



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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February 25, 2009

Mr. President:

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 269**, PUBLIC UTILITY EASEMENT AMENDMENTS, by Senator G. Bell, with the following amendments:

1. *Page 1, Lines 16 through 18:*

- 16 ▶ provides that a gas corporation's or electric corporation's failure to possess,
occupy, or use a protected utility
17 easement does not diminish or extinguish the gas corporation's or electric
corporation's rights under the
18 easement.

2. *Page 2, Lines 31 through 33:*

- 31 (a) "Protected utility easement" means a recorded easement or right-of-way:
32 (i) for the use and installation of a utility facility; and
33 (ii) the ownership of which a gas corporation or electric corporation acquires
and holds by any lawful means.

3. *Page 3, Lines 60 through 65:*

- 60 (6) A person may not acquire, whether by adverse possession, prescription,
acquiescence, or

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61 otherwise, any right, title, or interest in a public utility easement or protected utility easement
62 that is adverse to or interferes with a public utility's full use of the easement for the purposes
63 for which the easement was created.

64 (7) A gas corporation's **or electric corporation's** failure to possess, occupy, or use a protected
utility easement
65 does not diminish or extinguish any right that the gas corporation **or electric corporation** has under
the easement.

Respectfully,

Stephen H. Urquhart
Committee Chair

Voting: 5-0-2

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