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**PROPOSED AMENDMENTS TO THE RULES FOR VEGETATION
MANAGEMENT FOR ELECTRIC UTILITY LINES N.J.A.C. 14:5-9**

BPU Docket No. EX0804235

**PUBLIC HEARING
Newark, New Jersey**

Tuesday July 21, 2009 – 10:00 a.m.

The Division of Rate Counsel is pleased to present its comments on behalf of the Department of the Public Advocate with respect to the New Jersey Board of Public Utilities¹ proposed amendments to its Electric Service Rules (N.J.A.C. 14:5 et seq.) and management of vegetation around electric transmission lines. Our office was created by the New Jersey Legislature to represent ratepayers in cases involving public utility service.

¹ "Board" or "BPU".

The most common cause of electric utility outages is a tree branch contacting a wire or causing a fault to ground on a circuit. The Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq. provided the Board with authority to adopt appropriate standards to assure “high quality, safe and reliable service” to electric utility customers. It is appropriate that the Board has undertaken this extensive effort, involving all stakeholders, to review and revise the vegetation management rules in an attempt to ensure proper maintenance of Electric Distribution Companies (“EDCs”) Transmission Line Right of Way (“ROW”).

Mindful of the August 2003 electric power outage that left over 50 million people in the northeast United States and southeastern Canada without power for several days and caused by the failure to trim overgrown trees near electric utility lines, Rate Counsel supports the Board’s efforts to balance the need for reliability with the concerns of residents directly affected by management of natural growth occurring around transmission lines.

Rate Counsel has previously submitted written comments to the Board, specific to the proposed amendments. Today, Rate Counsel is interested to hear the comments and concerns of the public, the electric companies and other interested parties as they relate to balancing reliability, cost and efficient management of natural growth while respecting the rights and concerns of residents directly affected by the proposed amendments.

We encourage the public, whose comments will be transcribed and made a part of the record, to fully state their concerns so the Board may consider them in making the final decisions as to the Amendments to the Rules under consideration.