

State Corporation Commission 2015 Fiscal Impact Statement

1. Bill Number: HB2325

House of Origin	<input checked="" type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Minchew

3. Committee: Commerce and Labor

4. Title: Utility pole attachments; broadband service providers.

5. Summary: Utility pole attachments; broadband service providers. Requires each public utility, including electric cooperatives, to provide broadband service providers with neutral and nondiscriminatory access to any pole, duct, conduit, or right-of-way it owns or controls. The State Corporation Commission (SCC) is authorized to determine just and reasonable rates, terms, conditions, and costs for such attachments to its poles. The existing provisions that address pole attachments by telecommunications service providers and cable television systems are conformed to these new provisions for broadband service providers. The SCC is directed, in implementing the provisions of this measure, to rely on interpretations by the Federal Communications Commission and the federal judiciary of terms and concepts included in this measure that are used or defined in the pole attachments section of the federal Communications Act. The existing legislation excluded safety and debt collection from the Commission's authority. This bill does not contain those exclusions. Also, under the existing legislation, the Commission was precluded from determining rates or terms and conditions for any existing agreement until after it expires. This language has been removed from this bill. Instead, this bill would authorize the Commission to determine just and reasonable rates, terms, conditions and costs if either party to an agreement asserts that the rates, terms, conditions and costs applicable to an agreement are not just and reasonable.

6. Budget Amendment Necessary:

7. Fiscal Impact Estimates: Fiscal impact estimates are not available. See Item 8.

8. Fiscal Implications: This bill could have a substantial impact on the State Corporation Commission's workload and potentially require additional field investigations.

9. Specific Agency or Political Subdivisions Affected: State Corporation Commission

10. Technical Amendment Necessary: None noted.

11. Other Comments: No