

## State Corporation Commission 2023 Fiscal Impact Statement

**1. Bill Number:** HB1752

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed

**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:**    Head

**3. Committee:** Commerce and Energy

**4. Title:**    Public utilities; fiber optic broadband lines crossing railroads.

**5. Summary:** Provides that a broadband service provider, in the construction of its works, may cross the works of a railroad company if the crossing does not interfere with the works and operations of the railroad company and is designed to prevent damage to the works of the railroad and ensure the safety of its passengers. The bill requires the broadband service provider give notice to the railroad company of its desired crossing date and pay a fee of \$1,500 for each crossing, unless the crossing is located on a legally abandoned section of track. The bill provides that a railroad company may petition the State Corporation Commission if it asserts that the crossing will cause undue hardship on the railroad company or create the imminent likelihood of danger to public health or safety and authorizes the Commission to suspend the work of the crossing while making a determination on such petition.

**6. Budget Amendment Necessary:** No

**7. Fiscal Impact Estimates:** Indeterminate. See Item 8.

**8. Fiscal Implications:** The bill allows a railroad company to petition the State Corporation Commission, and the Commission may make any necessary findings of fact and determinations, as well as any relief to be granted. The bill permits the Commission to employ engineers to assist with the technical evaluation. The cost of an engineer will be shared by the broadband service provider and the railroad company, not to exceed \$500.

The Commission does not have sufficient data to reliably estimate the fiscal impact of this bill.

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

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None