

220 CMR: DEPARTMENT OF PUBLIC UTILITIES

220 CMR 22.00: NOTIFICATION OF VEGETATION MAINTENANCE ACTIVITIES  
FOR TRANSMISSION RIGHTS-OF-WAY

Section

- 22.01: Purpose and Scope
- 22.02: Definitions
- 22.03: Notification Regarding Transmission-related Vegetation Maintenance Activities
- 22.04: Event Notice Exemptions
- 22.05: Exclusions
- 22.06: Miscellaneous

22.01: Purpose and Scope

(1) Purpose. 220 CMR 22.00 establishes the procedures for notifying Municipal Officials, the Department of Public Utilities, and Abutters to electric transmission Rights-of-way of planned vegetation maintenance activities to be performed by Transmission Companies.

(2) Scope. 220 CMR 22.00 applies to Transmission Companies as defined in M.G.L. c. 164, § 1.

22.02: Definitions

For the purposes of 220 CMR 22.00, the terms set forth in 220 CMR 22.02 shall be defined as follows, unless the context otherwise requires.

Abutter means a person or entity that owns or occupies real property that abuts a Transmission Company's Right-of-way.

Critical Event means an event:

- (a) in which there is an imminent threat or actual impairment of service reliability or public safety; or
- (b) in which access to Transmission Facilities, as defined in M.G.L. c. 164, § 1, is necessary to restore power.

Department means Department of Public Utilities.

Emergency Event means an event in which widespread outages or Service Interruptions have occurred in the service area of a Transmission Company due to storms or other causes beyond the control of a Transmission Company.

Municipal Officials means the mayor, city manager, chief executive officer, and/or chairman of the board of selectman of a municipality.

220 CMR: DEPARTMENT OF PUBLIC UTILITIES

Right-of-way means any corridor of land over which Transmission Facilities, as defined in M.G.L. c. 164, § 1, are located.

Service Interruption means the loss of service to one or more customers connected to a distribution system and/or transmission system, or loss of a transmission facility or line.

Transmission Company means a company engaging in the transmission of electricity or owning, operating or controlling transmission facilities, as defined M.G.L. c. 164, § 1.

22.03: Notification Regarding Transmission-related Vegetation Maintenance Activities

(1) Prior to March 31st each year, each Transmission Company shall notify the Department, by first class mail and electronic mail, and the Municipal Officials in each municipality in which the Transmission Company plans to conduct transmission-related vegetation maintenance activities during the following calendar year, by first class mail or electronic mail. The notification shall provide a description of the vegetation maintenance activities to be performed and the timeframe and location(s) of such activities.

(2) Each Transmission Company also shall make a good faith effort to notify Abutters, Municipal Officials, and the Department not less than 30 days before commencing any transmission-related vegetation maintenance activities.

(a) Notice to Abutters shall be by:

1. first class mail and either;
2. electronic mail or door hangers.

(b) Notice to Municipal Officials and the Department shall be by first class mail and electronic mail.

(c) Such notice shall provide a description of the specific vegetation maintenance activities to be undertaken, the timeframe for such vegetation maintenance activities, the location of such vegetation maintenance activities, contact information for the Transmission Company, and the website address for the Transmission Company's vegetation maintenance plan, if available.

(3) Each Transmission Company shall maintain a log of notifications or notification attempts made in a calendar year to Municipal Officials, the Department, and Abutters. The log of notifications must include the date and form of notification provided to Municipal Officials, the Department and Abutters. The log of notifications shall also include any complaints received by the Transmission Company with respect to transmission-related vegetation maintenance, including a copy of the original complaint. Each Transmission Company shall maintain the log of notifications for no less than five years and shall provide the log(s) to the Department and Municipal Officials upon request.

(4) Each Transmission Company shall maintain an up-to-date list of Municipal Officials in each municipality in which the Transmission Company maintains

## 220 CMR: DEPARTMENT OF PUBLIC UTILITIES

Rights-of-way. Each Transmission Company shall annually update such list which shall contain the names, mailing addresses, email addresses, and telephone numbers for such Municipal Officials.

### 22.04: Event Notice Exemptions

(1) A Transmission Company shall be exempt from the notification requirements of 220 CMR 22.03(2) during its preparation for an imminent Emergency Event, during the Emergency Event, and during the subsequent restoration and post-restoration activities related to the Emergency Event.

(2) A Transmission Company shall be exempt from the notification requirements of 220 CMR 22.03(2) during a Critical Event that requires the Transmission Company to undertake immediate, non-planned transmission-related vegetation maintenance activities.

### 22.05: Exclusions

(1) Nothing in 220 CMR 22.00 shall modify or limit a Transmission Company's notification obligations under 333 CMR 11.07: *Public Notification*, as promulgated by the Massachusetts Department of Agricultural Resources.

### 22.06: Miscellaneous

The Department may grant, for good cause shown, and not contrary to statute, an exception from any provisions of 220 CMR 22.00.

## REGULATORY AUTHORITY

220 CMR 22.00: St. 2012, c. 216, § 7.