

ASSEMBLY TELECOMMUNICATIONS AND UTILITIES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4303

STATE OF NEW JERSEY

DATED: JUNE 2, 2021

The Assembly Telecommunications and Utilities Committee reports favorably Assembly Bill No. 4303.

As reported, this bill allows a “water public utility,” as that term is defined in the bill, to provide a wireless communications service provider with non-discriminatory access to any water tower owned or controlled by the water public utility for the installation of wireless communications equipment. Consistent with federal law, a water public utility may deny a wireless communications service provider access to its water tower, on a non-discriminatory basis, where there is insufficient space and for reasons of safety and structural integrity of the water tower based on generally accepted engineering principles.

The bill further provides that, in approving a water company’s tariff, the Board of Public Utilities (BPU) is to consider as above-the-line income an amount equal to 50 percent of any rental income received by a water company for the leasing of space on a water tower to a wireless communications service provider. The BPU is to consider the remainder of that rental income as below-the-line income.