



**Testimony  
Elizabeth Gara, Executive Director  
Connecticut Water Works Association (CWWA)  
Before the  
Energy Committee  
March 11, 2010**

**Re: OPPOSE – SB-419, *An Act Requiring Documentation of Utility Road Cuts***

***CWWA opposes SB-419, An Act Requiring Documentation of Utility Road Cuts.***

Current law already authorizes municipalities to develop and implement standards for utility road repairs which include excavation permits, inspection requirements and restoration standards. In fact, municipal public works departments are provided notice about road cuts whenever an excavation permit is taken out. Municipalities also have the ability to require performance bonds or similar provisions to ensure work is satisfactorily completed.

By requiring the utility to photograph the road after both temporary repair work and then (perhaps many months later) return and photo the permanent repair, we are concerned that SB-419 imposes an unnecessary, burdensome layer of responsibility on the utility. The additional responsibility of providing photographs of the various stages of road repair work would be burdensome. It is also unnecessary since municipalities already have the ability to review how well, or in what manner, utilities are completing their obligations under their excavation permit without utilizing a municipal inspector.

Under current law, the town inspects the excavation and if it does not meet the standards established by the town, the utility is required to fix it through temporary or permanent paving, using their own contractors or employees. After one year, if the trench (excavation) is inspected and it does not meet town standards, the work must be redone using permanent pavement that meets the town's requirements.

CWWA respectfully urges committee members to **oppose SB-419** because it is unnecessary given the current process which provides towns with ample authority to inspect and approve road restoration projects associated with excavation by public utilities.

*The Connecticut Water Works Association, Inc. (CWWA) is an association of municipal, private and regional water utilities serving more than 500,000 customers, or population of about 2½ million people, located throughout Connecticut.*