

**Effective 5/10/2016**

**10-18-102 Definitions.**

As used in this chapter:

- (1) "Cable television service" means:
  - (a) the one-way transmission to subscribers of:
    - (i) video programming; or
    - (ii) other programming service; and
  - (b) subscriber interaction, if any, that is required for the selection or use of:
    - (i) the video programming; or
    - (ii) other programming service.
- (2) "Capital costs" means all costs of providing a service that are capitalized in accordance with generally accepted accounting principles.
- (3) "Cross subsidize" means to pay a cost included in the direct costs or indirect costs of providing a service that is not accounted for in the full cost of accounting of providing the service.
- (4) "Direct costs" means those expenses of a municipality that:
  - (a) are directly attributable to providing:
    - (i) a cable television service; or
    - (ii) a public telecommunications service; and
  - (b) would be eliminated if the service described in Subsection (4)(a) were not provided by the municipality.
- (5) "Feasibility consultant" means an individual or entity with expertise in the processes and economics of providing:
  - (a) cable television service; and
  - (b) public telecommunications service.
- (6)
  - (a) "Full-cost accounting" means the accounting of all costs incurred by a municipality in providing:
    - (i) a cable television service; or
    - (ii) a public telecommunications service.
  - (b) The costs included in a full-cost accounting include all:
    - (i) capital costs;
    - (ii) direct costs; and
    - (iii) indirect costs.
- (7)
  - (a) "Indirect costs" means any costs:
    - (i) identified with two or more services or other functions; and
    - (ii) that are not directly identified with a single service or function.
  - (b) "Indirect costs" may include cost factors for:
    - (i) administration;
    - (ii) accounting;
    - (iii) personnel;
    - (iv) purchasing;
    - (v) legal support; and
    - (vi) other staff or departmental support.
- (8) "Private provider" means a person that:
  - (a) provides:
    - (i) cable television services; or
    - (ii) public telecommunications services; and

- (b) is a private entity.
- (9) "Public telecommunications service" means the two-way transmission of signs, signals, writing, images, sounds, messages, data, or other information of any nature by wire, radio, lightwaves, or other electromagnetic means offered to the public generally.
- (10) "Public telecommunications service facilities" means a facility described in Subsection 10-18-105(2).
- (11) "Subscribers" means a person that lawfully receives:
  - (a) cable television services; or
  - (b) public telecommunications services.

Amended by Chapter 419, 2016 General Session