Statement of The United Illuminating Company
Re: HB 5551 – AN ACT CONCERNING THE PROTECTION OF POWER AND TELEPHONE LINES

JUDICIARY COMMITTEE – March 29, 2012

The United Illuminating Company would like to offer comments on **House Bill 5551, AN ACT CONCERNING THE PROTECTION OF POWER AND TELEPHONE LINES.**

In general, the Company supports the intent of the bill – which is designed to support the reliability of the electric distribution system, namely poles and wires, by eliminating hazardous trees or shrubs that pose a risk of falling into the equipment. As we have testified to the Energy & Technology Committee and to the Governor's Two-Storm Panel, most of the hazardous trees that need to be removed are, in fact, located on private property.

However, UI has serious concerns with being provided the authority to exercise eminent domain to acquire a tree, hazardous or not, planted outside of the public right-of-way on private property. The legislation appears to expand the utility company's rights, to include a taking of "personal" property for public safety or reliability purposes, not just removal of the hazardous trees or shrubs. The use of eminent domain powers for purposes of acquiring a tree located on private property should not reside with the electric distribution company.

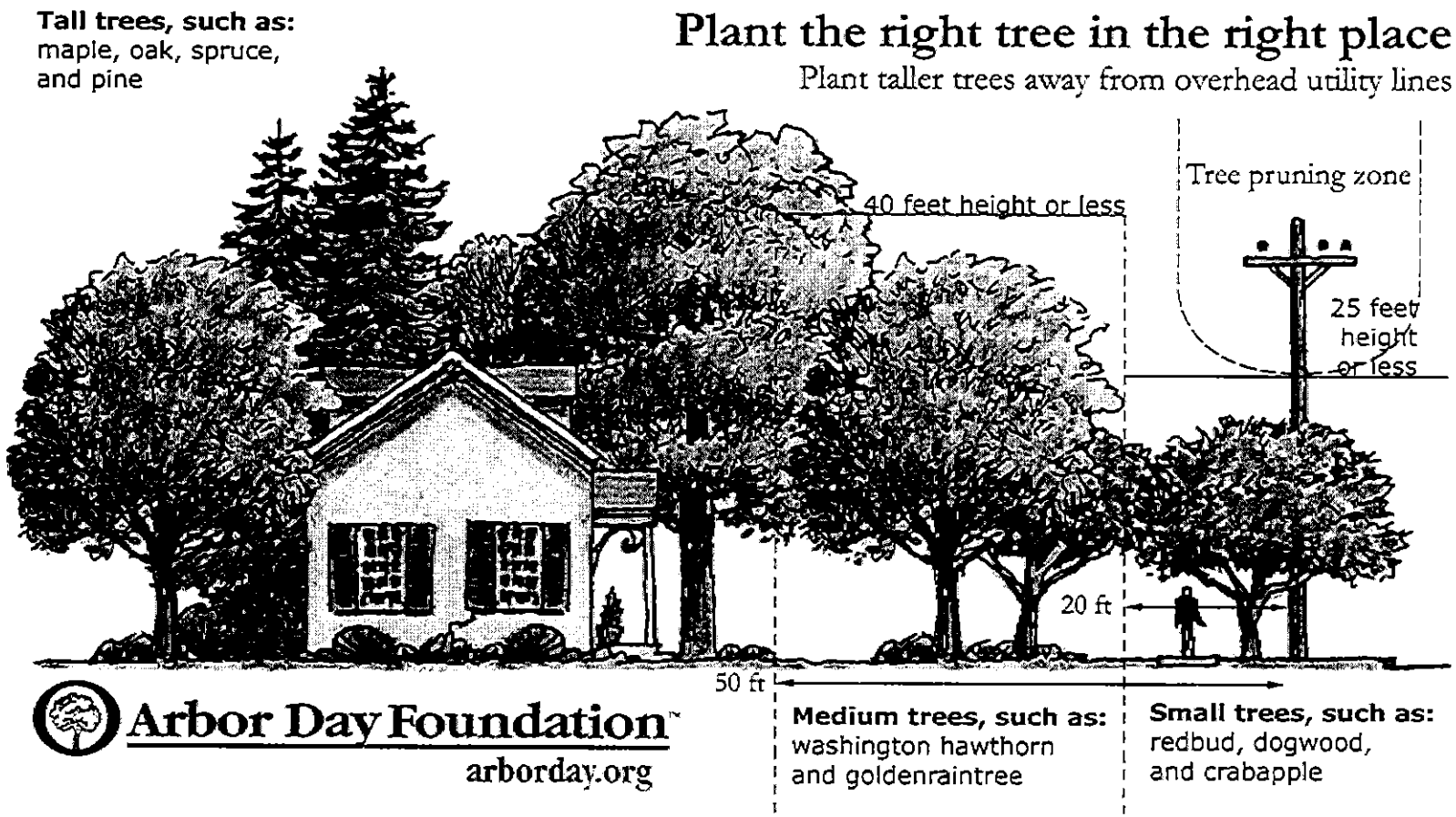
The language of HB 5551 could also discourage property owners from voluntarily allowing tree trimming or removal of trees that are encroaching on utility lines and equipment because property owners may rather utilize eminent domain proceedings that would require the utility to pay for the tree at a court-determined price and cause ratepayer dollars to bear the cost of the tree removal. Tree removal by the utility via eminent domain could be extremely time-consuming and ultimately, more expensive to ratepayers.

Existing state statutes (CGS§ 16-234), as well as some bills that were just given Joint Favorable reports (JFS) by the Energy & Technology Committee, already address enhanced tree trimming for electric system reliability purposes.

However, UI is willing collaborate with the State Department of Transportation and municipal tree wardens to identify hazardous tree and shrubs on private property that are a threat to electric equipment. If a tree requires removal we would suggest planting an appropriately sized, lower growth tree in the same relative area, to eliminate or reduce the threat to the electrical equipment (*see attached graphic*).

If you have additional questions or wish us to submit language to accommodate our concerns, please contact Carlos M. Vázquez, UIL Senior Director of Government Relations at (203) 521-2455.

UIL HOLDINGS CORPORATION

Ex..replanting the right tree in the right place…

1. Remove 'danger' trees capable of falling into infrastructure.
2. For every tree removed, replant based on arbor day foundation guidelines