

**UNDERGROUND CONVERSION OF UTILITIES**

**AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: David G. Buxton**

House Sponsor: Calvin R. Musselman

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**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 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

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*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.**



28 As used in this chapter:

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

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

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

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

41 (b) "Electric facilities" does not include:

42 (i) in a city of the first class, any facilities used or intended to be used for the  
43 transmission of electric energy at nominal voltages in excess of 138,000 volts; or

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

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

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

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

53 (8) "Point of delivery" means:

54 (a) a meter, for electric facilities; or

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

56 (9) "Public utility" means any electric corporation or communications corporation that  
57 provides electric or communication service to the general public by means of electric or  
58 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.