

1 **UNDERGROUND CONVERSION OF UTILITIES**

2 **AMENDMENTS**

3 2019 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: David G. Buxton**

6 House Sponsor: Calvin R. Musselman

8 **LONG TITLE**

9 **General Description:**

10 This bill amends the definition of "electric facilities" in relation to cities of the first
11 class and nominal voltages.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ excludes from the definition of "electric facilities" facilities in a city of the first
15 class or a county of the first class that are used for the transmission of electrical
16 energy with a nominal voltage exceeding 138,000 volts.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **54-8-3**, as last amended by Laws of Utah 2008, Chapter 369

25 *Be it enacted by the Legislature of the state of Utah:*

26 Section 1. Section **54-8-3** is amended to read:

27 **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 or a county of the first class, any facilities used or intended
43 to be used for the transmission of electric energy at nominal voltages in excess of 138,000
44 volts; or

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

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

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

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

54 (8) "Point of delivery" means:

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

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

57 (9) "Public utility" means any electric corporation or communications corporation that

58 provides electric or communication service to the general public by means of electric or
59 communication facilities.

60 (10) "Resolution" means ordinance when the governing body properly acts by
61 ordinance rather than by resolution.

62 (11) "Service entrance equipment" means facilities on the property owner's side of the
63 point of delivery that are necessary to accommodate service from a public utility.

64 (12) "Underground electric or communication facilities" means electric or
65 communication facilities located, in whole or in part, beneath the surface of the ground.