

.....  
(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Communications Act of 1934 to preserve cable franchising authority, and for other purposes.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Mr. BALDERSON introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Communications Act of 1934 to preserve cable franchising authority, and for other purposes.

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Cable Access for  
3 Broadband and Local Economic Leadership Act” or the  
4 “CABLE Leadership Act”.

**5 SEC. 2. REQUEST FOR NEW FRANCHISE.**

6 Section 621 of the Communications Act of 1934 (47  
7 U.S.C. 541) is amended by adding at the end the fol-  
8 lowing:

1           “(g) TIMING OF DECISION ON REQUEST FOR FRAN-  
2 CHISE.—

3           “(1) IN GENERAL.—Not later than 120 days  
4 after the date on which a franchising authority re-  
5 ceives a complete request for the grant of a fran-  
6 chise (other than a renewal thereof), the franchising  
7 authority shall approve or deny such request.

8           “(2) DEEMED GRANT OF NEW FRANCHISE.—If  
9 the franchising authority does not approve or deny  
10 a request under paragraph (1) by the day after the  
11 date on which the time period ends under such para-  
12 graph, such request shall be deemed granted on such  
13 day.

14           “(3) APPLICABILITY.—Notwithstanding any  
15 provision of this title, the timeframe under para-  
16 graph (1) shall apply collectively to all proceedings  
17 required by a franchising authority for the approval  
18 of the request.

19           “(4) NO TOLLING.—The timeframe under para-  
20 graph (1) may not be tolled by any moratorium,  
21 whether express or de facto, imposed by a fran-  
22 chising authority on the consideration of any request  
23 for a franchise.

1           “(5) WRITTEN DECISION AND RECORD.—Any  
2           decision by a franchising authority to deny a com-  
3           plete request for a franchise shall be—

4                   “(A) in writing;

5                   “(B) supported by substantial evidence  
6           contained in a written record; and

7                   “(C) publicly released, and provided to the  
8           requesting party, on the same day such decision  
9           is made.

10           “(6) WHEN REQUEST CONSIDERED COMPLETE;  
11           RECEIVED.—

12                   “(A) WHEN REQUEST CONSIDERED COM-  
13           plete.—

14                   “(i) IN GENERAL.—For the purposes  
15           of this subsection, a request to a fran-  
16           chising authority shall be considered com-  
17           plete if the requesting party—

18                           “(I) has taken the first proce-  
19                           dural step within the control of the re-  
20                           questing party that the franchising  
21                           authority requires as part of the proc-  
22                           ess of the franchising authority for re-  
23                           viewing requests related to franchises;  
24                           and

1                   “(II) has not received a written  
2 notice from the franchising authority  
3 within 30 days after the date on  
4 which the request is received by the  
5 franchising authority—

6                   “(aa) stating that all the in-  
7 formation (including any form or  
8 other document) required by the  
9 franchising authority to be sub-  
10 mitted for the request to be con-  
11 sidered complete, has not been  
12 submitted; and

13                   “(bb) identifying the infor-  
14 mation required to be submitted  
15 that was not submitted; and

16                   “(cc) that includes a citation  
17 to a specific provision of a pub-  
18 licly available rule, regulation, or  
19 standard issued by the fran-  
20 chising authority requiring that  
21 the information be submitted  
22 with such a request.

23                   “(ii) DEFINITION.—In this subpara-  
24 graph, the term ‘the date on which the re-

1                   quest is received by the franchising author-  
2                   ity’ means—

3                   “(I) in the case of a request sub-  
4                   mitted electronically, the date on  
5                   which the request is transmitted;

6                   “(II) in the case of a request  
7                   submitted in person, the date on  
8                   which the request is delivered to the  
9                   individual or at the location specified  
10                  by franchising authority for in-person  
11                  submission; and

12                  “(III) in the case of a request  
13                  submitted in any other manner, the  
14                  date determined under regulations  
15                  promulgated by the Commission for  
16                  the manner in which the request is  
17                  submitted.

18                  “(B) WHEN COMPLETE REQUEST CONSID-  
19                  ERED RECEIVED.—For the purposes of this  
20                  subsection, a complete request shall be consid-  
21                  ered received—

22                  “(i) except as provided in clause (ii),  
23                  on the date on which the requesting party  
24                  submits to the franchising authority all in-  
25                  formation (including any form or other

1 document) required by the franchising au-  
2 thority to be submitted for the request to  
3 be considered complete; or  
4 “(ii) in the case of a request with re-  
5 spect to which all such information is not  
6 submitted and that is considered complete  
7 under subparagraph (A)(i) because the re-  
8 questing party has not received a written  
9 notice from the franchising authority with-  
10 in the period described in such subpara-  
11 graph, on the day after the last day of  
12 such period.”.