 264-7950, e-mail ray.allen@dfi.state.wi.us.

For a copy of the department's hearing notice regarding this rule:

A copy of the department's hearing notice regarding the proposed rule may be obtained at the department's website, www.wdfi.org or by contacting Mark Schlei, Deputy General Counsel, Wisconsin Department of Financial Institutions, Office of the Secretary, P.O. Box 8861, Madison, WI 53708-8861, tel. (608) 267-1705, e-mail mark.schlei@dfi.state.wi.us.