

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 1923

By: Martinez

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8 COMMITTEE SUBSTITUTE

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

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

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

22 A. The rates charged by a rural electric cooperative for
23 attachments to utility poles by communications services providers
24 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 relocation 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.

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

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3 58-1-7824 LRB 02/25/21
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