

Topic: VSPs; legal authority; other changes to small cell
facility law

_____ moved to amend as follows:

- 1 In line 3 of the title, delete "4939.0321,"
- 2 In line 4 of the title, delete "4939.04,"
- 3 In line 14 of the title, delete "and"; after "4939.037"
- 4 insert ", and 4939.0321"
- 5 In line 20, delete "4939.0321,"; delete "4939.04,"
- 6 In line 66, delete "or utility pole"
- 7 In line 96, after "(I)" insert "Micro wireless facility"
- 8 means a small cell facility that is not more than twenty-four
- 9 inches in length, fifteen inches in width, and twelve inches in
- 10 height and that does not have an exterior antenna more than
- 11 eleven inches in length suspended on cable strung between
- 12 wireless support structures.
- 13 (J)"
- 14 In line 98, delete "(J)" and insert "(K)"
- 15 In line 101, delete "(K)" and insert "(L)"
- 16 In line 108, delete "(L)" and insert "(M)"

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17 In line 110, delete "(M)" and insert "(N)"

18 In line 117, delete "(N)" and insert "(O)"

19 In line 126, delete "(O)" and insert "(P)"

20 In line 129, delete "(P)" and insert "(Q)"

21 In line 148, delete "(Q)" and insert "(R)"

22 In line 150, after the second underlined comma insert "or a
23 video service provider, or its designated agent,"

24 In line 152, delete "(T)" and insert "(V)"

25 In line 153, delete "or" and insert an underlined comma

26 In line 154, after "operator" insert ", or a video service
27 provider"

28 In line 158 delete "(R)" and insert "(S)"

29 In line 160, delete "distribution"

30 In line 162, delete "(S)" and insert "(T) "Video service
31 provider" has the same meaning as in section 1332.21 of the
32 Revised Code.

33 (U)"

34 In line 180, delete "(T)" and insert "(V)"

35 In line 183, delete "(U)" and insert "(W)"

36 In line 186, delete "(V)" and insert "(X)"

37 In line 198, delete "(W)" and insert "(Y) "Wireline
38 backhaul facility" is a facility used for the transport of
39 communications service or any other electronic communications by
40 coaxial, fiber-optic cable, or any other wire.

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41 (Z) "

42 In line 212, delete "Require all Ohio citizens to comply
43 with consistent"

44 Delete lines 213 through 216

45 In line 217, delete "(3)"

46 In line 221, reinsert "(3)"; delete "(4)"

47 In line 226, delete "(5)" and insert "(4)"

48 In line 229, delete "(6)" and insert "(5)"

49 In line 234, delete "(7)" and insert "(6)"

50 In line 236, delete "(8)" and insert "(7)"

51 In line 241, delete "(9)" and insert "(8)"

52 In line 245, delete "(10) Protect the integrity of
53 residential and"

54 Delete lines 246 through 248

55 In line 249, delete "(11) Foster partnerships to expedite";
56 strike through "the installation and"

57 In line 250, strike through "operation of"; delete "small
58 cell"; strike through "facilities"

59 Strike through line 251

60 In line 252, strike through "service throughout the state"
61 and insert "(9) Protect the integrity of the residential and
62 historic locations and ensure that access to and occupancy or
63 use of public ways in such districts is technologically and
64 aesthetically appropriate"

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65 In line 446, delete "person" and insert "operator"

66 In line 457, delete "person" and insert "operator"

67 In line 464, after "Consent" insert "of a municipal
68 corporation"

69 After line 478, insert:

70 "(C) Notwithstanding the amendments made to sections
71 4939.01 to 4939.09 of the Revised Code by H.B. 478 of the 132nd
72 General Assembly, a cable or video service provider shall not be
73 required to obtain permits from a municipal corporation or to
74 pay fees, with the exception of work permits and associated
75 fees, to place, operate, maintain, or replace micro wireless
76 facilities pursuant to an existing franchise or video service
77 authorization under Chapter 1332. of the Revised Code; nor shall
78 a holder of an existing franchise or video service authorization
79 be required to obtain additional authorizations or to pay
80 additional fees for the placement of micro wireless facilities
81 already covered under an existing franchise or video service
82 authorization under Chapter 1332. of the Revised Code.

83 (D) The permitting procedures and authorizations set forth
84 in the amendments made to sections 4939.01 to 4939.09 of the
85 Revised Code by H.B. 478 of the 132nd General Assembly shall
86 apply only to the placement of small cell facilities and
87 wireless support structures in the public way, and do not

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88 authorize the construction and operation of a wireline backhaul
89 facility."

90 In line 608, delete "or operated"

91 In line 762, delete "The" and insert "A municipal
92 corporation's"

93 Delete lines 773 through 777

94 In line 783, delete "or operated"

95 In line 803, strike through "or operated"

96 In line 838, delete "Nothing in this chapter affects the
97 need for an"

98 Delete lines 839 through 841 and insert "To the extent that
99 an investor-owned electric utility whose rates are regulated by
100 the public utilities commission, its affiliate, an electric
101 cooperative, or an independent transmission company is not an
102 operator as defined by this chapter, nothing in sections
103 4939.031 to 4939.039 of the Revised Code shall be construed to
104 add to, replace, or supersede any tariff, contractual obligation
105 or right, or federal or state law or regulation regarding
106 utility poles, similar structures, or equipment of any type
107 owned or controlled by that investor-owned electric utility,
108 affiliate, electric cooperative, or independent transmission
109 company."

110 Delete lines 851 through 866

111 In line 928, delete "4939.0321,"

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112 In line 929, delete "4939.04,"

113 In line 930, delete "and"; after "4939.037" insert ", and

114 4939.0321"

115 The motion was _____ agreed to.