

# WHAT CAN BE DONE ABOUT TRIM REFUSALS<sup>1</sup>

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In companies such as Utah Power & Light Co., which maintain a policy of customer permission to trim trees, the problem of "trim refusals" can be extremely prohibitive in the maintenance of an effective line clearance program. The refusal by a customer to allow crews to obtain proper clearance can be most frustrating.

In today's world, where customers are becoming more and more aware of their surroundings, including trees located on their property and the value associated with them, trim refusals are becoming more and more prevalent. Therefore, some steps must be taken to diminish this problem. With that in mind, I would like to treat the problem of trim refusals in a step-by-step manner.

An old fishing story may point out an important idea to remember as we go through the phases of eliminating the problems of trim refusals. As the story goes, an old gentleman had been out fishing one day and on his way back, stopped at a local tavern to quench his thirst. After a few beers he began to brag of his success at his favorite fishing hole and was showing his days catch to the other fellows at the bar. One young man seated at the end of the bar was amazed and quite jealous of the gentleman's success. He began talking with the gentleman and they arranged to go fishing the following day at the same spot. The next day, once at the lake they carried down the boat and launched it. The old gentleman carried down a small brown box and got in the boat while the younger man (who happened to be a wildlife officer) carried his fishing tackle down to the boat. As they set out on the lake the wildlife officer questioned the older gentleman about his fishing tackle to which he replied he had everything he needed in his box. When the two came to the fishing hole the older gentleman opened his box, took out a stick of dynamite, lit it, and threw it in

the water. As he was pulling the floating fish out of the water, the younger gentleman informed him that he was a wildlife officer and would have to arrest him for his fishing technique. The older gentleman said nothing, took out another stick of dynamite, lit the fuse and threw it to the wildlife officer and said "are you going to sit and talk, or are you going to fish?"

This story points out that we are not going to correct our problems by tricking the customer because we will normally have it thrown back in our face. Therefore, we must have an organized system of progressive steps to eliminate the problem of trim refusals. Do what ought to be done, when it ought to be done, whether you want to or not.

The first step is education. We need to educate the public and also landscapers and nurserymen at every possible opportunity to prevent the need for trim refusals. Through bill stuffers and booklets we can point out the incompatibility of trees and overhead electrical lines. We can recommend suggested plantings for certain conditions and also point out the hazards involved with tree-wire contact. By education of the customer in planting the right tree in the right place we can reduce the future need of trim refusals.

The second step is to eliminate a potential problem at an early stage. By having competent tree foremen on the property who are able to recognize a future problem and correct it in its early stages we can prevent future trim refusals. In a permit trimming operation, the most important asset we have is the personal contact of an effective foreman with the property owner. By pointing out future tree/wire problems to the property owner when plantings are still small and have not yet become a substantial part of the landscape, it is usually possible to suggest to the customer

1. Presented at the annual meeting of the International Society of Arboriculture in Indianapolis, Indiana in August 1983.

either transplanting or removal of the tree or trees involved. In this early stage the impact of transplanting or removal is far less than if the trees were allowed to grow to a point which dictates that they be trimmed to obtain proper line clearance. Therefore, it is imperative that we use our foremen to their fullest and allow them to act on their own.

The third step regards new line locations. We need to make every effort possible to work with the engineers and planning people within our companies to insure that they design new locations with some thought given to trees. Many times future problems can be eliminated by proper line locations. If this cannot be accomplished, an effort should be made to obtain permission from the property owner, in writing, to allow trimming of trees to maintain proper clearance before construction on the line begins. If this is not successful, an effort should be made to secure a firm right-of-way easement on the property.

Up to this point I have discussed ways of preventing a problem before it begins. But let us assume that we have a tree which has grown into an area of impaired clearance and the property owner has refused trimming. The foreman has done his best to convince the owner to allow trimming to maintain safety and also continuity of service. Now we have a more difficult problem to remedy. At Utah Power & Light we have set up a system which has been helpful in reducing trim refusals that may be helpful to other systems.

After a property owner has refused trimming the first step is to generate an accurate record of the refusal. This can best be done by the foreman in the field. Some information that can be useful is line voltage, type of construction, tree species, location of tree in relation to line, etc. However, information which must be present includes: 1) name of property owner, 2) address location of tree, and 3) reason for refusal. This must be included so that the next step may be taken.

