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Data Center  
Missouri Public  
Service Commission

Missouri Energy Development Association

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February 1, 2008

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Atmos Energy  
Corporation

Colleen M. Dale  
Secretary of the Commission  
Missouri Public Service Commission  
PO Box 360  
Jefferson City, MO 65102

Empire District  
Electric Company

Great Plains Energy  
(KC Power & Light)

**RE: EX-2008-0232, Rule 4 CSR 240-23.030, Electrical Corporation Vegetation  
Management Standards and Reporting Requirements Rulemaking Comments  
(Previous Rulemaking Case No. EX-2007-0214)**

The Laclede  
Group, Inc.

Dear Cully:

Missouri  
American Water

Please find attached Missouri Energy Development Association's comments in response to the Notice of Proposed Rulemaking published in the Missouri Register on January 2, 2008. This rulemaking implements 4 CSR 240-23.030, Electrical Corporation Vegetation Management Standards and Reporting Requirements and has been designated Case No. EX-2008-0232.

Missouri  
Gas Energy

If you have any questions, please do not hesitate to contact me at (573) 634-8678 or by e-mail at [Warren@missourienergy.org](mailto:Warren@missourienergy.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Warren T. Wood", is written over a horizontal line.

Warren T. Wood  
President

Attachment

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

<b>In the Matter of Proposed Rule</b>	)	
<b>4 CSR 240-23.030 Electrical</b>	)	
<b>Corporation Vegetation Management</b>	)	<b>Case No. EX-2008-0232</b>
<b>Standards and Reporting</b>	)	
<b>Requirements</b>	)	

**COMMENTS OF THE MISSOURI ENERGY DEVELOPMENT  
ASSOCIATION d/b/a MEDA**

**February 1, 2008**

COMES NOW the Missouri Energy Development Association d/b/a MEDA, and for its Comments in response to the Notice of Proposed Rulemaking published in the Missouri Register on January 2, 2008, states as follows:

As a result of the power outages associated with a series of severe wind and ice storms and general concerns regarding day-to-day service reliability, the Missouri Public Service Commission (Commission or PSC) has held public hearings, conducted investigations, initiated rulemaking, published draft rules, held rulemaking hearings and has previously adopted rules 4 CSR 240-23.020 **Electrical Corporation Infrastructure Standards (Infrastructure Rule)** and 4 CSR 240-23.030 **Electrical Corporation Vegetation Management Standards and Reporting Requirements (Vegetation Rule)**, both in Case No. EX-2007-0214. The PSC is also currently developing rule 4 CSR 240-23.010 **Electrical Corporation System Reliability Monitoring and Reporting Submission Requirements (Reliability Rule)** in Case No. EX-2008-0230. The Commission's Reliability Rule has not yet been the subject of a rulemaking hearing and the PSC has not yet adopted a version of this rule.

Due to an administrative filing glitch with the Secretary of State, the Commission's Infrastructure Rule and Vegetation Rule are now the subject of additional Missouri Register publications, comment development and submittals, rulemaking hearings, and rule adoption cycles. MEDA does not propose that any substantive changes be made to the Vegetation Rule previously adopted by the Commission.

The previous rulemaking proceeding in this case yielded a reasonable regulatory decision. As described in detail below, this rule includes extensive provisions that will, over time, yield improvements in vegetation management practices which, combined with improvements in infrastructure inspection and maintenance, will result in greater service reliability.

Making additional changes to this rule at this time may result in additional expenses and administrative inefficiencies since the electric utilities subject to this rule have already started to implement the provisions of this rule in the form previously adopted by the Commission. These ongoing changes in procedures are in addition to what electric utilities had already implemented to improve their vegetation management practices prior to the PSC's adoption of the rule currently being considered in this rulemaking proceeding.

In addition to current vegetation management expenditures, regulated electric utilities in Missouri will spend approximately \$15 million annually to comply with the current version of this rule.

The Vegetation Rule previously adopted by the Commission, and the subject of this proceeding, includes many requirements designed to improve service reliability. At its core, the most basic principles at work in this rule are the need to regularly inspect areas where electric utility infrastructure and vegetation can come in contact, trim or remove this vegetation in compliance with national standards and best practices, and regularly track and report these activities to the Commission.

A summary of the major provisions of this rule:

- Electrical corporations shall ensure that vegetation management is conducted in accordance with the provisions of the rule, shall obtain all required permits and licenses to conduct this work, and shall employ a vegetation manager responsible for supervision of all aspects of the electric corporation's vegetation management program.
- If an electrical corporation performs vegetation management at the request of a municipality or government agency, other than what is required by this rule, the electrical corporation may require the requesting party to pay the cost for this work.

Major provisions (continued):

