



May 4, 2021

Senate Committee on Energy and Environment
900 Court Se. NE
Salem, OR 97301

RE: HB 2654-A

Dear Chair Beyer, Vice-Chair Findley and members of the committee,

The deployment of broadband throughout Oregon is critical to economic development, education, health and safety. Broadband connectivity has become increasingly critical during the COVID-19 pandemic to participate in everyday life. HB 2654-A aims to find a solution to bridge the digital divide in hard to connect places, by leveraging existing electric utility easements.

HB 2654-A has been vetted and worked on by many stakeholders and comes up with an ingenious way of trying to expand broadband access in hard to reach, typically rural and frontier places across Oregon. This access will provide Oregonians with more opportunity to participate in the economy, health care, education and government. It is not an exaggeration to say that broadband is the way of the future. The legislature must ensure that Oregonians are not left behind as society becomes more dependent on technology for everyday life.

You will notice that LOC worked with other proponents to amend HB 2654. The adopted amendments, reflected in the A-engrossed version of the bill, exempt existing electric easements in city right-of-ways. To be clear that language does not preempt a city from allowing an electric utility from providing broadband service in an easement that is granted on city property. A city could still allow an electric utility to expand the use of their easement to provide broadband through another authorization at the local level. Cities grant easements on public property to utilities or include public easements in their definitions of rights-of-way in local laws. Franchise agreements and right-of-way ordinances provide the terms in which cities allow access to easements as part of their management of the public rights-of-ways in their jurisdictions.

The League of Oregon cities urges the committee to pass HB 2654-A with a do pass recommendation.

Respectfully,

Jenna Jones
League of Oregon Cities
jjones@orcities.org