

# Suggestions.....Recommendations

## By Charles H. Goodman

### Indiana Tree Alliance 10-26-2010

In order to achieve greater effectiveness and clarity ,we feel FERC needs to do the following:

1. Increase FERC's communication to all State Governors, State legislators and all local units of government via the Governor's office by FERC's RRO's... FERC needs to better explain the role of FERC; it's history, it's limitations, and the role of FERC vs. the role of State and local units of government in utility vegetation management .Much better communications is critical.
2. FERC needs to better explain in much greater detail it's role in UVM activities to eliminate the excuse that utilities are required to aggressively trim trees and/or clear cut all vegetation or face fines up to One Million Dollars. The surge of complaints about aggressive and/or abusive trimming around the country was not and is not the fault of FERC rather it is the desire of the utility industry to both reduce outages and to find a way to substantially cut operating expenses.

These aggressive utility policies and practices are often accomplished at the expense of property owner's basic property rights and the benefits trees provide to each community . One utility in Indiana went so far as to write their own law by-passing both the Governor

and the State Legislature when they inserted into their utility tariffs the right to trim and/or remove trees on private property without consent, due process, or compensation. A violation of the U.S. BILL OF RIGHTS and Indiana's own constitution.....This same utility testified that FERC's new rules on UVM required much more aggressive trimming.....familiar????

FERC's Vegetation Management Frequently Asked Questions is an example which adds to the confusion About FERC's jurisdiction on lines between 100,000 Volts and 200,000 volts. Should FERC's change it's jurisdiction to cover all lines beginning at 100kv a massive amount of Damage would befall thousands of property owners In Indiana and possibly all across the country. One utility has estimated that if they are required to purchase easements to cover expanded cutting distances, it will cost over 100 million dollars. This utility upgraded hundreds of miles of low voltage 13kv to 138 kv lines without any prior approval or the purchase of expanded easements resulting in the taking of hundreds of trees without compensation or consent.

3. FERC should create uniform safety clearances for all transmission lines under it's control and recommend the need to establish uniform safety clearances for all transmission and distribution lines which fall under State and/or local control. Such standards need to agree with or be establish by OSHA, NESC, IEEE. In effect all utilities and FERC need to get on the same

page. Creating such uniform safety standards does not seem to be a very difficult problem and would be a good first step towards uniform policies and practices.

4. FERC needs to take a more aggressive oversight role in transmission UVM activities such as:
  - A. The cutting by blades suspended from helicopters
  - B. The use of herbicides by helicopters in urban areas.
  - C. The unnecessary clear cutting of low growth trees and/or bushes, etc which could never interfere with the reliability, safety or maintenance of said lines.

Much more effective communications is needed if FERC wishes to stop the trend where FERC is the whipping Boy for all the abuses by the utility industry. In Indiana several groups have asked the U.S. Attorney to examine the improper relationship between the utilities and the Indiana's own utility regulatory commission which has turned a deaf ear to the public and has allowed serious conflict of issues to exist. The Governor recently fired The Chairman of this commission.

Throughout the country there continues to be serious complaints about UVM practices and policies.....  
As late as this Sunday 10-24-2010 9:30 pm, an attorney called me about the T.V.A. clear cutting trees within the outer limits of the border zone out of fear of being fined up to one million dollars...sounds familiar????

