**Forced Relocation Reimbursements Now Applicable to Cable Operators**

The 2012-2013 Ohio Department of Transportation Budget (Am. Sub. H.B. 114) included amendments sought by the OCTA and the cable industry to allow cable operators to be reimbursed for their costs associated with relocations of facilities caused by either port authorities or the state.  These provisions become effective on June 29, 2011.

Prior law required the state to reimburse a utility, but not a cable operator, for the cost of relocating any of its facilities because of highway construction.  The new law requires that the state also reimburse a cable operator (and certain other right of way occupants) for the cost of relocating facilities because of highway construction.

Prior law also required certain protections for property or facilities of state agencies, political subdivisions, public utilities, and common carriers, but not cable operators, if disturbed by a port authority. The new law requires that if a port authority takes or disturbs property or facilities of a cable operator the port authority must restore, relocate, duplicate, or, upon the cable operator's election, pay compensation for the property or facilities.  Additionally, any new facilities or location must be of at least comparable utilitarian value and effectiveness.  Relocation must not impair the cable operator's ability to compete in the original area of operation.  The relocated property or facilities also must be available for use by, and its title transferred to, the cable operator before the port authority can take title to the appropriated property.