

2 SSB 6554 - S AMD - 171

3 By Senators Sutherland and Finkbeiner

4 WITHDRAWN 2/13/96

5 On page 1, after line 4, strike everything and insert:

6 "NEW SECTION. Sec. 1. A new section is added to chapter 23.86 RCW
7 to read as follows:

8 (1) As used in this section:

9 (a) "Attachment" means the affixation or installation of any wire,
10 cable or other physical material capable of carrying electronic
11 impulses or light waves for the carrying of intelligence for
12 telecommunications or television, including, but not limited to cable,
13 and any related device, apparatus, or auxiliary equipment upon any pole
14 owned or controlled in whole or in part by one or more locally
15 regulated utilities where the installation has been made with the
16 necessary consent.

17 (b) "Locally regulated utility" means an electric service
18 cooperative organized under this chapter and not subject to rate or
19 service regulation by the utilities and transportation commission.

20 (2) All rates, terms, and conditions made, demanded or received by
21 a locally regulated utility for attachments to its facilities must be
22 just, fair, equitable, non-discriminatory and sufficient. A locally
23 regulated utility shall levy attachment space rental rates that are
24 uniform for the same class of service within the locally regulated
25 utility service area.

26 (3) Nothing in this section shall be construed or is intended to
27 confer upon the utilities and transportation commission any authority
28 to exercise jurisdiction over locally regulated utilities.

29 "NEW SECTION. Sec. 2. A new section is added to chapter 24.06 RCW
30 to read as follows:

31 (1) As used in this section:

32 (a) "Attachment" means the affixation or installation of any wire,
33 cable or other physical material capable of carrying electronic
34 impulses or light waves for the carrying of intelligence for
35 telecommunications or television, including, but not limited to cable,

1 and any related device, apparatus, or auxiliary equipment upon any pole
2 owned or controlled in whole or in part by one or more locally
3 regulated utilities where the installation has been made with the
4 necessary consent.

5 (b) "Locally regulated utility" means an mutual corporation
6 organized under this chapter for the purpose of providing utility
7 service and not subject to rate or service regulation by the utilities
8 and transportation commission.

9 (2) All rates, terms, and conditions made, demanded or received by
10 a locally regulated utility for attachments to its facilities must be
11 just, fair, equitable, non-discriminatory and sufficient. A locally
12 regulated utility shall levy attachment space rental rates that are
13 uniform for the same class of service within the locally regulated
14 utility service area.

15 (3) Nothing in this section shall be construed or is intended to
16 confer upon the utilities and transportation commission any authority
17 to exercise jurisdiction over locally regulated utilities.

18 "NEW SECTION. Sec. 3. A new section is added to chapter 35.21 RCW
19 to read as follows: (1) As used in this section:

20 (a) "Attachment" means the affixation or installation of any wire,
21 cable or other physical material capable of carrying electronic
22 impulses or light waves for the carrying of intelligence for
23 telecommunications or television, including, but not limited to cable,
24 and any related device, apparatus, or auxiliary equipment upon any pole
25 owned or controlled in whole or in part by one or more locally
26 regulated utilities where the installation has been made with the
27 necessary consent.

28 (b) "Locally regulated utility" means a city owning and operating
29 an electric utility not subject to rate or service regulation by the
30 utilities and transportation commission.

31 (2) All rates, terms, and conditions made, demanded or received by
32 a locally regulated utility for attachments to its facilities must be
33 just, fair, equitable, non-discriminatory and sufficient. A locally
34 regulated utility shall levy attachment space rental rates that are
35 uniform for the same class of service within the locally regulated
36 utility service area.

1 (3) Nothing in this section shall be construed or is intended to
2 confer upon the utilities and transportation commission any authority
3 to exercise jurisdiction over locally regulated utilities.

4 "NEW SECTION. Sec. 4. A new section is added to chapter 35A.21
5 RCW to read as follows: (1) As used in this section:

6 (a) "Attachment" means the affixation or installation of any wire,
7 cable or other physical material capable of carrying electronic
8 impulses or light waves for the carrying of intelligence for
9 telecommunications or television, including, but not limited to cable,
10 and any related device, apparatus, or auxiliary equipment upon any pole
11 owned or controlled in whole or in part by one or more locally
12 regulated utilities where the installation has been made with the
13 necessary consent.

14 (b) "Locally regulated utility" means a code city owning and
15 operating an electric utility not subject to rate or service regulation
16 by the utilities and transportation commission.

17 (2) All rates, terms, and conditions made, demanded or received by
18 a locally regulated utility for attachments to its facilities must be
19 just, fair, equitable, non-discriminatory and sufficient. A locally
20 regulated utility shall levy attachment space rental rates that are
21 uniform for the same class of service within the locally regulated
22 utility service area.

23 (3) Nothing in this section shall be construed or is intended to
24 confer upon the utilities and transportation commission any authority
25 to exercise jurisdiction over locally regulated utilities.

26 "NEW SECTION. Sec. 5. A new section is added to chapter 54.04 RCW
27 to read as follows: (1) As used in this section:

28 (a) "Attachment" means the affixation or installation of any wire,
29 cable or other physical material capable of carrying electronic
30 impulses or light waves for the carrying of intelligence for
31 telecommunications or television, including, but not limited to cable,
32 and any related device, apparatus, or auxiliary equipment upon any pole
33 owned or controlled in whole or in part by one or more locally
34 regulated utilities where the installation has been made with the
35 necessary consent.

36 (b) "Locally regulated utility" means a public utility district not
37 subject to rate or service regulation by the utilities and
38 transportation commission.

1 (2) All rates, terms, and conditions made, demanded or received by
2 a locally regulated utility for attachments to its facilities must be
3 just, fair, equitable, non-discriminatory and sufficient. A locally
4 regulated utility shall levy attachment space rental rates that are
5 uniform for the same class of service within the locally regulated
6 utility service area.

7 (3) Nothing in this section shall be construed or is intended to
8 confer upon the utilities and transportation commission any authority
9 to exercise jurisdiction over locally regulated utilities."

10 **EFFECT:** Strikes original bill. Sets general guidelines for
11 attachments to utility facilities for electric cooperatives, mutual
12 corporations, cities, code cities, and public utility districts.

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15 On page 1, line 1 of the title, after "facilities;" strike the
16 remainder of the title and insert "adding a new section to chapter
17 23.86 RCW; adding a new section to chapter 24.06 RCW; adding a new
18 section to chapter 35.21 RCW; adding a new section to chapter 35A.21
19 RCW; and adding a new section to chapter 54.04 RCW.

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EFFECT: Title amendment.