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The Honorable George Rauscher
Alaska State Representative
State Capitol Room 426
Juneau, AK 99801

Dear Representative Rauscher:

Alaska Power Association (APA) strongly supports House Bill 227, which would protect Alaska electric utilities and their ratepayers from increased costs by clarifying that utilities are not liable for damage caused by vegetation outside their legal rights-of-way contacting electric facilities. The legislation also makes clear that electric utilities are not liable for trimming or removing vegetation if part of the trunk is inside the boundaries of the utility's right-of-way.

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

HB 227 will protect Alaska's electric ratepayers from shouldering costs related to damage caused by vegetation outside a utility's control and will give utilities confidence that they will not be held liable for removing vegetation that is partially in the right-of-way.

Electric utilities do not have legal access to vegetation located on land outside a utility's right-of-way. This creates a situation where trees or other vegetation outside the right-of-way but large enough to fall inside the right of way and contact power lines or other utility infrastructure pose an uncontrollable risk. Electric utility ratepayers should not bear the burden of liability for damage caused by vegetation beyond utility easements and rights-of-way.

Importantly, HB 227 does not eliminate all liability for electric utilities. A utility could still face liability under existing negligence standards if the utility causes vegetation to contact powerlines.

This bill will provide important certainty to electric utilities as they maintain their rights-of-way and provide safe, reliable, and affordable power to Alaskans.

Sincerely,

Crystal Enkvist
Executive Director