

Senate Study Bill 1135

Bill Text

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1 1 Section 1. NEW SECTION. 480B.1 ACCESS TO PREMISES
1 2 LOCAL EXCHANGE CARRIERS AND CABLE TELEVISION PROVIDERS.
1 3 1. An owner or manager of a commercial building or
1 4 multiple-unit residential building under common ownership,
1 5 control, or management, or a condominium association or board
1 6 of directors of a condominium association shall not prohibit
1 7 or prevent a provider from providing service to a customer or
1 8 subscriber who is a resident of a commercial building,
1 9 multiple-unit residential building, or condominium, or
1 10 interfere with a provider providing service to a customer or
1 11 subscriber who is a resident of a commercial building,
1 12 multiple-unit residential building, or condominium.
1 13 2. A provider, prior to installation of facilities used to
1 14 provide service, shall consult with the owner or manager of a
1 15 commercial building or multiple-unit residential building, or
1 16 with the condominium association or board of directors of a
1 17 condominium association to establish points of attachment to
1 18 the building and the method of attachment associated with
1 19 providing service to a customer or subscriber. A provider
1 20 shall design such facilities to minimize adverse effects on
1 21 the aesthetics of the commercial building, multiple-unit
1 22 residential building, or condominium, and install such
1 23 facilities in a manner to provide safe and orderly service.
1 24 Such facilities shall not threaten public safety, damage fire
1 25 protection systems, or impair fire-resistive construction or
1 26 components of a multiple-unit residential building or
1 27 condominium. Ownership of such facilities remains with the
1 28 provider.
1 29 3. A provider is responsible for any repairs to a building
1 30 required because of the construction, installation,
1 31 disconnection, or servicing of the provider's facilities.
1 32 4. For purposes of this section, unless the context
1 33 otherwise requires:
1 34 a. "Certified local exchange carrier" means a local
1 35 exchange carrier issued a certificate of public convenience
2 1 issued by the utilities board pursuant to section 476.29.
2 2 b. "Franchised provider of cable television" means a
2 3 person granted a franchise to provide cable television service
2 4 by a city pursuant to chapter 364.
2 5 c. "Provider" means a certified local exchange carrier or
2 6 a franchised provider of cable television.
2 7 EXPLANATION
2 8 This bill provides that an owner or manager of a commercial
2 9 building or multiple-unit residential building under common
2 10 ownership, control, or management, or the association or board
2 11 of directors of a condominium, shall not prohibit or prevent a
2 12 certified local exchange carrier or a franchised provider of
2 13 cable television from providing service to a customer or
2 14 subscriber who is a resident of a commercial building,
2 15 multiple-unit residential building, or condominium, or
2 16 interfere with such provider providing service to a customer
2 17 or subscriber who is a resident of a commercial building,
2 18 multiple-unit residential building, or condominium. A
2 19 certified local exchange carrier or a franchised provider of
2 20 cable television, prior to installation of facilities used to
2 21 provide service, shall consult with the owner or manager of a

2 22 commercial building or multiple-unit residential building, or
2 23 with the association or board of directors of a condominium,
2 24 to establish points of attachment to the building and the
2 25 method of attachment associated with providing service to a
2 26 customer or subscriber.

2 27 The bill requires a provider to design such facilities to
2 28 minimize adverse effects on the structure, and to install such
2 29 facilities in a manner to provide safe and orderly service.
2 30 The bill provides that the provider maintains ownership of the
2 31 facilities after installation and is responsible for any
2 32 repairs to a building required because of the construction,
2 33 installation, disconnection, or servicing of the provider's
2 34 facilities.

2 35 LSB 2170SC 78

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