



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

House: NREW DP 10-0-0-0

HB 2036: electric cooperatives; broadband service; fees

Sponsor: Representative Griffin, LD 14

House Engrossed

Overview

Requires that, as part of a pole attachment agreement between an electric cooperative and an affiliate for broadband service, there is parity in the fees the electric cooperative charges the affiliate and any unaffiliated video service or telecommunications provider when both are attached to the same pole.

History

Electric cooperatives are nonprofit membership organizations which are created to generate, supply, purchase, transmit and distribute electricity (A.R.S. §§ [10-2052](#) and [10-2122](#)). (Nine electric cooperatives currently operate in Arizona.) To that end, these cooperatives can build and erect infrastructure such as utility poles for electric transmission and distribution lines. Cooperatives can also allow other companies, such as telecommunications or video service providers, to attach infrastructure such as cables to the cooperative's poles through pole attachment agreements (A.R.S. §§ [10-2057\(A\)\(7\)](#) and [10-2127\(A\)\(7\)](#)).

[Laws 2020, Chapter 84](#) allowed electric cooperatives, directly or through an affiliate, to provide broadband service to areas where they provide electrical service. (An *affiliate* is an entity that directly or indirectly—through one or more intermediaries—controls or is controlled by or is under common control of another entity.) These cooperatives can construct, operate, maintain, lease and license fiber optic cables and other facilities to provide broadband service.

Provisions

1. Mandates that any pole attachment agreement between an electric cooperative and an affiliate for broadband service that includes attachment to the cooperative's poles require parity in the fees the cooperative charges the affiliate and any unaffiliated video service or telecommunications providers when both are attached to the same pole. (Sec. 1)
2. Defines *telecommunications provider* and *video service provider*. (Sec. 1)
3. Makes technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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