

[BUDGET AFFECTED]

Budget(s): **Section 400. AMERICAN RESCUE PLAN DIRECT (ARPD)  
APPROPRIATIONS**  
(Connect Wyoming 2)

\* \* \* \* \*

1 Page 12-line 2 After "22." insert "(a)".

2

3 Page 12-line 12 After "funds." insert:

4

5 "Matching funds expended from this appropriation shall be  
6 distributed and expended in accordance with the following:

7

8 (i) The Wyoming business council shall give priority to  
9 projects that:

10

11 (A) Are last-mile broadband projects as defined in  
12 W.S. 9-12-1501(h)(i) that benefit the greatest number of  
13 consumers;

14

15 (B) Increase competition and availability of  
16 broadband services available in Wyoming rural unserved and  
17 underserved areas and in Wyoming cities, towns and counties that  
18 lack competition in broadband services. In prioritizing projects  
19 under this subparagraph, the council shall promulgate rules to  
20 permit a reasonable overlap of existing broadband infrastructure  
21 if the overlap enhances the competitiveness of broadband services  
22 available to consumers to be served by the project.

23

24 (ii) For middle-mile broadband projects as defined by  
25 W.S. 9-12-1501(h)(ii) that have received or expended funds from  
26 this appropriation, the Wyoming business council shall require  
27 middle-mile broadband project recipients to allow last-mile  
28 broadband providers access to those middle-mile conduits at a  
29 reasonable rate as determined by the council;

30

31 (iii) If a recipient of funds from this appropriation  
32 cannot agree with another provider on allowing access or in setting  
33 a reasonable rate as required by this subsection, the recipient or  
34 provider may petition the public service commission for a hearing  
35 in accordance with the Wyoming Administrative Procedure Act and  
36 with rules of the commission."

37

1 To the extent required by this amendment: adjust totals; and  
2 renumber as necessary. KINSKEY