**Personal contact by utility personnel.** Many times a trim refusal can be reversed by simple personal contact by a company officer with the property owner, in which more time than the foreman can afford can be devoted to explaining the hazards and responsibilities involved. Often we find that the property owner is looking for personal

consideration and that the trim refusal is not the "real" reason at all. It may be that the customer has a complaint about a high bill which he or she feels has not been handled adequately. Through personal contact, often these problems can be resolved and permission to trim can be obtained. If we show the customer that we care, they will generally respond. Make every effort to explain to the customer the reasons for trimming their tree. Let them know that we don't trim trees simply because it's fun.

If this should fail, we place the trim refusal into our line outage computer program. When a tree-related outage occurs we explain the reason for the outage to customers who call. In this manner we can bring some pressure from neighbors to bear on the property owner. Although we have found this to be somewhat unsuccessful in obtaining permission to trim, it does provide us with an explanation to the other customers involved in an outage on the same circuit. If the property owner is the only customer on the line, we have refused to put the line back in service until the customer provides us with written permission to trim. However, seldom are we afforded the luxury of a single customer on a line.

We have now pretty much exhausted the methods available to allow the customer to make the decision to allow trimming. We must then take the decision out of the hands of the property owner.

Utah Power & Light Company operates within three states, Utah, Idaho, and Wyoming. In working in three states we must deal with three separate public service commissions. In Utah we have a very cooperative working relationship. Through extensive talks and the presentation of data on tree-related outages, and, unfortunately, tree-related electrocutions, we have been able to obtain assistance from the Public Service Commission in eliminating these trim refusal problems. We state that we cannot carry out our primary objective of "providing continuous service" as dictated by the commission, if service is interrupted by a trim refusal line outage.

We are attempting to establish a policy with the Utah Public Service Commission that enables us to obtain proper line clearance without liability. This is accomplished by providing the commission

with three documents:

1) Trim Refusal Record: stating the following — property owner's name, address location of tree/trees, mailing address of property owner, date of refusal, number of trees involved, species of trees involved, location of trees, and number of customers involved on circuit.

2) Record of Personal Contact with Property Owner by utility personnel stating the following — date of contact, summary of discussion with property owner, and signature of utility personnel, and property owner if possible.

3) Computer Printout of outage report showing three outages attributable to the trim refusal.

Once this information has been provided it is sent to the state attorney general's office who transmits a registered mail letter to the property owner stating that their tree/trees will be trimmed to specified clearances within seven days or will be trimmed by Utah Power & Light Company. The letter also states that all brush and material generated by the trimming will be the responsibility of the property owner. However, to relieve some of the tensions created and to promote good public relations, when we trim the tree/trees we do clean up the brush. At this time, this is not a firm policy, but is being used on a trial basis. However, we are hopeful that we can show enough benefit that it will be accepted on a state-wide basis.

Unfortunately, this does not take into account those trim refusals that do not cause outages, but still present a hazard to children or others who might climb the tree and come in contact with an energized conductor. Therefore, we required a second method to deal with those trim refusals

and also those that are encountered in the area served by the Idaho and Wyoming Public Service Commissions, who have not been as receptive as the Utah Commission in the area of forcing compliance.

In these instances, we are establishing a system of three letters generated from the legal department at Utah Power & Light Co. These are sent by registered mail progressively every ten days if no reply is received. The letters contain the following:

*Letter 1.* A general presentation of the responsibilities of the company to maintain service and the hazards involved with tree/line contact.

*Letter 2.* This states the transfer of liability caused by tree/line contact in relation to fire, damaged trees, etc. and also any injury caused by an impaired clearance.

*Letter 3.* This letter states the intention of the company to press for legal court proceedings to condemn the tree/trees involved in the trim refusal. This last letter is used only when the tree involved represents an eminent life-threatening situation, because of the expense involved in legal actions and also the reluctance of the courts to award a large company a decision.

Some of these methods may be helpful, in whole or in part, to you in your line clearing operation. We should all remember that we have a responsibility to protect the public as well as concern ourselves with tree-related outages.

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