

Regular Session, 2010

HOUSE CONCURRENT RESOLUTION NO. 163

BY REPRESENTATIVE TEMPLET

A CONCURRENT RESOLUTION

To urge and request the Louisiana Public Service Commission to study and report on the feasibility of adopting the National Electrical Safety Code for the installation, operation, and maintenance of overhead and underground electrical facilities.

WHEREAS, a utility pole is a pole used to support overhead power lines and various other public utilities and private facilities, such as cable, fiberoptic cable, and related equipment such as transformers and street lights; and

WHEREAS, utility poles can be made of wood, metal, concrete, or composites like fiberglass; and

WHEREAS, utility poles located in Louisiana are subjected to the potential damaging effect of weather including extreme rain, extreme wind, ice storms, and hurricanes; and

WHEREAS, damage to a utility pole and its attachments could potentially lead to fires or injury to persons and property from falling poles, lines, or related equipment; and

WHEREAS, the National Electrical Safety Code (NESC) is the standard for the safe installation, operation, and maintenance of overhead and underground electrical utility facilities nationwide; and

WHEREAS, Part II of the NESC deals with safety rules for the installation and maintenance of overhead electric supply and communication lines, and it contains a number of topics including inspections, arrangements, and clearances; and

WHEREAS, electric utilities are required to maintain specific clearances between their overhead electrical wires and the ground below them including roadways, driveways, parking lots, railroad tracks, and other services that may be found underneath wires; and

WHEREAS, in order to ensure that the required clearances are maintained after initial installation, a considerable amount of the NESC is devoted to strength and structural integrity issues; and

WHEREAS, the Louisiana Public Service Commission is empowered by Article IV, Section 21(B) of the Constitution of Louisiana to regulate public utilities; and

WHEREAS, the Louisiana Public Service Commission has jurisdiction over publicly owned utilities providing electric, water, waste water, natural gas, and telecommunications services; and

WHEREAS, the Louisiana Public Service Commission is charged with ensuring a regulatory balance that enables utilities to provide customers with safe, adequate, and reliable services, at rates that are just, reasonable, equitable, and economically efficient; and

WHEREAS, in addition to the regulation provided by the Louisiana Public Service Commission relative to electricity and other services, the commission is also in a unique position to harmoniously interact with other regulatory agencies and local municipalities which also provide oversight and enforcement in these areas; and

WHEREAS, the failure of a utility pole can cause a serious interruption of the delivery of vital public utilities to the citizens of Louisiana; and

WHEREAS, an adequate, reliable, and reasonably priced supply of electricity and other public utilities is essential to the continued economic prosperity of the state and its citizens; and

WHEREAS, while the Louisiana Public Service Commission has not formally adopted the National Electrical Safety Code, all electric utilities in Louisiana abide by the NESC; and

WHEREAS, additionally, the staff of the Louisiana Public Service Commission uses the NESC in investigations, when necessary.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana Public Service Commission to study and report on the feasibility of adopting the National Electrical Safety Code for the installation, operation, and maintenance of overhead and underground electrical facilities.

BE IT FURTHER RESOLVED that the Louisiana Public Service Commission shall report its findings to the House Committee on Commerce and the Senate Committee on

Commerce, Consumer Protection, and International Affairs prior to the final adjournment of the 2011 Regular Session of the Legislature.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Louisiana Public Service Commission.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE