

STATE OF NEW YORK

Public Service Commission

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10035/10-E-0155

TRANSMISSION LINE MANAGEMENT PRACTICES REVIEWED — Public Comments Sought on Utility Vegetation Management —

Albany, NY—04/15/10—The New York State Public Service Commission (Commission) today commenced a proceeding to consider electric utility transmission right-of-way (ROW) management practices. As a result of its decision, the Commission will seek comments on the implementation of utility ROW management practices and the contribution of ROW management to the safety and reliability of the state’s electric transmission system. In addition, comments will be sought on the balancing needed to be achieved by these utility practices of the concerns of ratepayers, neighboring property owners, the public, and other interested parties.

“Maintaining the highest degree of electric system reliability for the benefit of New York’s customers is among the most important of our responsibilities,” said Commission Chairman Garry Brown. “Reliability of the electric system depends upon the safe and effective transmission of electric power from the source of its generation. Effective right-of-way management is an essential component of system reliability. However, we must ensure this is being done in the best possible manner.”

The Commission’s policy regarding ROW management established requirements for utilities’ ROW maintenance programs and ensured adequate record keeping and reporting by the utilities. In addition, the federal Energy Policy Act imposes additional mandatory and enforceable reliability standards for utility ROW maintenance.

In recent months, members of the public and elected officials have expressed concern with respect to the ROW vegetation management practices used by utilities to implement the above-described regulatory scheme along their transmission rights-of-way. These concerns have

largely focused on the trimming and removal of trees and other vegetation by utilities in their transmission rights-of-way. Those objecting to the utilities' practices cite the unwanted aesthetic impacts associated with the utilities' ROW work, as well as noise, erosion and decreased property value as potential results. Expressions of concern have taken many forms including individual complaints to this department, letters from public officials, municipal resolutions and proposed state legislation.

In view of the widespread importance of transmission ROW management and the concerns that have been expressed regarding vegetation management, comments will be sought from the public and elected representatives, municipal resolutions and proposed legislation, to determine whether changes to our ROW management policy are needed to ensure that the transmission system in our state will continue to be operated in a safe, effective and environmentally compatible manner.

In addition to the submission of comments, public hearings at which persons who would rather comment orally may do so, are being considered. After consideration of the materials developed as comments or reply comments or through the public statement hearings, Staff will report back to the Commission summarizing and evaluating the information provided and making recommendations, if further Commission action is needed.

Interested parties are invited to file their comments electronically by June 16, 2010, and these comments will be made available to all interested persons through the Department's website at http://www.dps.state.ny.us/New_Search.html. Any party wishing to respond or reply to a comment made by another party may do so through reply comments which are to be filed electronically by July 6, 2010. Electronic filing for comments and reply comments may be completed by e-mailing the filing, under the above case number to secretary@dps.state.ny.us.

The Commission's decision today, when issued, may be obtained by going to the Commission Documents section of the Commission's Web site at www.dps.state.ny.us and entering Case Number 10-E-0155 in the input box labeled "Search for Case/Matter Number." Many libraries offer free Internet access. Commission orders may also be obtained from the Commission's Files Office, 14th floor, Three Empire State Plaza, Albany, NY 12223 (518-474-2500).