

CHAPTER 25. SUBSTANTIVE RULES APPLICABLE TO ELECTRIC SERVICE PROVIDERS.

Subchapter D. RECORDS, REPORTS, AND OTHER REQUIRED INFORMATION.

§ 25.97 Line Inspection and Safety

- (a) **Purpose.** This section implements the reporting requirements in Public Utility Regulatory Act (PURA) §38.102.
- (b) **Applicability.** This section applies to electric utilities, municipally owned utilities, and electric cooperatives that own or operate overhead transmission or distribution assets.
- (c) **Definition.** When used in this section, the term “affected entity” means an electric utility, electric cooperative, or municipally owned utility that owns or operates overhead transmission or distribution assets.
- (d) **Employee Training Report.**
 - (1) Not later than May 1, 2020, each affected entity must submit to the Commission a report that includes:
 - (A) a summary description of hazard recognition training documents provided by the affected entity to its employees related to overhead transmission and distribution facilities; and
 - (B) a summary description of training programs provided to employees by the affected entity related to the National Electrical Safety Code (NESC) for construction of electric transmission and distribution lines.
 - (2) An affected entity must submit an updated report not later than the 30th day after the date the affected entity finalizes a material change to a document or training program included in a report submitted under paragraph (1) of this subsection.
- (e) **Five-Year Report.**
 - (1) Not later than May 1 every five years, each affected entity that owns or operates overhead transmission facilities greater than 60 kilovolts must submit to the commission a report for the five-year period ending on December 31 of the preceding calendar year that includes:
 - (A) the percentage of overhead transmission facilities greater than 60 kilovolts inspected for compliance with the NESC relating to vertical clearance in the reporting period; and
 - (B) the percentage of the overhead transmission facilities greater than 60 kilovolts anticipated to be inspected for compliance with the NESC relating to vertical clearance during the five-year period beginning on January 1 of the year in which the report is submitted.
 - (2) The first report submitted under this subsection must be submitted not later than May 1, 2020.
- (f) **Annual Report.** Not later than May 1 of each year, each affected entity must make a report to the commission for the preceding calendar year.
 - (1) For each affected entity that owns or operates overhead transmission facilities greater than 60 kilovolts, the report must include the following information related to those facilities:
 - (A) the number of identified occurrences of noncompliance with PURA §38.004 regarding vertical clearance requirements of the NESC for overhead transmission facilities;
 - (B) whether the affected entity has actual knowledge that any portion of the affected entity’s transmission system is not in compliance with PURA §38.004 regarding vertical clearance requirements of the NESC for overhead transmission facilities; and
 - (C) whether the affected entity has actual knowledge of any violations of easement agreements with the United States Army Corps of Engineers relating to PURA §38.004 regarding the vertical clearance requirements of the NESC for overhead transmission facilities.

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- (2) For each affected entity that owns or operates overhead transmission facilities greater than 60 kilovolts or distribution facilities greater than 1 kilovolt, the report must include the following information related to those facilities:
 - (A) the number of fatalities or injuries of individuals other than employees, contractors, or other persons qualified to work in proximity to overhead high voltage lines involving transmission or distribution assets related to noncompliance with the requirements of PURA §38.004; and
 - (B) a description of corrective actions taken or planned to prevent the reoccurrence of fatalities or injuries described by subparagraph (A) of this paragraph.
- (3) Violations resulting from, and incidents, fatalities, or injuries attributable to a violation resulting from, a natural disaster, weather event, or man-made act or force outside of an affected entity's control are not required to be included in the report under this subsection.
- (g) **Reporting Form.** An affected entity must make a report required by this section on a form prescribed by the commission.
- (h) **Report Filing.** An affected entity filing a report required under this subsection must include the project number designated by the commission for the report on the first page of the report and submit the correct number of copies of the report to the commission's central records for filing.
- (i) **Reports Publicly Available.** Not later than September 1 each year, the commission will make the reports submitted under this section publicly available on the commission's Internet website.