

SENATE FILE NO. SF0097

Department of transportation communications facilities.

Sponsored by: Senator(s) Meier, Anderson, J.D. (SD02),
Driskill, Landen and Von Flatern and
Representative(s) Kirkbride, Northrup,
Steinmetz and Zwonitzer, Dv.

A BILL

for

1 AN ACT relating to telecommunications; specifying that the
2 department of transportation shall lease communications
3 facilities to telecommunications companies if determined by
4 the public service commission as specified; providing
5 rulemaking authority; directing the deposit of funds; and
6 providing for an effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 24-2-116 is created to read:

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12 **24-2-116. Department of transportation communications**
13 **facilities.**

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1 Upon application by a telecommunications company, if the
2 public service commission determines that it is necessary
3 to provide telecommunications service to underserved areas
4 of the state, the Wyoming department of transportation
5 shall lease excess capacity on any communication
6 infrastructure or facility owned by the department of
7 transportation to the telecommunications company. For
8 purposes of this section an area is underserved if private
9 communication providers are unwilling or unable to provide
10 the telecommunication service to a substantial number of
11 households or persons in the geographic area. The rate of
12 the lease shall be a reasonable market-based rate as
13 determined by the public service commission. No
14 telecommunications company may lease excess capacity on a
15 communication infrastructure or facility owned by the
16 department pursuant to this section unless the
17 telecommunications company establishes that excess capacity
18 in that area is unavailable from private commercial
19 communication facility owners. The public service
20 commission may adopt rules and regulations necessary to
21 implement this section. All monies received from any lease
22 executed pursuant to this section shall be deposited into
23 the state general fund.

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Section 2. This act is effective July 1, 2015.

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(END)