

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 3557  
OFFERED BY MR. BALDERSON OF OHIO**

Page 31, after line 17, insert the following:

1           “(6) TRANSPORTATION CROSSINGS.—

2                   “(A) IN GENERAL.—An authorization by a  
3           State or local government or instrumentality  
4           thereof to place, construct, or modify a tele-  
5           communications service facility in a right-of-  
6           way owned or managed by the government or  
7           instrumentality shall be treated, without further  
8           action, as sufficient authority to place, con-  
9           struct, or modify such facility (as the case may  
10          be) above or under a transportation crossing  
11          that intersects such right-of-way.

12                   “(B) REGULATIONS.—Not later than 1  
13          year after the date of the enactment of this  
14          paragraph, the Commission, in coordination  
15          with the Secretary of Transportation, shall pro-  
16          mulgate regulations to implement subparagraph  
17          (A) in a manner that—

18                           “(i) ensures safety;

1                   “(ii) prevents interference with trans-  
2                   portation crossings and related transpor-  
3                   tation operations;

4                   “(iii) allows for the timely and effi-  
5                   cient placement, construction, and modi-  
6                   fication of telecommunications service fa-  
7                   cilities; and

8                   “(iv) establishes requirements and  
9                   standards for just and reasonable com-  
10                  pensation to private owners of transpor-  
11                  tation crossings affected by such subpara-  
12                  graph, including compensation for costs re-  
13                  lated to the deployment of such facilities.

14                  “(C) APPLICABILITY.—Subparagraph (A)  
15                  shall apply to authorizations granted on and  
16                  after the date on which regulations are promul-  
17                  gated under subparagraph (B).

