

Bill Sandifer  
Chairman

P. Michael "Mike" Forrester  
First Vice-Chairman

## Labor, Commerce and Industry Committee

David J. Mack  
Second Vice-Chairman

Carl L. Anderson  
Bart T. Blackwell  
William Scott Cogswell, Jr.  
Chandra Dillard  
Craig A. Gagnon  
Kevin Hardee  
Joseph H. Jefferson, Jr.



Brandon Michael Newton  
Russell L. Ott  
L. Kit Spires  
Anne J. Thayer  
McLain R. "Mac" Toole  
John Taliaferro "Jay" West, IV  
W. Brian White  
Mark N. Willis

Steve Davidson  
Chief Counsel

House of Representatives

P.O. Box 11867

Telephone: (803) 734-3015

Columbia, S.C. 29201

Bryan Triplett  
Assistant Chief Counsel

Jaynie Jordan  
Executive Assistant

### Public Utilities SUBCOMMITTEE

Thursday, March 21, 2019

9:00 am

403 Blatt Building

#### Honorable P. Michael "Mike" Forrester, Chairman

The Honorable Craig A. Gagnon  
The Honorable Kevin Hardee  
The Honorable Joseph H. Jefferson, Jr.  
The Honorable David J. Mack, III

The Honorable Russell L. Ott  
The Honorable McLain R. "Mac" Toole  
The Honorable John "Jay" West, IV  
The Honorable W. Brian White

### AGENDA

**H. 4261** -- Reps. McCoy, G.M. Smith, Ott, Sandifer, Simrill and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-31-25 SO AS TO PROVIDE THAT MAJOR UTILITY FACILITIES OF THE PUBLIC SERVICE AUTHORITY MUST BE SUBMITTED TO THE PUBLIC SERVICE COMMISSION FOR APPROVAL IN THE MANNER DETERMINED BY LAW; BY ADDING ARTICLE 7 TO CHAPTER 31, TITLE 58 SO AS TO ESTABLISH CERTAIN MANDATORY PROCEDURES THAT THE PUBLIC SERVICE AUTHORITY MUST FOLLOW PRIOR TO REVISING ANY OF ITS BOARD-APPROVED RETAIL RATE SCHEDULES FOR RESIDENTIAL, LIGHTING, COMMERCIAL, OR INDUSTRIAL CUSTOMERS IN A MANNER THAT RESULTS IN A RATE INCREASE; BY ADDING ARTICLE 9 TO CHAPTER 31, TITLE 58 SO AS TO CREATE THE "SOUTH CAROLINA PUBLIC SERVICE AUTHORITY REVIEW AND OVERSIGHT COMMISSION", AND TO DEFINE THE COMMISSION'S COMPOSITION, POWERS, DUTIES, AND RESPONSIBILITIES; TO AMEND SECTION 58-31-20, RELATING TO THE PUBLIC SERVICE AUTHORITY BOARD OF DIRECTORS AND ITS ADVISORY BOARD, SO AS TO REQUIRE THE PUBLIC SERVICE AUTHORITY TO SUBMIT ANNUAL AUDITS TO THE ADVISORY BOARD AND TO THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY REVIEW AND OVERSIGHT COMMISSION, AND TO REQUIRE THE LIVE STREAMING OF BOARD AND COMMITTEE MEETINGS; TO AMEND SECTION 58-31-30, RELATING TO THE POWERS OF THE PUBLIC SERVICE AUTHORITY, SO AS TO REQUIRE THE PUBLIC SERVICE COMMISSION TO APPROVE THE PUBLIC SERVICE AUTHORITY'S CONSTRUCTION OF ANY MAJOR UTILITY FACILITY; AND TO AMEND SECTION 58-33-20, RELATING TO DEFINITIONS APPLICABLE TO CHAPTER 33, TITLE 58, SO AS TO REVISE THE DEFINITIONS OF "MAJOR UTILITY FACILITY" AND "PERSON".

**H. 4262** -- Reps. Simrill, Rutherford, Sandifer and Forrester: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 11, TITLE 58 SO AS TO ENACT THE "SOUTH CAROLINA SMALL WIRELESS FACILITIES DEPLOYMENT ACT"; TO MAKE LEGISLATIVE FINDINGS; TO DEFINE RELEVANT TERMS; TO PROVIDE, AMONG OTHER THINGS, THAT CERTAIN AGREEMENTS OR ENACTMENTS PERTAINING TO THE DEPLOYMENT OF SMALL WIRELESS FACILITIES THAT DO NOT COMPLY WITH CERTAIN PROVISIONS OF THIS ACT MUST BE DEEMED INVALID AND UNENFORCEABLE BEGINNING OCTOBER 1, 2019; TO PROVIDE THAT CERTAIN UNITS OF LOCAL GOVERNMENT "AUTHORITIES" WITH CONTROL OVER RIGHTS OF WAY MAY NOT PROHIBIT, REGULATE, OR CHARGE FOR THE COLLOCATION OF CERTAIN SMALL WIRELESS FACILITIES; TO PROVIDE THAT SMALL WIRELESS FACILITIES MUST BE CLASSIFIED AS PERMITTED USES AND NOT SUBJECT TO ZONING REVIEW AND APPROVAL UNDER SPECIFIED CIRCUMSTANCES; TO PROVIDE REQUIREMENTS FOR APPLICATIONS, FEES, APPLICATION REVIEW, AND ISSUANCE OF PERMITS FOR COLLOCATION OF SMALL WIRELESS FACILITIES; TO REQUIRE AUTHORITIES TO ALLOW THE COLLOCATION OF SMALL WIRELESS FACILITIES ON AUTHORITY UTILITY POLES UNDER SPECIFIED CIRCUMSTANCES; TO PROHIBIT AUTHORITIES FROM REGULATING THE DESIGN, ENGINEERING, CONSTRUCTION, INSTALLATION, OR OPERATION OF ANY SMALL WIRELESS FACILITY IN SPECIFIED CIRCUMSTANCES; TO PROVIDE THAT THE ADMINISTRATIVE LAW COURT HAS JURISDICTION TO RESOLVE ALL DISPUTES ARISING UNDER THE ACT; AND TO PROHIBIT AN AUTHORITY FROM REQUIRING A WIRELESS PROVIDER TO INDEMNIFY THE AUTHORITY OR ITS OFFICERS OR EMPLOYEES AND FROM NAMING THE AUTHORITY AS AN ADDITIONAL INSURED ON A WIRELESS PROVIDER'S INSURANCE POLICY.

cc: STANDARD DISTRIBUTION

---

This is not an exclusive list of bills to be discussed. The agenda is subject to change.