

**STATE OF CONNECTICUT
PUBLIC UTILITIES REGULATORY AUTHORITY (PURA)**

**Public Hearing – Thursday, February 20, 2014
Energy and Technology Committee**

Testimony Presented By Arthur H. House, Chairman, PURA

Thank you for the opportunity to present testimony regarding House Bill No. 5118 (Raised) An Act Concerning the Underground Damage Prevention Program. This is PURA's one and only legislative proposal for the 2014 legislative session, so we greatly appreciate the committee's willingness to raise this bill.

In order to protect the public from the inherent dangers associated with damage to underground utility facilities, a series of state statutes and regulations were created that establish the current underground utility damage prevention program - the 1st statewide mandatory underground damage prevention program in the nation, established in 1977. The owners of underground facilities were required to establish, "a central clearinghouse within the state for receiving and giving the notices required" (§16-348). The organization established was Call Before You Dig, Inc. (CBYD), a non-stock, non-profit corporation. The CBYD Board or its various committees meets monthly to review the operation of the one-call center.

All owners of underground facilities are required to file information with the one-call center pursuant to §16-347 so that it can be used to advise excavators when they call before they dig as required by §16-346. Using computerized mapping and other state-of-the-art techniques, the excavation location is identified, the owners of facilities in the area are determined, and the excavator is notified of the owners of underground facilities in the area of the excavation who will be notified of the excavation. Owners of

underground facilities are required to identify the location of the facilities within the 2 working day advance notice as required by §16-351. In 2013, over 182,000 requests were made to CBYD. Despite this high usage of the one call center and its resources, there were still 567 damages to underground utility facilities.

It has been many years since Connecticut's underground damage prevention statutes and regulations have been significantly updated. In light of new technology, additional excavation activities anticipated due to the Comprehensive Energy Strategy/Natural Gas Expansion Initiative, new federal government regulations and increased public concern over excavation damage, PURA believes that the time has come to revise the CBYD statutes and regulations. It is important to note that a failure to strengthen these provisions most likely would at some point in time result in decreased federal grant funding. We have requested an effective date of October 1, 2015 for the statutory revisions. If these changes are approved, we anticipate proposing changes to the regulations to coincide with the statutory changes in a proceeding that would include all stakeholders.

Some of the definitions have been updated to reflect current practices, such as exempting homeowners from being considered a "public utility." Many other changes reflect changes in technology, such as the mapping systems, and changes to provide more clarity to the meaning and purpose of the program as well as to provide flexibility in the regulations. Other changes are simply technical, reflecting the recent change of the Department of Public Utility Control to the Public Utilities Regulatory Authority.

In summary, PURA strongly supports House Bill No. 5118 (Raised) An Act Concerning the Underground Damage Prevention Program.

If you should require any additional information, please contact Nick Neeley, PURA Legislative Liaison at 860.827-2625 or Nicholas.Neeley@ct.gov.

Once again, thank you for the opportunity to present testimony on this proposal.