

## AMENDMENTS TO SENATE BILL NO. 1118

Sponsor: SENATOR PITTMAN

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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 13, by inserting after

8 "telecommunications"

9 , cable operator

10 Amend Bill, page 2, line 15, by striking out "through" and  
11 inserting

12 using

13 Amend Bill, page 2, line 16, 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 17, by striking out "electricity  
18 supplier" and inserting

19 electric cooperative corporation

20 Amend Bill, page 2, lines 20 and 21, by striking out

21 "electricity supplier or" and inserting

22 electric cooperative corporation or its

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

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

26 An electric cooperative corporation may only supply

1 retail broadband services through one or more affiliates.

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

4 cooperative corporation's

5 Amend Bill, page 3, line 19, by striking out "cooperative"  
6 and inserting

7 corporation

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

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

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

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

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

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

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

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