

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 302

By: Bingman

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6 AS INTRODUCED

7 An Act relating to electric systems; amending Section
8 11, Chapter 459, O.S.L. 2003 (17 O.S. Supp. 2008,
9 Section 190), which relates to easements for certain
10 optical fiber equipment; providing for inclusion of
11 certain optical fiber to existing electrical system;
12 and declaring an emergency.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY Section 11, Chapter 459, O.S.L.
15 2003 (17 O.S. Supp. 2008, Section 190), is amended to read as
16 follows:

17 Section 190. The ~~addition~~ inclusion of optical fiber as part of
18 the static wire or attached to electricity towers and appurtenant
19 structures, also referred to as underbuild, together with all
20 associated equipment for the transmission of communications and
21 information services by optical fiber shall be considered a part of
22 the ~~transmission~~ electrical system and shall not constitute an
23 additional burden on the land or require an additional easement or
24 license; ~~provided, however, if~~ no additional poles or other
structures are installed on the property; ~~and provided further, no~~

1 ~~additional poles, structures, wires, cables, or other facilities may~~
2 ~~be placed except as provided by the existing easement; and provided~~
3 ~~further, no damage shall be permitted either within or outside of~~
4 ~~the existing easement during the installation, repair, replacement,~~
5 ~~or maintenance of the optical fiber line outside of the existing~~
6 ~~easement or right-of-way.~~

7 ~~Communication services or information services provided over~~
8 ~~such facilities shall be solely for the internal use of the company~~
9 ~~or cooperative. Such services shall not be offered to any other~~
10 ~~entity on a wholesale, retail or any other basis.~~

11 SECTION 2. It being immediately necessary for the preservation
12 of the public peace, health and safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

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16 52-1-512 MJM 3/6/2009 3:42:07 AM

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