

_____ moved to amend as follows:

- In line 13 of the title, delete ", 4926.09" 1
- In line 14 of the title, delete the fifth ", " 2
- In line 15 of the title, delete "4926.25, 4926.26, 4926.27, 4926.30" 3
- In line 16 of the title, delete ", 4926.37" 4
- In line 17 of the title, delete ", 4926.47, 4963.60, 4963.601," 5
- Delete lines 18 through 26 6
- In line 27 of the title, delete "4963.6059, 4963.6062, 4963.6063,
4963.6065" 7
8
- In line 28 of the title, delete "4963.6067" and insert "4926.47" 9
- In line 31 of the title, delete "and railroad rights of way" 10
- In line 42, delete ", 4926.09" 11
- In line 43, delete ", 4926.25, 4926.26," 12
- In line 44, delete "4926.27, 4926.30"; delete ", 4926.37" 13
- In line 45, delete ", 4926.47, 4963.60, 4963.601, 4963.603," 14
- Delete lines 46 through 52 15



In line 53, delete "4963.6062, 4963.6063, 4963.6065"; delete "4963.6067" and insert "4926.47" 16
17

In line 583, after "188.31." insert "(A)" 18

In line 588, delete "(A)" and insert "(1)" 19

In line 591, delete "(B)" and insert "(2)" 20

In line 593, delete "for residential addresses that are" and insert "to all or" 21
22

In line 595, delete "(1)" and insert "(a)" 23

In line 597, after "that" insert "sufficiently"; delete "residential addresses" 24
25

In line 598, delete "that are"; delete "and" 26

In line 600, delete "(2)" and insert "(b)" 27

In line 604, delete "(a)" and insert "(i)" 28

In line 605, after "that" insert "sufficiently"; delete "residential" 29
30

In line 606, delete "addresses that are"; delete "and" 31

In line 608, delete "(b)" and insert "(ii)" 32

In line 611, delete "residential addresses that are" 33

After line 612, insert: 34

"(B) To demonstrate that all or part of a project under the application is ineligible for a grant, a challenging broadband provider may present shapefile data, residential addresses, maps, or similar geographic details. Census block or census tract level data shall not be acceptable as evidence of" 35
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37
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<u>ineligibility of all or part of a project.</u> "	40
In line 1232, delete " <u>this chapter</u> " and insert " <u>sections 4926.01 to 4926.47 of the Revised Code</u> "	41 42
In line 1261, delete " <u>for</u> " and insert " <u>under</u> "	43
In line 1262, delete " <u>according to</u> " and insert " <u>in accordance with</u> "	44
In line 1265, after " <u>writing</u> " insert " <u>,</u> "	45
Delete lines 1266 and 1267	46
In line 1268, delete " <u>of the Revised Code</u> " and insert " <u>the cooperative shall review the request under a uniformly applied, efficient, and transparent process</u> "	47 48 49
In line 1270, delete the second " <u>for</u> " and insert " <u>under nondiscriminatory,</u> "; after " <u>just</u> " insert " <u>,</u> "	50 51
In line 1271, after " <u>conditions</u> " insert " <u>in accordance with sections 4926.03 to 4926.22 of the Revised Code</u> "	52 53
In line 1276, delete " <u>rules 4901:1-3-01 to 4901:01-3-06 of the</u> "	54
In line 1277, delete " <u>Administrative Code adopted by</u> "; delete " <u>public utilities</u> " and insert " <u>federal communications</u> "	55 56
In line 1278, delete " <u>(A)</u> "	57
In line 1281, delete " <u>(1)</u> " and insert " <u>(A)</u> "	58
In line 1282, delete " <u>(2)</u> " and insert " <u>(B)</u> "	59
Delete lines 1284 through 1290	60
In line 1299, after " <u>4926.13.</u> " insert " <u>(A)</u> "	61
In line 1300, delete " <u>rules 4901:1-</u> "	62
In line 1301, delete " <u>3-01 to 4901:01-3-06 of the Administrative</u> "	63

Code" and insert "47 U.S.C. 224"; after the second "the" insert "federal 64
communications" 65

In line 1302, after "orders" insert "and regulations"; delete "rules 66
4901:1-3-01 to 4901:01-3-06" 67

In line 1303, delete "of the Administrative Code" and insert "that 68
section"; delete "A" and insert: 69

"(B) The cooperative shall provide a"; delete "established 70
by" 71

In line 1304, delete "the cooperative"; after "work" insert ", 72
which" 73

After line 1308, insert: 74

"(C) A cooperative that charges an annual recurring 75
attachment fee shall establish the fee in accordance with the 76
cable pole attachment rate formula established in 47 U.S.C. 77
224(d) and commission orders and regulations implementing that 78
formula." 79

In line 1317, delete "this chapter" and insert "sections 4926.01 to 80
4926.47 of the Revised Code" 81

Delete lines 1343 through 1363 82

In line 1365, delete "with the public utilities commission" 83

In line 1366, delete "this chapter" and insert "sections 4926.01 to 84
4926.47 of the Revised Code with the court of common pleas of the county 85
in which the cooperative's Ohio headquarters is located" 86

