



# Homer Electric Association, Inc.

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**Corporate Office**  
3977 Lake Street  
Homer, Alaska 99603-7680  
Phone (907) 235-8551  
FAX (907) 235-3313

**Central Peninsula Service Center**  
280 Airport Way  
Kenai, Alaska 99611-5280  
Phone (907) 283-5831  
FAX (907) 283-7122

February 15, 2018

The Honorable Cathy Giessel  
Chair, Senate Resources Committee  
State Capital Room 427  
Juneau, AK 99801

Dear Senator Giessel:

RE: Senate Bill 173

Thank you again for the opportunity to testify last Monday, February 12. Homer Electric Association, Inc. (HEA), along with our sister utilities across Alaska, are pleased the Resources Committee is thoroughly vetting SB 173. In addition to last Monday's testimony, HEA would like to provide an additional brief comment relating to SB 173. HEA feels there is critically important information that seems to be lost in the discussion of this bill.

SB 173 does not diminish pesticide use regulation in Alaska; in actuality, the draft bill supports it. The bill is narrowly written to ensure that public utility poles in Alaska are regulated as pesticide use and not spills. Federal law governing spills makes an important distinction that is currently missing from Alaska law. Federal law recognizes that when used as intended, an approved pesticide product should be regulated as a pesticide use, and not as a spill liability.

Penta treated utility pole installation, use, and removal will continue to be regulated under Alaska pesticide use and solid waste disposal regulations. SB 173 is protective of both the environment and Alaskan consumers. The bill maintains the state's authority to regulate utility poles as pesticide use, but eliminates the unreasonable cost burden on Alaskan consumers that would result from assigning spill liability to every utility pole in Alaska.

Should you have any further questions or require additional information, please feel free to contact me by phone at 907-283-2312 or by email at [bjanorschke@homerelectric.com](mailto:bjanorschke@homerelectric.com).

Thank you in advance for your consideration.

Sincerely,

Bradley P. Janorschke  
General Manager