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HOUSE BILL NO. 1649

House Amendments in [] — February 6, 2009

A BILL to amend and reenact § 56-463 of the Code of Virginia, relating to contracts by telegraph and telephone companies [and cable operators] for rights-of-way.

Patron Prior to Engrossment—Delegate Ware, R.L.

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 56-463 of the Code of Virginia is amended and reenacted as follows:

§ 56-463. Company may contract for right-of-way, etc.

Every ~~such~~ telegraph or telephone company [and every cable operator that has a franchise to use the public rights-of-way in a locality] may contract with any person ~~or corporation~~, the owner of lands, or of any interest, franchise, privilege, or easement therein or in respect thereto, over which such line is proposed to be constructed, for the right-of-way for erecting, repairing, and preserving its poles and other structures necessary for operating its line, and [in the case of telegraph or telephone companies,] for sufficient land for the erection and occupation of offices at suitable distances along its line for the public accommodation. *No such company [or operator] may be required by the Commission or other [governmental regulatory] entity to accept any such interest, franchise, privilege, or easement that restricts the services that may legally be offered by the company [or operator] .*

ENGROSSED

HB1649E