

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 24, Page 4, Section 67.1020, Line 4, by  
2 inserting after all of said Section and Line the following:

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4 "67.5104. Any pole attachment rates, terms, and conditions, including those related to the  
5 granting or denial of access, demanded by a municipal utility pole owner or controlling authority of a  
6 municipality shall be nondiscriminatory, just and reasonable and shall not be subject to any required  
7 franchise authority or government entity permitting. An annual pole attachment rental rate shall be  
8 calculated on a per pole basis and shall be considered just and reasonable if it does not exceed a rate  
9 calculated in accordance with the federal cable rate formula, found at 47 U.S.C. Section 224(d), as  
10 applied by the Federal Communications Commission, and an additional fifteen percent on the rate  
11 yielded by application of the federal cable formula. As used in this section, "pole attachment" means  
12 an attachment by a video service provider, or by a telecommunications, wireless communications or  
13 other communications-related service provider or municipal utility pole owner, to a pole. A service  
14 provider may seek review of any rate, term, or condition under this section at the appropriate circuit  
15 court if that entity believes the rates, terms, and conditions are not fair, just, and reasonable."; and

16  
17 Further amend said bill by amending the title, enacting clause, and intersectional references  
18 accordingly.  
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Action Taken \_\_\_\_\_ Date \_\_\_\_\_