

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held in the City of  
Albany on May 15, 2025

COMMISSIONERS PRESENT:

Rory M. Christian, Chair  
James S. Alesi  
David J. Valesky  
John B. Maggiore  
Uchenna S. Bright  
Denise M. Sheehan  
Radina R. Valova

CASE 25-M-0051 - Proceeding on Motion of the Commission to  
Establish Rules and Regulations to Require, the  
Trimming of Vines on Utility Poles Throughout  
the State Pursuant to PSL §119-d.

ORDER INSTITUTING PROCEEDING TO ESTABLISH RULES REGARDING VINE  
TRIMMING PURSUANT TO PUBLIC SERVICE LAW §119-d

(Issued and Effective May 16, 2025)

BY THE COMMISSION:

INTRODUCTION

Under the Public Service Law (PSL), the Commission is generally charged with ensuring the safe and reliable operation of New York's electric, telephone, and cable systems.<sup>1</sup> Effective management of trees and other vegetation that is encroaching or nearing utility facilities helps to ensure the reliability of the systems as well as the safety of workers and the public at-large. As one example, the Commission has a long-standing history of supporting electric utility vegetation management practices and programs. In accordance with PSL §119-d, the

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<sup>1</sup> See, PSL §§65, 91, and 215.

Commission is now required to promulgate rules and regulations that specifically address the trimming of vines on and around utility poles throughout the State.<sup>2</sup>

Through this Order, the Commission initiates this proceeding to consider vine management requirements for utility pole owners as required by PSL §119-d. As discussed in more detail below, Department of Public Service staff (Staff) has developed a generic proposal regarding the minimum requirements for enhancing efforts to remove vines on and around utility poles. As discussed below, all interested stakeholders are invited to file comments on this generic proposal by August 10, 2025.<sup>3</sup> The Commission will consider comments received before making a final determination.

#### BACKGROUND

Distribution poles throughout New York State are, for the most part, owned by electric utilities and large and/or rural telecommunication companies; in some instances, poles are jointly owned by these entities.<sup>4</sup> Attachments to these utility poles are typically telecommunication, cable, wireless and/or broadband providers who submit their applications to the pole owners requesting a license for the use of space on the poles and approval to attach their facilities.

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<sup>2</sup> A.343-A/S.2988-A signed into law September 9, 2023, as Chapter 372 of the Laws of 2023.

<sup>3</sup> Pursuant to the State Administrative Procedure Act §202(1), a Notice of Proposed Rulemaking will also be published in the State Register.

<sup>4</sup> As used herein, the term "electric utilities" include all investor-owned and municipal electric companies subject to the Commission's jurisdiction that own or operate distribution facilities, whether fully or lightly regulated.

The primary purpose of PSL §119-d is to address the potential for vines to interfere with electric, telephone, cable, or broadband equipment and improve network reliability. Additional reasons to remove vines include improving worker and public safety, providing a clear line of sight when inspecting and maintaining infrastructure, reducing dispatching of repair crews, and preventing the build-up of heat and humidity around equipment. Vegetation in the vicinity of utility facilities can interrupt service, damage infrastructure, and create dangerous situations if a line goes down. Vegetation contacting poles, lines, and other electric, telephone, cable, or broadband infrastructure is a common cause of service interruptions in New York.

#### LEGAL AUTHORITY

PSL §119-d requires, in part, that the Commission "promulgate rules and regulations to require, in addition to other maintenance procedures, the trimming of vines on utility poles throughout the state by the utility company or cable television company that owns such utility poles where such vine growth is likely to disrupt safe and reliable service."

#### DISCUSSION AND CONCLUSION

Public Service Law §119-d requires all utilities that own poles in New York to trim vines where such vine growth is likely to disrupt safe and reliable service. Accordingly, the Commission institutes this proceeding to begin the process of addressing vine management on and around utility poles. Department Staff has developed a set of minimum standards for plans that would be filed with the Commission to address the risk posed by vines on utility facilities attached hereto as Appendix A. The Commission emphasizes that this is a proposed

list of minimum standards that may be included in each utility's program which may include additional or more stringent standards regarding vegetation management and vine growth.

The Commission acknowledges that all electric utilities and many telephone companies currently have a vegetation management program in place. To the extent that an electric or telephone utility has an existing vegetation management program, the Commission expects that vine management procedures will be included in their vegetation management programs. At a minimum, however, utilities must adopt vine management procedures in accordance with PSL §119-d.

As an initial step, the Commission will solicit comments from all interested stakeholders on potential minimum requirements that all pole owners would be required to implement in order to comply with the requirements of PSL §119-d. The affected utilities and all interested stakeholders may file comments on Department Staff's generic proposal by August 10, 2025. Once comments are received, the Commission anticipates adopting minimum standards regarding vine management and having all affected utilities file plans at a later date.

The Commission orders:

1. A proceeding is initiated to implement the provisions of Public Service Law §119-d.
2. Interested stakeholders shall file comments by August 10, 2025, on the proposed minimum standards for vine management set forth in Appendix A to this Order.
3. In the Secretary's sole discretion, the deadlines set forth in this Order may be extended. Any request for an extension must be in writing, must include a justification for the extension, and must be filed at least three business days prior to the affected deadline.

4. This proceeding is continued.

By the Commission,

(SIGNED)

MICHELLE L. PHILLIPS  
Secretary

## **Appendix A**

### **Draft Minimum Standards for Vine Management**

- All utilities owning distribution poles in New York either solely or jointly shall trim vines on poles throughout the State where such vine growth is likely to disrupt safe and reliable service. If vines found by the communications company extend into the power space, the responsible electric company must be contacted for vine removal. Only properly trained and certified individuals shall work within the electric space. In addition, as part of each field crew's daily operations, any vine hazards identified shall be reported for remediation or corrected if trained employees, time, and tools are available.
- For jointly owned poles, the electric utilities will be responsible for vine management however, if the vines are in the telephone communication space, they will coordinate with their respective communication company to ensure removal.
- Each utilities' vine trimming program shall be designed to inspect and trim all utility poles at least once every three years.
- Each utility shall provide an inspection/trimming schedule that demonstrates how the utility will comply with PSL §119-d.
- Each utility shall provide plans to train its employees and contractors to safely perform inspections and vine trimming.
- Each utility shall develop procedures and protocols to track inspection dates and results for each utility pole. These inspection records must be kept in a manner that is

readily accessible, searchable, and continuously updated, and subject to review and audit by the Commission.

- Any vines which are growing up poles or guy wires shall be cut at the ground line and removed six feet up the pole and/or guy wire when found.
- All work shall be performed by qualified inspectors, qualified line clearance contractors, qualified vine clearance crews, or qualified line crews wearing the appropriate Personal Protective Equipment (PPE), such as helmets, safety glasses, and electrical safety gloves along with using approved methods and tools such as appropriate traffic control methods and testing poles for stray voltage before vine removal begins.
- All work shall be performed in accordance with all applicable federal, state, and local laws, regulations and safety requirements.
- All work shall be subject to inspection by government officials and regulators.
- All work shall be performed in a way that will not interfere with or affect services or equipment.
- Whenever possible, property owners shall be notified before clearing vines on private property.
- Obtaining local or state approvals, if necessary, for all poles located in public rights-of-way.