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3 AMENDMENT TO THE HOUSE URBAN AND RURAL DEVELOPMENT COMMITTEE
4 SUBSTITUTE FOR HB400
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9 On page 4, delete line 24 and insert in lieu
10 thereof:
11 services in rural, underserved, and unserved areas.
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13 On page 17, line 18, after "located." insert the
14 following:

15 Any broadband system that encumbers the right-of-way
16 of the Department of Transportation shall require a permit
17 from the department regardless of whether the broadband system
18 is within a currently permitted electric easement or an
19 electric delivery system. Nothing in this chapter shall
20 provide an exemption from an existing applicable regulation
21 regarding access to county rights-of-way.
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23 On page 17, line 23, after "system." insert the
24 following:

25 An electric provider shall not use its electric
26 sales revenue, and shall properly account for its expenses
27 incurred, for non-utility support services on its broadband

1 systems except as in accordance with federal and state laws,
2 regulations, and rules applicable to the electric provider. In
3 no event is an electric provider prevented from making
4 investments in broadband affiliates otherwise permitted by
5 applicable law, making loans to broadband affiliates otherwise
6 permitted by applicable law which have a repayment obligation
7 from the affiliate, entering into capital or operating leases
8 with the broadband affiliate, or entering into guarantees or
9 other security arrangements for the benefit of a broadband
10 affiliate, all on such terms and subject to such conditions as
11 the board approves in the case of member cooperatives which
12 are electric providers or as determined to be prudent or
13 appropriate under applicable law in the case of other electric
14 providers.