



## 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 state regulatory agencies. 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. State agencies 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 *large-scale 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, in addition to 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 within 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 into your house are usually between 4,000 and 21,000 volts. Transmission lines carry significantly higher voltages. To be certain you can call your local utility or state regulatory commission. Most tree pruning 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: ([ftp://www.nerc.com/pub/sys/all\\_updl/standards/rs/FAC-003-1.pdf](ftp://www.nerc.com/pub/sys/all_updl/standards/rs/FAC-003-1.pdf)). The standard does not specify the method by which a transmission company must conduct its vegetation management (e.g., pruning, 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, which refers to the large, interstate lines. 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. Tree contact with transmission lines is a leading cause of power outages and a common cause of past regional blackouts, including the August 2003 blackout that affected 50 million people in the Northeast United States and Canada. 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.

**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 ensure 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.



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**Q. Can companies exceed the transmission vegetation management standard?**

A. The standard establishes a “minimum” clearance of space between trees and transmission lines in the right-of way, which must be maintained at all times. This also includes accounting for future tree growth, movement of trees or conductor due to wind, conductor sag due to heat and loading, and other factors. To maintain minimum clearances at all times, transmission owners typically prune or remove vegetation to a much greater distance than the minimum defined in the standard.

**Q. Can FERC order companies only to meet the minimum clearance under the reliability standard and go no further?**

A. No. FERC has no authority to do so. As stated above, to maintain minimum clearances at all times, transmission owners must often prune or remove vegetation to greater distances than the minimum. There may also 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 requirements outlined in FAC-003. This standard does not dictate, nor can FERC enforce, how a transmission company chooses to comply, or whether they go beyond the minimum clearances required for compliance.

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



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A. FERC does not have authority over landowner rights. 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 (or a previous owner) has executed with the utility company. 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 (for justifiable reasons) 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 varies 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 distribution utility and the landowner, during the approval process.

### **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 electric lines. You may also contact the utility company that owns the transmission line to determine if it has the specific available records.

### **Q. Where can landowners go to get more information on how to address concerns they may have?**

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

Questions about the *transmission* reliability standard for vegetation management can be answered by FERC, NERC or the Regional Entity



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overseeing reliability locally. (See <http://www.nerc.com/regional/> and click on your part of the country to find the contact information for the relevant Regional Entity.)

Questions about how a transmission company actually conducts transmission vegetation management, including 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 or NERC. 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>.

### **Q. Where can a landowner go to get more information about proper vegetation management techniques on rights-of-way?**

- A. Proper techniques for utility vegetation management work are outlined in ANSI A-300 and the accompanying best management practice booklets. These, and related publications, can be ordered at: <http://secure.isa-arbor.com/webstore/Standards-and-Practices-C21.aspx>.

Consumer tree care information (including information on utility pruning) can be found at <http://www.treesaregood.com/treecare/treecareinfo.aspx>.

General questions related to proper vegetation management can also be directed to the Utility Arborist Association: [www.utilityarborist.org](http://www.utilityarborist.org).