

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. 1923

By: Martinez of the House

and

Leewright of the Senate

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11 COMMITTEE SUBSTITUTE

12 An Act relating to telecommunications; imposing
13 maximum charges with respect to certain connections
14 to utility poles; prescribing method for
15 determination of permissible rate increases;
16 excluding rates related to electric power; providing
17 for payment of rates for electric services; requiring
18 payment by rural electric cooperatives for certain
19 relocations; prescribing method for computation of
20 certain attachment rates; prohibiting rural electric
21 cooperatives from providing certain services;
22 requiring franchise prior to provision of cable
23 television or video service; providing for
24 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:

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

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

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

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

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

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

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6 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/01/2021 - DO PASS,
7 As Amended and Coauthored.
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