AN ACT TO AMEND SECTION 77-3-29, MISSISSIPPI CODE OF 1972, TO INCORPORATE AND APPLY CERTAIN PROVISIONS OF THE MISSISSIPPI BROADBAND ENABLING ACT TO INVESTOR-OWNED ELECTRIC PUBLIC UTILITIES IN CONNECTION WITH THE PROVISION OF BROADBAND SERVICES ON A WHOLESALE BASIS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 77-3-29, Mississippi Code of 1972, is amended as follows:

77-3-29. (1) The commission may, after hearing, upon notice, by order in writing, require every public utility to establish, construct, maintain and operate any reasonable extension of its existing facilities within the certificated area upon findings and order that such extension is reasonable and practicable, and provided further, that in the case of gas and water a sufficient supply is available and obtainable therefor.

(2) In addition to the other rights granted in this article, the provisions of Section 77-17-11 of the Mississippi Broadband Enabling Act, granting certain rights, privileges and protections to electric cooperatives, their affiliates and other broadband
service providers, shall be applicable to any investor-owned public utility of the type as defined in Section 77-3-3(d)(i), the electricity rates of which are subject to the jurisdiction of the commission, in connection with such public utility's use of its electric delivery system to provide broadband services on a wholesale basis, and such public utility is hereby authorized to utilize its facilities consistent with Section 77-17-11, subject to the limitations contained in this subsection (2) and Section 77-17-9.

SECTION 2. This act shall take effect and be in force from and after its passage.