

1 **SENATE FLOOR VERSION**

2 February 18, 2021

3 SENATE BILL NO. 708

By: Leewright

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6 An Act relating to telecommunications; imposing
7 maximum charges with respect to certain connections
8 to utility poles; prescribing method for
9 determination of permissible rate increases;
10 excluding rates related to electric power; providing
11 for payment of rates for electric services; stating
12 requirement of certain contract with cooperative;
13 requiring payment by rural electric cooperatives for
14 certain relocations; providing for codification; and
15 providing an effective date.

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

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

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

B. The rates provided in this section do not include any
applicable charges for electric power. A communications services

1 provider must pay separately for such services and such services
2 shall be at market rate.

3 C. The monetary cap provided in this section does not eliminate
4 the requirement of pole attachers to contract with the cooperative
5 on terms and conditions of the attachments.

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

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

14 COMMITTEE REPORT BY: COMMITTEE ON ENERGY
15 February 18, 2021 - DO PASS
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