

**STATEMENT OF
THE UNITED ILLUMINATING COMPANY
REGARDING**

**Raised H.B. 6487 - AN ACT CONCERNING A PROPERTY OWNER'S LIABILITY FOR THE EXPENSES OF
REMOVING A FALLEN TREE OR LIMB**

JUDICIARY COMMITTEE

MARCH 4, 2013

LEGISLATIVE OFFICE BUILDING

The United Illuminating Company ("UI" or "Company") thanks the Committee for the opportunity to submit the following comments in support of RHB 6487 - AN ACT CONCERNING A PROPERTY OWNER'S LIABILITY FOR THE EXPENSES OF REMOVING A FALLEN TREE OR LIMB with certain modifications.

Since the early fall of 2011 the State of Connecticut, and UI's service territory in particular, experienced significant weather patterns including high winds and precipitation. Storms like, Tropical Storm Irene, the October 2011 Snow Storm, Hurricane Sandy and other weather systems caused severe damage to UI's electric system creating extended electric service outages and inconveniencing a large number of our customers. During these storms, tree limbs and at times, entire trees, fell on our wire and cable systems causing damage to the electric infrastructure. Some of the fallen trees and limbs were within the utility right-of-ways; others were on private property.

When UI conducts its storm assessment, we often discover many of these fallen trees, both healthy and hazardous, were on private property, yet the fall lines of these trees extended to our facilities. A tree that is 60 or 70 feet tall will easily reach the opposite side of a 40-60 foot roadway and cause serious damage to electric conductors and equipment in its path.

UI, in cooperation and consultation with the municipal and state tree wardens, strive to maintain safe clearances between trees and the overhead electric infrastructure. However, state law requires that the Company obtain consent from property owners or adjacent property owners prior to trimming, cutting or removing tree limbs and trees that encroach or endanger electric facilities.

UI proposes that the Judiciary Committee amend HB 6487 and assign liability to a property owner if his/her tree causes damage to an electric distribution company's infrastructure. This is no different from when a property owner is responsible if his or her tree falls onto a neighboring property.

UI proposes that a property owner be liable when a tree or limb located on his/her property falls in whole or in part on the electric company's overhead electric infrastructure. The property owner would be responsible for all expenses related to the remediation and or removal of the their tree if (1) the Company's arborist identified the limb or tree as "hazardous", (2) notified the private property owner of the condition and (3) the owner refuses to allow the utility company to mitigate the hazard by trimming and cutting the tree or informs the property owner that the tree must be removed due to its condition. The Company believes the suggested amendments will encourage property owners to maintain their trees and permit utilities to trim and remove trees to ensure required clearances between trees and power equipment thereby limiting extended outages during weather emergencies.

The United Illuminating Company supports the intent of **Raised H.B. 6487 - AN ACT CONCERNING A PROPERTY OWNER'S LIABILITY FOR THE EXPENSES OF REMOVING A FALLEN TREE OR LIMB** and urges the Judiciary Committee to amend the bill as indicated herein if it decides to give the bill a Favorable Report.

If the Committee has any questions please contact Carlos Vázquez, UIL's Senior Director of Government Relations at 203-521-2455 or our Government Relations Professional, Al Carbone at 203-671-4421.