

B 2302 -- Broadband Operations

SPONSOR: Fitzwater

This bill establishes the "Electrical Corporation Broadband Authorization Act", which authorizes an electrical corporation to:

- (1) Own, construct, install, maintain, repair, and replace broadband infrastructure;
- (2) Operate the corporation's broadband infrastructure for or in connection with providing electrical service;
- (3) Engage in broadband operation or permit broadband affiliates to engage in broadband operations using the corporation's infrastructure;
- (4) Provide broadband services or permit broadband affiliates or third-party providers to provide broadband services using the corporation's infrastructure; and
- (5) Enter into contracts, leases, licenses or other agreements with broadband affiliates, third-party providers, or customers on any terms and conditions at the sole discretion of the corporation without securing authorization, permission, or approval from the Public Service Commission.

When determining the revenue requirement used to set the electrical corporation's base rates in a general rate proceeding, the commission must include the corporation's test year broadband operations and services revenues and its prudently-incurred investment in broadband infrastructure.

Any ordinance adopted by a municipal or county government that allows the corporation to install and maintain infrastructure for supplying electricity also must grant the right to install and maintain broadband infrastructure, either directly or through broadband affiliates.