



General Assembly

January Session, 2021

Raised Bill No. 950

LCO No. 3970



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:
(ET)

***AN ACT CONCERNING THE REPLACEMENT OF PUBLIC UTILITY
POLES AND REVISING VEGETATION MANAGEMENT IN UTILITY
PROTECTION ZONES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2021*) (a) For purposes of this
2 section, "emergency" has the same meaning as provided in subdivision
3 (1) of subsection (a) of section 16-32e of the general statutes and "public
4 service company" has the same meaning as provided in section 16-1 of
5 the general statutes.

6 (b) Not later than ninety days after (1) the occurrence of an emergency
7 requiring the replacement of a public utility pole, or (2) a preplanned
8 replacement of a public utility pole, each public service company shall
9 place all lines, conduits, cables, wires and other equipment owned or
10 operated by such company on the replaced public utility pole.

11 Sec. 2. Subsection (a) of section 16-234 of the general statutes is
12 repealed and the following is substituted in lieu thereof (*Effective July 1,*
13 *2021*):

14 (a) As used in this section:

15 (1) "Utility" means a telephone, telecommunications or electric
16 distribution company, each as defined in section 16-1;

17 (2) "Utility protection zone" means any rectangular area extending
18 horizontally for a distance of eight feet from any outermost electrical
19 conductor or wire installed from pole to pole and vertically from the
20 ground to the sky;

21 (3) "Hazardous tree" means any tree or part of a tree that is (A) dead,
22 (B) extensively decayed, or (C) structurally weak, which, if it falls,
23 would endanger utility infrastructure, facilities or equipment;

24 (4) "Vegetation management" means the retention of trees and shrubs
25 that are compatible with the utility infrastructure and the pruning or
26 removal of trees, shrubs or other vegetation that pose a risk to the
27 reliability of the utility infrastructure. Until such time as the Department
28 of Energy and Environmental Protection issues standards for
29 identifying such compatible trees and shrubs, the standards and
30 identification of such compatible trees and shrubs shall be as set forth in
31 the 2012 final report of the State Vegetation Management Task Force;

32 (5) "Pruning" means the selective removal of plant parts to meet
33 specific utility infrastructure reliability goals and objectives, when
34 performed according to current professional tree care standards and in
35 a manner that retains the structural integrity and health of the
36 vegetation;

37 (6) "Abutting property owner" means the owner of the property
38 abutting or adjacent to that portion of a public road, public highway or
39 public grounds where the tree or shrub that the utility proposes to
40 remove or prune is located; [and]

41 (7) "Private property owner" means the owner of the property where
42 a tree or shrub the utility proposes to remove or prune is located, which
43 may include municipally owned land; [.]

44 (8) "Three phase main" means the segment of a circuit which
45 originates directly from a substation and is protected by a circuit breaker
46 or a recloser-type device.

47 Sec. 3. Subsection (e) of section 16-234 of the general statutes is
48 repealed and the following is substituted in lieu thereof (*Effective July 1,*
49 *2021*):

50 (e) (1) No utility shall be required to obtain a permit pursuant to
51 subsection (f) of section 23-65 or provide notice under subsection (c) of
52 this section to prune or remove a tree, as necessary, if any part of a tree
53 is in direct contact with an energized electrical conductor or has visible
54 signs of burning. Nothing in this subsection shall be construed to
55 require a utility to prune or remove a tree.

56 (2) No utility shall be required to obtain a permit pursuant to
57 subsection (f) of section 23-65 or obtain consent under subsection (c) of
58 this section to prune or remove a tree, as necessary, if any part of a tree
59 (A) is located in the utility protection zone for a three phase main, or (B)
60 is part of a hazardous tree that could endanger any three phase main.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	New section
Sec. 2	<i>July 1, 2021</i>	16-234(a)
Sec. 3	<i>July 1, 2021</i>	16-234(e)

ET *Joint Favorable*