

State Corporation Commission 2012 Fiscal Impact Statement

1. Bill Number: HB1191

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Merricks

3. Committee: Commerce and Labor

4. Title: Pole attachments; cable television systems and cooperatives.

5. Summary: Pole attachments; cable television systems and cooperatives. Requires cable television systems and cooperatives to negotiate in good faith to resolve certain issues, including the rates, terms, and conditions of contracts permitting attachments by a cable television system to a cooperative's poles. If an issue cannot be resolved, either party may petition the State Corporation Commission to resolve the issue. In adjudicating the issue, the Commission shall ensure that the cooperative is compensated by the cable television system for certain costs. Annually commencing July 1, 2012, cable television systems are required to pay an annual fee to the Commission equal to \$1.00 for each attachment to a cooperative's pole. Each cooperative is required to make a survey of cable television system attachments on its poles every 36 months. Beginning in 2013, cooperatives will be required to report to the Commission on the number of each cable television system's attachments. In addition, if any cable television system attachment interferes with, obstructs, or delays the service or operations of a cooperative or creates a safety hazard, the cooperative may take immediate action to remedy the situation at the cable television system's expense.

6. Budget Amendment Necessary: None

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

8. Fiscal Implications: The legislation will impose additional costs on the Commission. However, the legislation also includes a funding mechanism to defray those costs. Reasonably accurate estimates of the net effects of those additional costs and revenues cannot be developed at this time.

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

10. Technical Amendment Necessary: No

11. Other Comments: Also see Senate Bill 652.

Date: 1/24/12 CW