

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3151

By: Martinez

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9                               COMMITTEE SUBSTITUTE

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

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

24           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

1 shall not exceed Twenty Dollars (\$20.00) per rural electric  
2 cooperative owned pole per year. This rate shall increase only by  
3 an amount equal to the increase in the annual recurring rate  
4 permitted under rules and regulations adopted pursuant to 47 U.S.C.,  
5 Section 224(d) by the Federal Communications Commission after the  
6 effective date of this act.

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

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

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

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

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

COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE, dated  
02/27/2020 - DO PASS, As Amended.