MECA

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Testimony of Susan Schlaybaugh, Legislative Consultant
Michigan Electric Cooperative Association
Before the House Energy and Technology Committee, July 14, 2009

Mr. Chairman, Vice Chairmen, and members of the Committee, I am Susan Schlaybaugh and I am here on behalf of the Michigan Electric Cooperative Association. I appreciate the opportunity to testify in support of H.B. 4999 to amend the state's frost law to address the use of county roads by utility subcontractors during the frost law period. MECA President and CEO Michael Peters had planned on being here today to testify but had to be out of town to address a personal family matter.

The Michigan Electric Cooperative Association (MECA) is the statewide trade association representing the interests of Michigan's electric cooperatives[1]. MECA's membership consists of nine distribution cooperatives, one cooperative whose members are all choice customers under P.A. 141, and one generation and transmission cooperative, Wolverine Power Cooperative. Collectively, the electric cooperatives provide retail electric service to approximately 325,000 homes, farms and businesses located in 61 of Michigan's 83 counties. Much of the cooperative service area is in the rural parts of the state. To serve our member-consumers, the cooperatives maintain over 36,000 miles of distribution line and 1,750 miles of transmission line.

[1] MECA's membership consists of the following: Alger Delta Cooperative Electric Association, Cherryland Electric Cooperative, Cloverland Electric Cooperative, Great Lakes Energy Cooperative, HomeWorks Tri-County Electric Cooperative, Midwest Energy Cooperative, The Ontonagon County Rural Electrification Association, Presque Isle Electric & Gas Co-op, Thumb Electric Cooperative, Wolverine Power Marketing Cooperative, and Wolverine Power Supply Cooperative, Inc.

Oftentimes, electric cooperatives rely on contractors to provide right-or-way maintenance, new line construction and maintenance, and to assist with emergency restoration. We see our contractors as an extension of our service to our member-consumers as they play a vital role in our ability to maintain reliable and affordable electric service in the most sparsely populated areas of the state.

House Bill 4999 is a logical extension of the utility exemption under the frost law to apply to utility subcontractors working on our behalf in non-emergency situations. While the law would extend the exemption it is not an absolute exemption allowing utility subcontractors to travel the roads during the frost law period unrestricted. What the proposed change does do is allow the local county road commission, working with the utility and the utility's contractor, to decide which roads are safe to travel on and which roads are not. This change in the law retains the local road commission's current authority to decide when and where utility vehicles, whether they are utility vehicles owned by the utility or owned by a subcontractor of the utility, can travel safely so as to maintain reliable electric service and protect the county road system.

We support House Bill 4999 and believe it strikes an excellent balance between protecting the roads during the frost law period and maintaining reliable electric service by empowering the local county road commission to make decisions locally. I would be happy to answer any questions.