- Upon receiving notice of, having knowledge of, or observing vegetation posing a threat to safe or reliable utility service, the electrical corporation shall promptly remedy the potential threat. The electrical corporation is to make a reasonable effort to obtain permission from property owners to perform this work if the work requires access to property which it does not hold an easement.
- Visual inspections to determine where vegetation management is needed, if any, shall be conducted no less frequently than every 2 years in urban areas and 3 years in rural areas. Vegetation management meets this visual inspection requirement.
  - *Urban circuits serve more than 35 customers/circuit mile and rural circuits serve less than 35 customers/circuit mile.*
- Vegetation management shall be conducted according to the following standards:
  - “Pruning, Trimming, Repairing, Maintaining, and Removing Trees, and Cutting Brush – Safety Requirements, 2006” (ANSI Z133.1-2006); and
  - Part 1 of the document entitled “Tree, Shrub, and Other Woody Plant Maintenance-Standard Practices, 2001” (ANSI A300-2001).
- Electrical corporations shall develop vegetation management standards, guidelines and procedures consistent with this rule that prioritize vegetation management according to: 1) the extent of the potential for vegetation to interfere with the energized conductor, 2) the voltage of the affected conductor, and 3) the relative importance of the affected energized conductor in maintaining safety and reliability.
- Electrical corporations shall file a copy of their vegetation management standards, guidelines and procedures with the Commission and provide any updates to these documents to the Commission at least 30 days before they take effect. These documents shall cover, at a minimum:
  - Tree pruning and removal;
  - Vegetation management around poles, substations and wires;
  - Manual, mechanical, biological and chemical vegetation management;
  - Inspection of areas before and after vegetation management;
  - Research and development for improving vegetation management; and
  - Public education.

Major provisions (continued):

- Vegetation management at a particular site shall consider the following factors:
  - Growth rates of different species of vegetation;
  - Voltage of the conductor;
  - Sag of conductors at elevated temperatures;
  - Movement of conductors under ice loading and adverse wind conditions;
  - Strength, health and growth habitat of adjacent vegetation; and
  - Legal rights of access to the areas where vegetation management is to occur.
- Trimmings and cut vegetation from regular maintenance cycle trimming shall be removed within 5 business days unless the property owner consents to leaving the trimmings and cut vegetation.
- Trimmings and cut vegetation as a result of an outage restoration effort are not required to be removed by the electrical corporation.
- Electrical corporations shall send a copy of all FERC, NERC or regional reliability organization transmission line vegetation management filings to the Commission's energy department.
- Electrical corporations shall monitor and document all scheduled vegetation management activities. Documentation shall include at a minimum:
  - Identification of each circuit and substation where vegetation management was performed;
  - Type of vegetation management performed including removal, trimming and spraying methods used;
  - Crew size and supervisor's name;
  - The date of the work;
  - Any safety hazards encountered; and
  - Any unexpected occurrence or accident resulting in death or life-threatening or serious injury.

Major provisions (continued):

- Each electrical corporation shall provide the documentation regarding its vegetation management activities to the Commission annually. Such documentation shall include a summary of vegetation management planned for the following year. This documentation shall include:
  - Expenditures for vegetation management in the preceding year;
  - Vegetation management budget for the current year;
  - Circuits, completion dates and miles trimmed in the preceding year;
  - Circuits, completion dates and miles scheduled for the current year; and
  - Total distribution miles for the system and corresponding classification between rural and urban.
- Electrical corporations shall report any violations of this rule to the Commission within 30 days of discovery with a plan for correcting the violation.
- The Commission staff shall review each electrical corporation's vegetation management annual report for compliance, identify any deficiencies and file their analysis and recommendations for each electrical corporation.
- Electrical corporations shall make a diligent attempt to notify all property owners or occupants affected by planned vegetation management. Notification requirements are provided in the rule and the electrical corporation is required to maintain records of these contacts until the subsequent vegetation management cycle has occurred.
- Electrical corporations shall provide notice of pending vegetation management to a primary contact for each county and municipality affected at least 2 months before vegetation management and shall include planned dates and locations of vegetation management.
- Electrical corporations shall conduct an annual public education program to inform customers and political subdivisions of the importance of vegetation management and the electric corporation's role and responsibility in managing vegetation near electric lines. The information from these public education programs shall be posted on the electric corporation's website.

Major provisions (continued):

- Electric corporations have the following time periods to meet the following percentage of compliance provisions in implementing this rule:
  - For Urban Circuits:
    - No less than 15% of circuit miles trimmed within 12 months.
    - No less than 40% of circuit miles trimmed within 24 months.
    - No less than 70% of circuit miles trimmed within 36 months.
    - No less than 100% of circuit miles trimmed within 48 months.
    - After achieving compliance: 25% of circuit miles each 12 months.
  - For Rural Circuits:
    - No less than 15% of circuit miles trimmed within 18 months.
    - No less than 40% of circuit miles trimmed within 36 months.
    - No less than 70 % of circuit miles trimmed within 54 months.
    - No less than 100% of circuit miles trimmed within 72 months.
    - After achieving compliance: 25% of circuit miles each 18 months.
- Electric corporations shall maintain the following radial clearances between vegetation and conductors at the time vegetation management is conducted unless limited by current easements or other authority:
  - For conductors > 50,000 volts, 15 ft or edge of ROW.
  - For conductors > 600 volts but < 50,000 volts, 10 ft or edge of ROW.
  - Subtransmission lines and 3-phase distribution feeders/backbone circuits shall be trimmed vertically to remove overhanging limbs to the clearance distances required by the rule.
  - For conductors < 35,000 volts, mature trees whose trunks or limbs have sufficient strength and rigidity to prevent the trunk or limbs from damaging the conductor under reasonably foreseeable conditions are exempt from these minimum clearance provisions.
  - Clearance distances in the rule are considered minimums where practicable and larger clearances are permissible where advantageous.
- Cost recovery tracking provisions for incurred costs to comply with the provisions of this rule that are in excess of the costs included in current rates.

Major provisions (continued):

- Provision for vegetation management cycle and/or program variances if the electrical corporation can demonstrate that an alternative vegetation management program would produce equal or greater reliability performance in the future than what would be produced under this rule.

MEDA appreciates the opportunity to provide comments in this rulemaking proceeding and hopes that these comments are helpful in formulating reasonable policy in this important area.