

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 58th Legislature (2021)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1122

By: Phillips

7  
8                                   COMMITTEE SUBSTITUTE

9                   An Act relating to telecommunications; imposing  
10                   maximum charges with respect to certain connections  
11                   to utility poles; prescribing method for  
12                   determination of permissible rate increases;  
13                   excluding rates related to electric power; providing  
14                   for payment of rates for electric services; requiring  
15                   pole attachers make certain contracts with  
16                   cooperatives; requiring payment by rural electric  
17                   cooperatives for certain relocations; providing for  
18                   codification; and providing an effective date.

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

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

23                   A.   The rates charged by a rural electric cooperative for  
24                   attachments to utility poles by communications services providers  
25                   shall not exceed Twenty-one Dollars (\$21.00) per rural-electric-  
26                   cooperative-owned pole per year.   This rate may be adjusted by ten-  
27                   percent (10%) rounded to the nearest dollar, every five (5) years.

1       B. The rates provided in this section do not include any  
2 applicable charges for electric power. A communications services  
3 provider must pay separately for such services and such services  
4 shall be at market rate.

5       C. The monetary cap provided for in this section does not  
6 eliminate the requirement of pole attachers to contract with the  
7 cooperatives on terms and conditions of attachments.

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

15       SECTION 2. This act shall become effective November 1, 2021.

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17 COMMITTEE REPORT BY: COMMITTEE ON UTILITIES, dated 02/24/2021 - DO  
18 PASS, As Amended.