

# Model Commission

## Model Commission Rule Or State Statute Adopting The National Electrical Safety Code

### Adoption Of Safety Standards For Electric Power, Telephone and Community Antenna/Cable Television (CATV) Utility Facilities

#### 1. APPLICABLE NATIONAL STANDARD

All electric power, telephone, community antenna/cable television (CATV) utilities operating in the State of \_\_\_\_\_ shall design, construct, operate and maintain their lines and equipment in conformance with the applicable provisions of the following American National Standard (Standard): NATIONAL ELECTRICAL SAFETY CODE (NESC)--ANSI-C2.

#### 2. APPLICABLE EDITION

(a) The requirements of the 1997 Edition of the Standard shall be met for applicable facilities and work tasks, as applicable, on and after the effective date as defined therein; such requirement may be used by a utility at any time after the publication date.

(b) Unless a hearing is requested of the \_\_\_\_\_ (Commission) within 120 days of the publication of a subsequent revision of the Standard, such revised edition shall in 60 days (the 180th day after publication) automatically be adopted as the applicable edition for facilities and work covered thereunder until superceded. When editions change, existing facilities may continue to meet the requirements of previously applicable code editions if allowed to do so under the new edition.

#### 3. MODIFICATIONS, DELETIONS and WAIVERS to THE STANDARD

The Commission may, at its discretion and after appropriate hearing, modify, delete or waive individual requirements of the Standard. A modification, deletion or waiver of a national standard of practice contained in the Standard shall be made only when (1) other measures achieving equivalent levels of safety are substituted therefore or (2) such national standard practice is found to be not applicable or is found to be unduly burdensome for the level of safety achieved under the given local conditions.

(a) Modifications, deletions or waivers of individual requirements of an edition of the Standard shall remain in force until (1) the effective date of the next subsequent edition of the Standard or (2) repeal by the Commission, whichever occurs first.

(b) If no request for rehearing on existing modifications, deletions or waivers to an edition of the Standard is received within 120 days of the publication of the next subsequent edition of Standard, the existing modifications, deletions or waivers shall be automatically considered to be repealed upon the effective date of the subsequent edition.

#### 4. ADDITIONAL SAFETY MEASURES

The Commission may, at its discretion and after appropriate hearing, require safety measures in addition to those required by the Standard.

(a) Such additional requirements shall remain in force until repealed by the following procedure or by the Commission.

(b) If such additional requirements are desired to remain in force, they shall be reaffirmed by the Commission within ten (10) years of their inception or last reaffirmation; if such additional requirements are not affirmed within the prescribed time, they shall be considered to be repealed.