

June 11, 2020

VIA HAND DELIVERY

Honorable Page Cortez
Louisiana Senate President
Louisiana State Senate
Post Office Box 94183
Baton Rouge, LA 70804

RE: Veto of Senate Bill 406 of the 2020 Regular Session

Dear President Cortez:

Please be advised that I have vetoed Senate Bill 406 of the 2020 Regular Session.

This bill, as originally drafted, authorized electric cooperatives to allow broadband service providers access to their electric delivery system without the necessity of obtaining additional consent from the property owner who consented to the electric cooperative's servitude on which the electric delivery system is located. The bill gave the electric cooperatives autonomy to decide not only whether to allow a broadband operator to access its electric delivery system, but also which broadband service providers they allow access. In its final form, however, rather than expand access to broadband, which was Senator Mizell's intent, the bill prohibits an electric cooperative from providing broadband in serviced areas and at the same time requires an electric cooperative that provides broadband service in an unserved area to give other broadband service providers nondiscriminatory access to its electric delivery system.

Senator Mizell has been a champion for the people of Louisiana when it comes to working to bring broadband to all parts of the state. From establishing a taskforce on rural broadband to filing this legislation, Senator Mizell has worked tirelessly to identify creative ways to tackle the lack of broadband access in rural Louisiana. There is no doubt that the prohibition on electric cooperatives provided for in the final version of SB 406 is contrary to the author's intent of expanding access to broadband. Furthermore, the Federal Telecommunications Act of 1996 specifically prohibits any state statute from prohibiting the ability of any entity to provide any telecommunication service. Should this bill become law, it will be ripe to be challenged as violative of the Federal Telecommunications Act of 1996.

I appreciate Senator Mizell's continued efforts on this issue. I support her approach in the enrolled version and SB 10 of the 2020 1ES and look forward to continuing to work with her, and the entire legislative body, on truly expanding broadband access to all Louisianans.

Sincerely,

John Bel Edwards
Governor

cc: Honorable Clay Schexnayder
Speaker of the House of Representatives