

HCS HB 2056 -- REIMBURSEMENT OF COSTS WITH UTILITY FACILITY
RELOCATION

SPONSOR: Keathley

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on General Laws by a vote of 15 to 0. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 8 to 0.

The following is a summary of the House Committee Substitute for HB 2056.

This bill requires municipalities and the Missouri Department of Transportation to reimburse nonrate regulated utility providers, including telecommunications, Internet, and cable providers, for facility relocation due to road maintenance or construction.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that costs to relocate facilities can be extremely expensive and burdensome on utility providers. Providers should not have to incur relocation costs when those costs are caused by factors beyond their control. If a utility chooses to move their facilities, they should be responsible for the costs associated with that move. However, if a provider is forced to move their facilities because of road construction, the entity performing the construction should be responsible for a utility provider's moving costs.

Testifying in person for the bill were Representative Keathley; Associated Industries of Missouri; Gateway Fiber; MCTA-The Missouri Internet and Television Association; Brightspeed; Missouri Chamber of Commerce and Industry; Association of Missouri Electric Co-Ops; and the Missouri Broadband Providers.

OPPONENTS: Those who oppose the bill say that taxpayers shouldn't have to pay for nonrate utility relocation in the event of road construction.

Testifying in person against the bill was Arnie Dienoff.

OTHERS: Others testifying on the bill say that there are certain instances where utilities deserve some level of compensation for having to move their facilities and there are other instances where they are not so deserving. In some cases the right of way may have been given and the utility knows that they may have to move their

facilities. In this instance it's appropriate for the utility to pay for moving costs. However, there are other instances, like when a city engages in a project that was not a necessity, where maybe the costs for relocation should not all be on the utility provider.

Testifying in person on the bill were David Stokes, Show-Me Institute; and Ameren.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.