

Senate Concurrent Resolution 102 - Introduced

SENATE CONCURRENT RESOLUTION NO. 102

BY McCOY, ANDERSON, JOCHUM, DOTZLER, SENG, GRONSTAL,
COURTNEY, TAYLOR, PETERSEN, HART, BOLKCOM, RAGAN,
MATHIS, BRASE, BEALL, SCHOENJAHN, QUIRMBACH, BLACK,
HORN, HATCH, DEARDEN, CHAPMAN, DIX, BEHN, BERTRAND,
BOWMAN, BREITBACH, CHELGREN, DANIELSON, DVORSKY,
ERNST, FEENSTRA, GARRETT, GREINER, GUTH, HOGG,
JOHNSON, KAPUCIAN, ROZENBOOM, SCHNEIDER, SEGEBART,
SINCLAIR, SMITH, SODDERS, WHITVER, WILHELM, ZAUN,
and ZUMBACH

1 A Concurrent Resolution urging the Federal Emergency
2 Management Agency to reverse its unilateral
3 decision to place new and unachievable conditions
4 on the eligibility of the Department of Homeland
5 Security and Emergency Management, rural
6 electric cooperatives, and municipal utilities to
7 receive storm recovery funding in the event of a
8 presidential major disaster declaration.
9 WHEREAS, since February 2007, Iowa has experienced
10 19 presidential disaster declarations resulting in
11 rural electric cooperative and municipal utility system
12 damage in nearly every instance; and
13 WHEREAS, during presidential major disaster
14 declarations occurring in 2007 and 2010, rural
15 electric cooperatives and municipal utilities incurred
16 particularly significant and widespread system
17 damage; and
18 WHEREAS, the Federal Emergency Management Agency
19 adopted policy 9580.6, Electric Utility Repair, in
20 2009, to establish criteria to determine eligibility

1 for repair or replacement of disaster-damaged electric
2 distribution and transmission systems under the
3 authority of rural electric cooperatives, municipal
4 utilities, public power districts, and other public
5 entities following a presidential major disaster
6 declaration; and

7 WHEREAS, since 2009 the Federal Emergency Management
8 Agency has followed and applied policy 9580.6 in
9 Iowa which resulted in the receipt of storm recovery
10 funding by rural electric cooperatives and municipal
11 utilities; and

12 WHEREAS, three Iowa distribution cooperatives,
13 Iowa Lakes Electric Cooperative, Lyon Rural Electric
14 Cooperative, and Osceola Electric Cooperative; one
15 municipal utility, Sanborn Municipal Electric Utility;
16 and one transmission cooperative, L and O Power
17 Cooperative submitted applications for storm recovery
18 funding based upon damage suffered during a late winter
19 storm which resulted in a presidential major disaster
20 declaration issued on May 6, 2013; and

21 WHEREAS, the Federal Emergency Management Agency
22 elected to ignore policy 9580.6 and denied the
23 applications to rebuild damaged transmission and
24 distribution lines in the manner funded by the agency
25 since 2007, stating that the utilities had failed to
26 perform physical testing of their lines before and
27 after the storm; and

28 WHEREAS, for the first time in the nation, the
29 Federal Emergency Management Agency has determined that
30 these utilities have not been able to substantiate

1 that their conductor was in good repair and was
2 properly maintained prior to the storm event because
3 unprecedented physical testing of their overhead lines
4 was not performed; and

5 WHEREAS, the Iowa Utilities Board requires
6 electric utilities to prepare and submit for approval
7 reliability plans and to perform system inspections to
8 ensure that their systems are well maintained, safe,
9 and reliable; and

10 WHEREAS, the Federal Emergency Management Agency
11 has been provided copies of the reliability plans and
12 inspection reports for the applicant cooperatives and
13 utilities, all of which substantiate that their systems
14 were well maintained prior to the storm; and

15 WHEREAS, the testing required by the Federal
16 Emergency Management Agency in ignoring policy 9580.6
17 is not required by any federal, state, or local
18 regulatory body, is not performed as a matter of
19 industry practice, and is not known to satisfy any
20 industry or engineering standard; and

21 WHEREAS, the loss of Federal Emergency Management
22 Agency storm recovery funds will have a significant
23 detrimental financial impact on Iowa's rural electric
24 cooperatives and their member consumers and on Iowa's
25 municipal utilities and their customers; NOW THEREFORE,

26 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
27 REPRESENTATIVES CONCURRING, That the Federal Emergency
28 Management Agency and specifically the Federal
29 Emergency Management Agency Region VII are urged to
30 reconsider their detrimental policy decision denying

1 storm recovery funding for the applicant utilities and
2 to return to the application of policy 9580.6 which was
3 in place prior to this abrupt change; and

4 BE IT FURTHER RESOLVED, That copies of this
5 resolution be sent to Mr. Craig Fugate, Federal
6 Emergency Management Agency Administrator; Ms. Beth
7 Freeman, Director, Federal Emergency Management Agency
8 Region VII, and to the members of Iowa's congressional
9 delegation.