In line 1367, delete "public utilities commission" and insert "court 87
of common pleas of the county in which an electric cooperative's Ohio 88
headquarters is located" 89

In line 1368, delete " <u>this</u> "	90
In line 1369, delete " <u>chapter</u> " and insert " <u>sections 4926.01 to 4926.47 of the Revised Code</u> "	91 92
In line 1370, delete " <u>A complaint filed under section 4926.35 of the Revised</u> "	93 94
Delete lines 1371 through 1376	95
In line 1377, delete " <u>the public utilities commission</u> " and insert " <u>a court of common pleas</u> "	96 97
In line 1379, delete " <u>this chapter</u> " and insert " <u>section 4926.35 of the Revised Code</u> "	98 99
In line 1380, delete " <u>commission</u> " and insert " <u>court</u> "	100
In line 1381, after " <u>establish,</u> " insert " <u>by a preponderance of the evidence,</u> "	101 102
In line 1397, after " <u>the</u> " insert " <u>electric</u> "	103
In line 1398, after " <u>establishing</u> " insert " <u>,</u> "; after " <u>,</u> " insert " <u>by a preponderance of the evidence,</u> "	104 105
In line 1404, after " <u>establishing</u> " insert " <u>, by a preponderance of the evidence,</u> "	106 107
In line 1408, after " <u>the</u> " insert " <u>electric</u> "	108
In line 1410, delete " <u>permitted under rules 4901:1-3-01 to 4901:01-3-</u> "	109 110
In line 1411, delete " <u>06 of the Administrative Code</u> " and insert " <u>calculated in accordance with the cable pole attachment rate formula in 47 U.S.C. 224(d) and federal communications commission orders and regulations implementing that formula</u> "	111 112 113 114

In line 1413, delete " <u>the public utilities</u> "	115
In line 1414, delete " <u>commission</u> " and insert " <u>a court of common pleas</u> "	116 117
In line 1415, after " <u>do</u> " insert " <u>, but is not limited to doing,</u> "	118
In line 1425, delete " <u>commission</u> " and insert " <u>court</u> "	119
In line 1431, delete " <u>commission</u> " and insert " <u>court</u> "	120
In line 1434, delete " <u>public utilities commission</u> " and insert " <u>court of common pleas</u> "	121 122
In line 1436, after " <u>final</u> " insert " <u>appealable</u> "	123
Delete lines 1437 through 1787	124

The motion was _____ agreed to.

<u>SYNOPSIS</u>	125
Residential Broadband Expansion Grant Program changes	126
R.C. 188.31	127
Revises the challenge process under the Ohio Residential	128
Broadband Expansion Grant Program to require a broadband	129
provider challenging another provider's grant application to	130
require the evidence provided in the challenge to <i>sufficiently</i>	131
identify <i>the part of</i> the eligible project (rather than <i>the</i>	132
<i>residential addresses that are part of</i> the project) to which the	133
challenging provider already offers or will offer broadband	134
service.	135

Specifies that the challenging provider may demonstrate that all or part of a project is ineligible by presenting shapefile data, residential addresses, maps, or similar geographic details.	136 137 138 139
Specifies that census block or census tract level data is not acceptable as evidence of project ineligibility.	140 141
Electric cooperative pole attachments	142
R.C. 4926.01 to 4926.03, 4926.05, 4926.07, 4926.08, 4926.13, 4926.15, 4926.35, 4926.36, 4926.38, 4926.40, 4926.41, 4926.42, 4926.45, and 4926.47; 4926.09, 4926.25 to 4926.27, 4926.30, and 4926.37 (removed)	143 144 145 146
Requires an electric cooperative's review process for pole access requests to be uniformly applied, efficient, and transparent.	147 148 149
Removes the requirement that telecommunications providers, video service providers, and wireless service providers (providers) and electric cooperatives must pay an annual \$100 registration fee to the Public Utilities Commission (PUCO) before pole access may be granted.	150 151 152 153 154
Removes the requirement that PUCO must submit a notification of fee payment to the provider or cooperative that paid the registration fee.	155 156 157
Removes the PUCO-administered Electric Cooperative Pole Attachment Fund from the bill.	158 159
Changes the process regarding pole attachment disputes so that an electric cooperative or a provider may file a complaint with the court of common pleas of the county in which the cooperative's Ohio headquarters is located instead of with the	160 161 162 163

PUCO.	164
<i>Adds, by a preponderance of the evidence,</i> as the burden of	165
proof standard for complaints filed regarding pole attachment	166
disputes.	167
Requires pole attachment rates to be calculated according	168
to the cable pole attachment rate formula in federal law and	169
Federal Communications Commission (FCC) orders and regulations.	170
Requires pole access to be granted within the timeframe	171
established by the FCC and the process for make-ready work and	172
annual attachment fees to be in accordance with federal law and	173
FCC orders and regulations.	174
Railroad rights-of-way	175
R.C. 4963.01 to 4963.6067 (removed)	176
Removes the provisions establishing a process for granting	177
a telephone company or a video service provider the use of	178
railroad rights-of-way for a crossing (the placement and use of	179
any company or provider facility over, under, or across a	180
railroad right-of-way).	181