

UNDERGROUND CONVERSION OF UTILITIES**AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David G. Buxton

House Sponsor: Calvin R. Musselman

LONG TITLE**General Description:**

This bill amends the definition of "electric facilities" in relation to cities of the first class and nominal voltages.

Highlighted Provisions:

This bill:

► excludes from the definition of "electric facilities" facilities in a city of the first class **→ or a county of the first class ←** that are used for the transmission of electrical energy with a nominal voltage

→ [not] ← exceeding 138,000 volts.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

54-8-3, as last amended by Laws of Utah 2008, Chapter 369

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **54-8-3** is amended to read:

54-8-3. Definitions.



As used in this chapter:

(1) "Assessment" means for the purpose of taxation wherever appropriate.

(2) "Communication service" means the transmission of intelligence by electrical means, including telephone, telegraph, messenger-call, clock, police, fire alarm, and traffic control circuits or the transmission of standard television or radio signals.

(3) "Convert" or "conversion" means the removal of all or any part of any existing overhead electric or communications facilities and the replacement thereof with underground electric or communication facilities constructed at the same or different locations.

(4) (a) "Electric or communication facilities" means any works or improvements used or useful in providing electric or communication service, including poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cut-outs, switches, capacitors, meters, communication circuits, appliances, attachments and appurtenances.

(b) "Electric facilities" does not include:

(i) in a city of the first class ~~§~~ **or a county of the first class** ~~←§~~, any facilities used or intended to be used for the

transmission of electric energy at nominal voltages in excess of 138,000 volts; or

(ii) in any location not described in Subsection (4)(b)(i), any facilities used or intended to be used for the transmission of electric energy at nominal voltages in excess of 35,000 volts.

(5) "Electric service" means the distribution of electricity by an electrical corporation for heat, cooling, light or power.

(6) "Governing body" means the board of commissioners, city council, or board of trustees as may be appropriate depending on whether the improvement district is located in a county or within a city or town.

(7) "Overhead electric or communication facilities" means electric or communication facilities located, in whole or in part, above the surface of the ground.

(8) "Point of delivery" means:

(a) a meter, for electric facilities; or

(b) a network interface device, for communication facilities.

(9) "Public utility" means any electric corporation or communications corporation that provides electric or communication service to the general public by means of electric or communication facilities.

59 (10) "Resolution" means ordinance when the governing body properly acts by
60 ordinance rather than by resolution.

61 (11) "Service entrance equipment" means facilities on the property owner's side of the
62 point of delivery that are necessary to accommodate service from a public utility.

63 (12) "Underground electric or communication facilities" means electric or
64 communication facilities located, in whole or in part, beneath the surface of the ground.