
OLR Bill Analysis

sSB 321

AN ACT CONCERNING REQUIREMENTS FOR CERTAIN EXCAVATION PROJECTS.

SUMMARY

This bill requires the Public Utilities Regulatory Authority (PURA) to develop a process, substantially similar to the one it has already developed, for telecommunications service providers and broadband Internet access service providers to apply for PURA's approval to build underground facilities in public highways, streets, or other public rights of way.

However, unlike the current process, the new process developed under the bill does not have to require an applicant to (1) notify other telecommunications service providers and broadband Internet access service providers about the proposed excavation or (2) install a conduit for the Department of Transportation's (DOT) benefit. The bill also requires applicants to comply with the existing "municipal gain" law, which generally gives municipalities the right to use a space in a conduit for any purpose and for free.

The bill also makes numerous minor and technical changes.

EFFECTIVE DATE: October 1, 2026

NEW PROCEEDING AND PROCESS

Current law generally required PURA, by January 1, 2022, to initiate an uncontested proceeding to develop a process for building facilities in public highways, streets, or other public rights of way to ensure timely and nondiscriminatory procedures that accomplish conduit excavations for telecommunications service providers and broadband providers.

The bill instead requires PURA, by January 1, 2027, to initiate an uncontested proceeding to develop a process for approving any

application by a telecommunications service provider or broadband provider to build underground facilities in a public highway, street, or other public right of way that will hold a conduit used by the provider. As with the previous proceeding, the new process must include timely and nondiscriminatory procedures for the conduit excavations.

Current law specifies certain requirements that PURA must impose on applicants looking to build underground facilities that will have conduits for telecommunications service providers or broadband providers. For example, PURA must require that handholes and manholes for fiber optic cable access and pulling be placed at intervals consistent with industry best practices.

The bill requires substantially similar provisions to apply to applicants under the new procedure PURA must develop. For example, under current law, PURA must require the conduit's size to be consistent with industry best practices and sufficient to meet potential demand, but the bill further specifies that this is for the potential demand for the applicant's services.

However, the bill removes a requirement for the applicant to notify other telecommunications service providers and broadband providers about the proposed excavation to reduce the potential for future street excavation in the same location. It also removes a requirement for an applicant to install a conduit for DOT's benefit.

Municipal Gain Law

The bill requires an applicant to comply with an existing law that generally gives municipalities and DOT the right to occupy and use for any purpose, and for free, one gain (location to place a wire) on each public utility pole or in each underground communications duct system installed by a public service company within the municipality's limits.

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable Substitute

Yea 26 Nay 0 (03/17/2026)