

BILL SUMMARY
2nd Session of the 57th Legislature

Bill No.:	HB 3151
Version:	CS
Request Number:	11514
Author:	Rep. Martinez
Date:	3/4/2020
Impact:	OCC: See below

Research Analysis

HB 3151 caps the rate charged by a rural electric cooperative for attachments to utility poles by communications service providers at \$20 per pole per year. The rate would only increase by an amount equal to the annual recurring rate adopted by the Federal Communications Commission. This rate does not include applicable charges for electric power. A rural electric cooperative would be required to pay for relocation of a communications service provider's pole attachment if the cooperative attached to the pole and made the relocation necessary.

The bill requires a rural electric cooperative that attaches to a utility pole for the purpose of providing telecommunications services to pay a rate equal to the highest rate paid by any other attacher with the same utility. Finally, no cooperative would be allowed to provide cable television or video service to an incorporated municipality without first obtaining a franchise.

Prepared By: Sean Webster

Fiscal Analysis

After analysis, the measure relating to the Oklahoma Corporation Commission (OCC) has an anticipated minimum fiscal impact of \$139,081 per year.

Per the OCC: The Initial Finding - Fiscal Impact:

The new language creates new regulatory duties for the OCC in regards to the regulated Cooperatives. Currently, OCC does not regulate pole attachments as this has been handled at the Federal level. It is difficult to contemplate complete impacts of a new area.

However, the following will be basic pieces required:

- Rulemaking for new rules minimum cost: \$16,000
- The current language could result in impacts during Cooperative Rate cases to audit amounts charge and ensure not affecting electric rates. Rate will vary annually based on filings.
- Could also have impact to Telecom cases should issues arise relating to Federal Pole Attachment standards etc.
- Disputes/enforcement would result in a major impact, as that would require new personnel (including administrative, analyst, and legal staff) and litigated hearings.
- Expected **minimum** impact: \$139,081/year

Prepared By: Jenny Mobley

Other Considerations

None.

