

## 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

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

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

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

cooperative corporation's

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

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

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

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

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

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

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

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

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