

SECOND REGULAR SESSION

SENATE BILL NO. 820

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CUNNINGHAM.

Pre-filed December 21, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5576S.011

AN ACT

To amend chapter 394, RSMo, by adding thereto one new section relating to broadband communications services provided by rural electric cooperatives.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 394, RSMo, is amended by adding thereto one new section, to be known as section 394.085, to read as follows:

394.085. 1. The general assembly declares that expanding and accelerating access to high speed broadband communications services throughout the entire state of Missouri is necessary, desirable, in the best interests of the citizens of this state, and that it is a public purpose of great importance.

2. In recognition that the high capital cost of deploying fiber optics technologies to provide broadband communications services impedes access to such services, and the rural electric cooperatives deploy fiber optics technologies for use in the operation of their electric system infrastructure, it is the intent of the general assembly to facilitate and to encourage rural electric cooperatives and their affiliates, either collectively, or individually, to continue to enter into and establish voluntary contracts or other forms of joint or cooperative agreements with:

(1) The state of Missouri, or any official, agency, or instrumentality thereof;

(2) Any municipality or political subdivision of the state;

(3) Any telecommunications company subject to the jurisdiction of the public service commission pursuant to section 386.020;

(4) Any member-owned cooperative telephone company;

(5) Any cable television company or internet service provider; or

22 **(6) Any nonprofit corporation or association.**

23 **3. Such contracts or other forms of joint or cooperative**
24 **agreements may, among other things, provide for the nonexclusive use**
25 **of rural electric cooperative infrastructure and easements for the**
26 **deployment of broadband communications services.**

27 **4. For purposes of this section, the term "rural electric**
28 **cooperative" shall include an electrical corporation as defined in**
29 **subsection 2 of section 393.110.**

30 **5. Nothing in this section shall be construed as conferring to the**
31 **public service commission any regulatory jurisdiction not granted over**
32 **any contract, or other form of joint or cooperative agreement, entered**
33 **into under this section, or over the parties to such contract or**
34 **agreement.**

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