



Texas Farm Bureau Written Testimony

Texas Farm Bureau appreciates the opportunity to provide written testimony regarding proposals addressing broadband deployment and pole attachments in rural Texas.

Texas Farm Bureau is the state's largest general farm and ranch organization, representing over 470,000 member families across Texas. Our members recognize the importance of expanding broadband access to rural communities. However, current Texas Farm Bureau policy does not take a position in the ongoing dispute between telecommunications providers and electric cooperatives regarding pole attachments.

Our concern is simple: rural landowners must not be forgotten in this debate.

Much of the existing electric infrastructure in rural Texas is located on private property pursuant to easement agreements negotiated between landowners and utility providers. In many cases, those easements were acquired for the purpose of providing electric service and reflect the rights and uses contemplated by the parties at the time the agreement was executed.

As legislators consider proposals that facilitate the placement of broadband or telecommunications facilities on existing electric infrastructure, it is important to remember that easements are valuable property rights. Any expansion of use beyond what was originally granted should not occur without consideration of the landowner's rights.

Texas Farm Bureau believes the following principles should guide the Legislature's consideration of these issues:

- Existing easement agreements should be honored and enforced according to their terms

- No legislation should be interpreted to automatically expand easement rights beyond those granted by the landowner
- Landowners should receive notice when a proposed use may exceed or alter the scope of an existing easement
- When additional easement rights are desired, those rights should be obtained directly from the landowner
- Landowners should be fairly compensated when additional easement rights are acquired or existing rights are expanded

The discussion surrounding pole attachments often focuses on the interests of telecommunications providers and electric cooperatives. While those issues are important, the constitutionally protected private property rights of the underlying landowner must be given equal consideration.

As the Legislature evaluates these proposals, Texas Farm Bureau respectfully requests that any legislation that moves forward would respect private property rights and ensure landowners remain part of the process whenever the scope of an easement may be affected.