

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 3151

By: Martinez

COMMITTEE SUBSTITUTE

An Act relating to telecommunications; imposing maximum charges with respect to certain connections to utility poles; prescribing method for determination of permissible rate increases; excluding rates related to electric power; providing for payment of rates for electric services; requiring payment by rural electric cooperatives for certain relocations; prescribing method for computation of certain attachment rates; prohibiting rural electric cooperatives from providing certain services; requiring franchise prior to provision of cable television or video service; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 437.35 of Title 18, unless there is created a duplication in numbering, reads as follows:

A. The rates charged by a rural electric cooperative for attachments to utility poles by communications services providers shall not exceed Twenty Dollars (\$20.00) per rural electric

1 cooperative owned pole per year. This rate shall increase only by  
2 an amount equal to the increase in the annual recurring rate  
3 permitted under rules and regulations adopted pursuant to 47 U.S.C.,  
4 Section 224(d) by the Federal Communications Commission after the  
5 effective date of this act.

6 B. The rates provided in this section do not include any  
7 applicable charges for electric power. A communications services  
8 provider must pay separately for such services and such services  
9 shall be at market rate.

10 C. Any rural electric cooperative that attaches to a pole that  
11 results in the relocations of a communications services provider's  
12 existing attachment, provided that such attachment was previously in  
13 compliance with all agreed upon safety and contractual standards,  
14 shall pay for the cost of the relocation of the communications  
15 services provider's attachment, including pole replacement if  
16 necessary.

17 D. Any rural electric cooperative that attaches for the  
18 purposes of providing telecommunications or Internet services to any  
19 utility pole shall pay an attachment rate equal to the highest rate  
20 being paid by any other attacher with the same utility.

21 E. No rural electric cooperative may provide cable television  
22 or video service to any incorporated city or town without first  
23 obtaining a franchise from the city or town.

SECTION 2. This act shall become effective November 1, 2020.

57-2-11514 AB 02/27/20