



VEGETATION MANAGEMENT FREQUENTLY ASKED QUESTIONS

Q. Does FERC set regulations for vegetation management?

A. The regulatory oversight of vegetation management is managed by both FERC and the states. FERC's responsibility is to oversee and approve reliability standards for the bulk transmission system. The states and local authorities have authority over the physical location (siting) of transmission lines. They also oversee all aspects of the distribution system, including vegetation management.

Q. Please explain the different roles for setting reliability standards for vegetation management?

A. The electric system is divided into two different domains for regulatory purposes, largely based on the voltage of the facilities.

The Energy Policy Act of 2005 granted FERC the authority to review and approve mandatory reliability standards for the nation's bulk power system, which is generally defined as high voltage *transmission* lines (generally those at or above 100,000 volts, or 100 kV). As part of those reliability standards, FERC sets vegetation management standards for large interstate transmission facilities. The vegetation management standard, FAC-003-001, applies to facilities above 200kV plus certain other facilities determined to be critical to the reliability of the wholesale bulk-power system.

Lower voltage *distribution* lines, (generally those lines below 100,000 volts, or 100 kV) are regulated by the utility regulatory commissions in each state. Individual state regulatory commissions have the authority to set vegetation management standards for distribution lines.

Q. How can I tell whether the tree trimming around my lines is for the transmission or distribution system?

A. The lines running in front of your house on wooden or metal poles are usually distribution lines. High towers with multiple lines are most often transmission lines. For comparison, the electric lines going by your house are usually only 13,800 volts. To be certain you can call your local utility or state regulatory commission. Most tree trimming that affects homeowners involves local distribution, not transmission.



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Q. What is the FERC standard for transmission line vegetation management and what is covered by that standard?

A. The reliability standard, FAC-003-1, can be found on the following web site: (<http://www.nerc.com/files/FAC-003-1.pdf>). The standard does not specify the method by which a transmission company must conduct its vegetation management (e.g., trimming, herbicides, or tree removal). Rather, it specifies that the company must manage its vegetation plan so that clearances between power lines and trees will ensure reliable operation of the Bulk-Power System. The reliability standard requires the transmission line owner to establish, implement, and document its vegetation management program.

Q. What is the purpose of the FERC reliability standard?

A. Vegetation contact with power lines is a leading cause of power outages. The standard is designed to minimize transmission line outages due to vegetation contacts, and thereby maintain or improve the reliability of the Bulk-Power System. Tree contact with transmission lines was a common cause of past regional blackouts, including the August 2003 blackout that affected 50 million people.

Q. How is the vegetation management reliability standard developed and implemented?

A. FERC designated the North American Electric Reliability Corporation (NERC) as the Electric Reliability Organization (ERO), with the responsibility to develop standards to protect the reliability of the Bulk-Power System, including the vegetation management standard. NERC creates these standards with cooperation and input from industry and other stakeholders. NERC, in turn, designated eight Regional Entities, which also operate under FERC authority, to address and implement standards at a regional level.

Q. Can companies exceed the transmission vegetation management standard?

A. The standard establishes a minimum clearance between trees in the right-of-way and the overhead power lines. It does not prohibit companies from creating a clearance that is greater than the minimum clearance.



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Q. Can FERC order companies to meet only the minimum clearance under the reliability standard for transmission lines and no more?

A. No. FERC has no authority to do so. There may be reasons other than the standard that affect a company's vegetation management practices, such as policies established by states, a desire to improve reliability above the minimum requirements (and thereby reduce the possibility of penalties for non-compliance), reducing the cost of frequent tree-trimming, and the terms of any individual agreements with property owners. All of these potential issues lie outside FERC's jurisdiction.

Q. Couldn't FERC use its enforcement ability to resolve complaints over how transmission utilities do their vegetation management?

A. FERC can only enforce compliance with the minimum clearance standard, not how a transmission company chooses to comply or whether they go beyond the minimum required for compliance.

Q. How does FERC weigh landowner rights in setting the reliability standard?

A. FERC does not have authority over landowner rights in this area. FERC's reliability standard approval authority is focused on reliability alone. Landowner rights are usually determined by the right-of-way agreements that the landowner has executed with the utility. These agreements are subject to the review of local regulatory authorities, and/or the courts. However, the vegetation management reliability standard recognizes landowner rights by stating that the transmission owner must develop mitigation measures for locations on its right-of-way where it is restricted from attaining the clearances required by the standard.

Q. Who is responsible for determining what rights landowners have when a transmission or distribution line is built?

A. The answer to that question may vary across states or other jurisdictions. In the majority of cases, states have the authority to approve the location or siting of transmission and distribution lines. The landowner's rights may be established through a right-of-way agreement entered into between the local utility and the landowner, during the approval process.



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Q. How would I determine the rights that I have?

A. Your rights are usually formalized in a utility right-of-way to the property, which may be attached to your property deed, describing the rights of the parties for building and maintaining the line.

Q. Where can a landowner go to get more information on how to address concerns they may have?

A. The electric utility company that operates in your service territory should be the first place to go. The customer service phone number should be found on your electric bill.

Questions about the *transmission* reliability standard for vegetation management can be answered by FERC.

Questions about how a transmission company actually conducts transmission vegetation management, including where to find its vegetation management plan and whether it exceeds the standard set by FERC, may be answered by the local state regulatory commission or other local governmental authority.

Questions about vegetation management for *distribution* lines should not be addressed to FERC. If your local electric company cannot answer your question, another good source of information is the state regulatory commission, which usually has a customer complaint service. If its staff cannot help, they may have other suggestions. For links to state commissions see <http://www.naruc.org/commissions.cfm>.