

State Corporation Commission 2011 Fiscal Impact Statement

1. Bill Number: HB1439

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|------------------------|--|-------------------------------------|------------------------------------|
| 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: Janis

3. Committee: Commerce and Labor

4. Title: Cable television system, etc.; contracts with electric cooperative facilities for pole attachments.

5. Summary: Pole attachments. Authorizes a telecommunications service provider or cable television system that is unable to arrive at a mutually agreeable contract with an electric cooperative for pole attachments to the electric cooperative's facilities to petition the State Corporation Commission to establish the rates, terms, and conditions for such a contract. The Commission's actions shall be consistent with the goal of promoting access to electric cooperative facilities by telecommunications service providers and cable television systems in order to promote broadband connections and deployment throughout the Commonwealth. The Commission shall utilize the principles established by the Federal Communications Commission in regulations and case law for pole attachments regulated pursuant to federal law in establishing such rates, terms, and conditions. A rate set by the Commission shall not exceed the highest rate for a similar attachment that is charged by an investor-owned electric utility that provides service in an area adjacent to the electric cooperative's service territory.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: None on the State Corporation Commission.

8. Fiscal Implications: None on the State Corporation Commission.

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

10. Technical Amendment Necessary: No.

11. Other Comments: Senate Bill 890 appears to be identical to this bill.

Date: 1/12/11 CDW