

From: [REDACTED]
To: [Rep. Matt Claman](#)
Subject: HB-29 Electric Utility Liability
Date: Monday, March 29, 2021 11:49:29 AM

I am writing to comment on HB 29, Electric Utility Liability. This bill recuses electric utilities for liability when vegetation outside of an electric utility easement falls on wires carrying electricity and starts a wild land fire.

I am against this legislation for several reasons. First, the premise is that electrical utilities, by following their vegetation management protocols, have done everything in their power to prevent fires caused by vegetation contacting their electrical equipment. This is definitely not true. The presence of high-voltage wires above ground is the root problem. If distribution wires were buried, it would not matter whether trees fall over or not. Absolving electrical utilities of liability for above surface lines causing fires eliminates the incentive for utilities to require buried lines in new construction and to move to bury distribution lines in the urban-wildland interface. Without liability absolution, at some point insurance companies will raise rates or deny insurance to electrical utilities that do not bury lines.

Second, I believe that by absolving utilities of liability, that liability for fires will be shifted to individual landowners. My 100 ft tall spruce tree that is well outside the right of way could fall on the electric line and cause a massive wildfire that I would be liable for. My point is that if the lines are buried that the potential liability disappears for everyone.

I would like to see that HR 29 not be supported or that it be amended to require that electrical utilities bury any new distribution lines in areas where vegetation could potentially fall on lines and to submit plans for burying existing distribution lines where a fire hazard exists. The bill could have a sunset clause to allow for evaluation of electrical utility compliance.

Advances in electrical cable burial advanced by fiber optics cable installers has drastically brought down the costs of burying electrical lines. Indeed, installing buried lines is more expensive than the traditional poles with above-ground wires, but the buried lines eliminate the fire liability problem, decrease the footprint of clearing and greatly reduce costs for vegetation management. Buried lines also improve reliability by not being susceptible to trees falling during ice storms or wind events. Chugach Electric Cooperative has many miles of buried lines and seem to be happy with reliability and reduced maintenance costs. Line burial also helps with carbon emission reduction goals since the buried lines require less initial clearing and re-clearing thus having less impact on vegetation that fixes CO₂ and helps reduce atmospheric carbon.

Sincerely,

Jeff Conn
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