

54-8c-2 Notification to public utility -- Protective measures -- Procedures -- Payment.

- (1) No person or thing may be brought within 10 feet of any high voltage overhead line unless:
 - (a) a responsible party has notified the public utility operating the high voltage overhead line of the intended activity; and
 - (b) a responsible party and the public utility have completed mutually satisfactory precautions for the activity.
- (2) If the identity of the public utility owning or operating the high voltage overhead line is unknown, the county clerk in the county where the line is located shall provide the name, address, and telephone number of the utility's designated representative. If there is an association as provided in Section 54-8c-6 in the county, the association shall provide this information. The notification required in Subsection (1)(a) shall be given by telephone or in person and shall include the location and duration of the proposed activity.
- (3) Mutually satisfactory precautions required in Subsection (1)(b) may include:
 - (a) coordination of work, construction, and activity schedules;
 - (b) placement of temporary mechanical barriers to separate and prevent contact between persons or things and the high voltage overhead line;
 - (c) temporary deenergization and grounding or temporary relocation or raising of the high voltage overhead line.
- (4) If a responsible party is under contract or agreement with a governmental entity, and the governmental entity and the public utility operating the high voltage overhead line have already reached agreement concerning precautions, further agreements for the activity are not required.
- (5) All responsible parties are obligated to pay to the public utility operating the high voltage overhead line the cost of mutually satisfactory precautions, except if:
 - (a) prior arrangements for payment have been made between a governmental entity for whom the work is to be done and the public utility operating the line; or
 - (b) the public utility operating the line has not installed the line in conformance with the National Electrical Safety Code or its preceding code in effect at the time the line was constructed.
- (6)
 - (a) Unless other arrangements are necessary, the public utility operating the high voltage overhead line shall commence the precautionary measures:
 - (i) within three business days after the date an agreement for payment, if required, has been reached; or
 - (ii) if no payment is required, within five business days after the date of the request of a responsible party.
 - (b) The public utility shall not be required to provide the precautionary measures until an agreement for payment, if required, has been reached. Once started, the precautionary measures shall continue without unreasonable interruption until completed.

Enacted by Chapter 250, 1988 General Session