

January 28, 2021

Attn: House Study Bill 149

Re: Center for Rural Affairs Letter of Opposition

Subcommittee: Reps. Deyoe, Fisher, Nielsen

The Center for Rural Affairs is opposed to this bill as written. However, we are confident that amendments can ensure the reliability of our electric distribution system, protect the rights of private property owners, and leverage our electric distribution infrastructure to promote conservation and rural economic development.

As written, this bill gives municipal utilities, rural electric cooperatives, and investor-owned utilities widespread authority to remove any vegetation within an electric distribution line corridor. The expansion of this authority to include ten feet within city limits and thirty feet outside of city limits, plus one-half of the length of any attached crossarm, enables an unreasonable authority to remove vegetation. In conjunction with a narrow, easily-avoidable 14-day window to notify affected property owners of removal of vegetation, this authority is a threat to the private property rights of Iowans. In addition, these decisions can be made immediately, absent landowner input, and with no clear remedial process for affected property owners if electric suppliers deem the vegetation "threatens" the integrity and safety of their distribution facilities.

We encourage changes to the language of this bill to provide a clear process for adjudication of disputes for the affected property owners. Such a process may be best placed at the Iowa Utilities Board or another regulatory body. We also encourage the exploration of other methods of vegetation management, including the consideration of remedial efforts which replace trees, shrubs, and bushes with less intrusive native perennial vegetation. To illustrate the opportunity presented by the electric distribution system as well as the opportunities present within high voltage transmission line corridors, I have attached a resource which highlights potential opportunities available for electric suppliers and landowners to work together on more beneficial methods of vegetation management.

We agree a reliable network of electric distribution facilities and equipment is crucial and encourage the authorization of a comprehensive assessment of trees, bushes, shrubs, and other relevant vegetation which may, or may not pose a threat to reliability. If trees, bushes, and shrubs are identified as a widespread threat to the reliability of the electric distribution facilities and equipment in the state, we encourage the creation of a clear and well-defined process for addressing the risks posed to the system as they relate to vegetation management. This type of review and procedural process could be considered as an exercise of the regulatory authority granted to the Iowa Utilities Board or another regulatory body. Absent its presence, this legislation defines any existing vegetation within or around an electric distribution corridor as a potential threat, further expanding the unchallenged authority of electric suppliers.



CENTER *for* RURAL AFFAIRS

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We remain committed to working with each of you to strengthen this legislation. I encourage you to reach out if we can be of further assistance with this topic.

Respectfully submitted,

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