

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE
Revised

House Bill 520
Economic Matters

(Delegate Nathan-Pulliam, *et al.*)

Finance

**Electric Companies - Contact Voltage - Surveys and Mitigation - The Deanna
Camille Green Act of 2012**

This emergency bill codifies regulations (COMAR 20.50.11) adopted by the Public Service Commission (PSC) in October 2011, which require electric companies to establish voltage survey plans, conduct contact voltage surveys, use best efforts to mitigate any contact voltage discovered, and submit an annual compliance report to PSC. The bill also establishes a related reporting requirement for PSC.

Fiscal Summary

State Effect: None. The bill merely codifies current regulations and establishes a reporting requirement. PSC can submit the required report with existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary/Current Law: “Contact voltage” means a voltage condition that may result in an object or surface being inadvertently energized.

“Contact voltage risk zone” (CVRZ) means the portions of an electric company’s service territory that (1) are served by *underground* electric distribution plant; and (2) have substantial pedestrian traffic or population density, whether permanent, seasonal, or varying by time of day.

“Contact voltage survey” means a survey performed by an electric company to detect contact voltage consistent with the electric company’s voltage survey plan.

“Electric distribution plant” means all electric company plant used to distribute electricity to its customers, including covers and protective structures, but *not* including customer meters and meter enclosures.

On or before September 1, 2012, each electric company must file with PSC for approval: (1) a list and location map for all CVRZs within its service territory, if applicable; or (2) if no CVRZs are designated in its service territory, a voltage survey plan. Within 30 days after PSC approves a CVRZ within an electric company’s service territory, the electric company must file its voltage survey plan for PSC approval. The plan must identify the equipment the company uses for detecting contact voltage. All equipment must pass specified detection and certification requirements. On PSC approval of its voltage survey plan, each electric company must conduct an initial contact voltage survey of each CVRZ within one year of PSC approval of the company’s voltage survey plan, and subsequent surveys as established in the plan.

Each initial and subsequent contact voltage survey within each CVRZ must include all objects and surfaces that are publicly accessible, capable of conducting electricity, and:

- electric distribution plant;
- electric company-owned or -maintained streetlights;
- municipal- or government-owned streetlights and traffic signals, with the consent of the appropriate authority; or
- public parks and playgrounds, with the consent of the appropriate authority.

Within three years of the initial approval of the voltage survey plan, and subsequently as established in the plan, for areas in each electric company’s service territory that are *not in a CVRZ*, except for wooden poles, the company must conduct a contact voltage survey on all publicly accessible electric distribution plant and publicly accessible street lights that the company owns or maintains that are capable of conducting electricity. Street lights must be tested for contact voltage after dark or when the light is illuminated.

Each electric company must confirm and document all contact voltage detected in its survey using specified equipment. If an electric company detects a contact voltage of at least one volt of alternating current, the company must perform a contact voltage survey on all objects and surfaces that are capable of conducting electricity within at least 30 feet of the location of the measured contact voltage. When an object that the electric company owns or maintains is discovered with contact voltage, the electric company must immediately make the area safe and must use best efforts to make a permanent

repair to mitigate the contact voltage as soon as possible, but no later than 45 days, except under specified conditions. When the company does not own the property, it must use best efforts to make the area safe and notify the customer of the need to make a permanent repair to mitigate the contact voltage. The electric company must maintain written records of its mitigation efforts.

On or before April 1 of each year, each electric company must submit a report on an approved format to PSC describing the results of the contact voltage surveys and summarizing each known contact voltage electric shock complaint received.

PSC may impose a civil penalty for a violation of the bill's provisions, and in its discretion, through order or regulation, may waive or modify the bill's provisions, or impose additional requirements as circumstances warrant.

PSC must submit a report to the General Assembly by January 1, 2013, on the progress of the implementation of the bill and the regulations adopted in October 2011, including the status and availability of contact voltage technology in the State.

Background: On May 5, 2006, Deanna Camille Green, at the age of 14, was electrocuted by 277 volts on a fence in Baltimore City. In response to a similar incident in New York City, the New York State Public Service Commission adopted regulations in 2008 requiring annual contact voltage testing, mitigation, and reporting requirements for New York City, which was later expanded to include all major cities in the state of New York.

Additional Information

Prior Introductions: None.

Cross File: Although SB 929 (Senator Astle, *et al.* – Finance) is designated as a cross file, it is different.

Information Source(s): Office of People's Counsel, Public Service Commission, Department of Legislative Services

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