

## Alaska Telecom Association

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Christine O'Connor  
Executive Director

February 9, 2018

The Honorable Senator Peter Micciche  
State Capitol, Room 508  
Juneau, AK 99801

The Honorable Senator Cathy Giessel  
State Capitol, Room 427  
Juneau, AK 99801

RE: SB173 Liability: Pesticides & Utility Poles

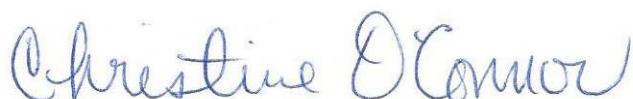
Dear Senator Micciche, Senator Giessel, and Members of the Committee,

Alaska Telecom Association is the statewide association of telecommunications providers in Alaska. Our members provide internet, telephone, and wireless service throughout Alaska.

ATA supports Senate Bill 173, which would protect our members from significant regulatory expenses from the use of federally regulated pesticides on wood utility poles. ATA members are devoting all possible resources to operating and deploying broadband-capable networks, and are under stringent federal mandate to advance broadband service. Wood poles are an important component of that infrastructure and it is important that additional costs are not added. SB173 provides an important safeguard against diversion of resources to unnecessary regulatory costs, resources which are critically needed to advance broadband service.

Thank you for your attention to SB173 and our comments.

Respectfully submitted,



Christine O'Connor  
Executive Director

February 9, 2018

Senator Peter Micciche  
State Capitol Room 508  
Juneau, AK 99801

Dear Senator Micciche:

Chugach Electric Association is an Anchorage-based electric utility organized as a not-for profit, member-owned cooperative. Chugach provides electric service to approximately 68,000 members at nearly 84,000 metered-locations. Chugach's service territory runs from the Anchorage Bowl to the northern Kenai Peninsula and from Whittier to Tyonek.

Chugach Electric Association supports your efforts to amend state statutes to make it clear that a utility that installs and uses treated wooden poles is not liable for trace amounts of wood preservative that may be transferred to the ground.

Like utilities across the country, Chugach purchases and installs wood poles that have been treated by the manufacturer with materials designed to ensure a long and useful life of the product. It is similar to buying treated fence posts from a hardware store, but on a larger scale. Chugach has nearly 900 miles of overhead distribution line on its system.

Again, thank you for your effort.

Sincerely,



Lee D. Thibert  
Chief Executive Officer



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February 8, 2018

The Honorable Peter Micciche  
Senator  
State Capitol Room 508  
Juneau, AK 99801

Dear Senator Micciche:

Alaska Power Association is the statewide association for electric utilities in Alaska. Our members provide power to a half-million Alaskans, from Utqiagvik to Unalaska, through the Interior and Southcentral, and down the Inside Passage.

Thank you for introducing Senate Bill 173, which will codify that neither the state nor a person is subject to liability for costs or damages for the release of a pesticide registered under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) if:

- the release resulted from the application of the pesticide on a wood utility pole during the installation, use, or removal of the utility pole; and
- the use of the utility pole is or was intended to provide a utility service in the state.

Alaska Power Association strongly supports this bill. There are thousands of utility poles throughout Alaska using pentachlorophenol to prevent damage to the poles from termites and decay fungi. The U.S Environmental Protection Agency, through FIFRA regulations, re-registered penta after determining its use will not present risks inconsistent with FIFRA and that the benefits of penta to society outweigh the remaining risks.<sup>i</sup>

The Federal Insecticide, Fungicide and Rodenticide Act provides significant oversight of pesticide distribution, sale and use, ensuring through federal regulations that using a pesticide according to specifications will not cause unreasonable adverse effects on the environment.

Senate Bill 173 ensures that Alaska's public utilities will not incur significant regulatory expenses from the use of federally regulated pesticides on wood utility poles. This bill benefits Alaska consumers, who would eventually end up paying for these expenses through their utility bills.

Sincerely,

Crystal Enkvist  
Executive Director