

AMENDMENTS TO HOUSE BILL NO. 2438

Sponsor: REPRESENTATIVE ROAE

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1 Amend Bill, page 1, by inserting between lines 16 and 17

2 "Affiliate." A person that directly, or indirectly through
3 one or more intermediaries, controls, is controlled by or is
4 under common control with a specified person. The term includes
5 subsidiaries, partnerships, joint ventures and other entities
6 that have shared resources, interests or business dealings.

7 Amend Bill, page 2, line 4, by inserting after

8 "telecommunications"

9 , cable operator

10 Amend Bill, page 2, line 6, by striking out "through" and
11 inserting

12 using

13 Amend Bill, page 2, line 7, by striking out "within an
14 easement" and inserting

15 , including, but not limited to, poles and conduit, within an
16 easement

17 Amend Bill, page 2, line 8, by striking out "electricity
18 supplier" and inserting

19 electric cooperative corporation

20 Amend Bill, page 2, lines 11 and 12, by striking out
21 "electricity supplier" and inserting

22 electric cooperative corporation

23 Amend Bill, page 2, line 12, by inserting after "or"

24 its

25 Amend Bill, page 2, lines 29 and 30; page 3, lines 1 and 2;
26 by striking out all of said lines on said pages

1 Amend Bill, page 3, line 9, by inserting after "corporation."

2 An electric cooperative corporation may only supply
3 retail broadband services through one or more affiliates.

4 Amend Bill, page 3, line 18, by striking out "cooperative's"
5 and inserting

6 cooperative corporation's

7 Amend Bill, page 3, line 19, by inserting after "cooperative"
8 corporation

9 Amend Bill, page 3, line 21, by inserting after "services"

10 or if an electric cooperative corporation, in its
11 sole discretion, gives express written permission to a
12 broadband service provider to utilize an existing
13 electric easement

14 Amend Bill, page 3, by inserting between lines 25 and 26

15 (4) An electric cooperative corporation that elects to
16 provide broadband services as a broadband service supplier shall
17 permit other providers of such services nondiscriminatory access
18 to attach to electric infrastructure, owned or controlled by the
19 electric cooperative corporation, pursuant to the rates, terms
20 and conditions comparable to and no less favorable than those
21 offered to an affiliate of an electric cooperative corporation
22 engaged in the provision of retail broadband services.

23 Amend Bill, page 3, line 26, by striking out "Exception.--
24 Subsection" and inserting

25 Applicability.-- Except for the replacement or relocation of
26 existing poles or as otherwise provided by law, subsection

27 Amend Bill, page 3, by inserting between lines 28 and 29

28 (c) Construction.--Except as otherwise provided under this
29 chapter, nothing in this chapter shall limit any of the rights
30 that exist under the laws of this Commonwealth of any broadband
31 service supplier to secure its own easements for the
32 construction or installation of broadband facilities or the
33 provision of broadband services.