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HOUSE BILL NO. 2352

Offered January 23, 2015

A *BILL to amend the Code of Virginia by adding a section numbered 56-466.2, relating to broadband; installation of conduit on pipeline.*

Patron—Marshall, D.W.

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 56-466.2 as follows:

§ 56-466.2. Pipeline; broadband conduit attachment.

A. Any person that installs pipeline that crosses more than one county or the Commonwealth's border shall equip such pipeline with conduit capable of housing fiber optic cable or other wiring and equipment necessary to provide broadband service.

B. Any person that installs such pipeline shall bear the cost of installing broadband conduit and thereafter may lease such conduit to broadband providers, which lease may include shared use of the conduit by multiple broadband providers or persons providing the same or similar services.

C. The Commission is authorized to determine just and reasonable rates, and terms and conditions of service, excluding safety and debt collection, for installation of fiber optic cable or other wiring and equipment necessary to provide broadband service in existing conduit and for use of such conduit to provide broadband service if, following good faith negotiations to do so, the parties cannot reach agreement thereon; however, the Commission shall not determine rates or terms and conditions for any existing agreement until it expires or is terminated pursuant to its own terms. The terms of an expired or terminated agreement shall continue to govern while good faith negotiations or Commission review pursuant to this section are pending.

INTRODUCED

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