

15. UTILITIES AND PIPELINES

We support:

1. Continuation of work for quality rural telephone, broadband, and electric service with just and reasonable rates.
2. The development of a higher visibility and formal involvement in electric rate issues by:
 - A. Cooperating with other intervenors in major rate cases involving farmers.
 - B. Interacting with the Illinois Commerce Commission (ICC) and utilities seeking to modify rate designs to favor agricultural users of electricity.
 - C. Monitoring utilities and the ICC to ensure that "cost of service" rate designs and regulations are not put in place which would economically harm agriculture.
3. Building a coalition of groups and organizations with identifiable common interests regarding electric rate issues.
4. Strengthening the working relationship with the rural electric cooperative system.
5. Working to simplify and streamline the regulation of the utility business while maintaining the goal of prompt, effective, and efficient regulation.
6. The Illinois Department of Agriculture (IDOA) to assume the role of arbitrator in certain utility cases involving farmland. Where requested, we will recommend language for inclusion in landowners' right-of-way agreements that would appoint the IDOA, Bureau of Farmland Protection as arbitrator in certain cases where disputes arise. Upon request, we will hold meetings with landowners before and after completion of the project to address questions and concerns of landowners.
7. Working with American Farm Bureau Federation (AFBF) to seek federal legislation requiring all federally permitted utility projects to have minimum construction standards in place before granting permits to utility companies wishing to construct on farmland.
8. Efforts to encourage electric suppliers in Illinois to participate in the development and management of wind and solar power generation.
9. Working with electric and gas suppliers in Illinois to evaluate potential load requirements for agricultural operations and develop a long range plan to upgrade existing infrastructure to handle future demand loads.
10. The appointment of the ICC and encourage the appointment of at least one commissioner who is knowledgeable about agriculture.
11. Regulations requiring all pipeline companies to manage existing pipelines shallower than two (2) feet and maintain to a level of five (5) feet of cover from existing grade within one year of discovery, subject to the landowner discretion.
12. Legislation requiring all future underground pipelines being buried across agricultural lands to follow the contour of the surface maintaining a minimum topcover of 60 inches.
13. Action by the ICC to adjust all Illinois utility companies' summer rate time period cut-off dates in order to achieve a statewide September 15 summer ending date.
14. Legislation that would provide for some form of constitutional taxation of underground pipelines by the State of Illinois and payment in lieu of taxes to benefit local units of government where pipelines are located.
15. Regulatory oversight of anhydrous ammonia pipelines by the Surface Transportation Board due to the monopolistic nature of the industry.
16. Legislation that would create a surcharge or a fee-based "Pipeline Fund" to address potential environmental problems caused by abandoned pipelines.
17. Legislation requiring pipeline companies to remove abandoned or obsolete pipelines from the ground and to ensure that the affected areas be returned to the original productivity.
18. Efforts to assess telecommunication needs in rural areas and ensure that telecommunication providers in partnership with rural communities meet those identified needs.
19. Legislation requiring utility companies to remove municipal taxes from bills of rural residences.
20. Requiring appropriate landowner, trustee, or tenant notification in all utility easement agreements.
21. Requiring all utilities installing equipment on the right-of-ways to inform the adjacent property owner at least 30 days prior to the proposed change so the landowner can inform the utility of field drainage tiles, and if needed, watch the work conducted to make sure that the field tile is not damaged. If damaged, the utility should be required to properly fix any damage as soon as possible or within 90 days at the discretion of the landowner or tenant.

22. Seeking to develop a positive approach, to protect farmland, farm owners, and operators from losses caused by utility installations. The utilities should be constructed in a manner to cause the least possible interference with agriculture.
23. Seeking the requirement, that upon notice to a utility company that owns or controls underground utilities, including fiber optic equipment and lines, by an individual or entity who is planning on excavating under or over such lines, the utility company shall excavate a minimum area to expose such line. This minimum area excavated by the utility company shall be large enough to allow the individual or entity planning on excavating to conduct their needed work in a way as not to damage the line.
24. Seeking legislation requiring all utility and pipeline projects that are constructed/buried across agricultural land complete an Agricultural Impact Mitigation Agreement (AIMA) with the IDOA before landowners are contacted about the project.
25. Seeking legislation that requires pipelines and utilities to enter into an AIMA agreement with the IDOA and allows for the enforcement of the AIMA by the IDOA when the agreement has been violated by a utility or pipeline company and the project can be stopped until the project violation has been corrected.
26. Seeking legislation to establish an obligation on the part of the ICC to require a finding from the IDOA that minimum construction standards are required for any proposed utility projects before companies are granted permits to construct improvements.
27. Seeking further study on the proper means to compensate farm owners affected by utility installations. This should require certain minimum standards for compensation agreements or annual payments for certain structures. Compensation should include cost of repairs to damaged infrastructure and crop losses as a result of damaged infrastructure.
28. Seeking legislation to require all utilities, proposing acquisition of rights-of-way for utility projects, to send written notice of intention to acquire such right-of-way to landowners and lessees at least 90 days prior to any personal contact with the landowners and lessees for purposes of negotiating such right-of-way acquisition.
29. Legislation that any blanket easement created after January 1, 2018, (or other appropriate future date) shall be void and considered against public policy and wholly unenforceable.
30. Seeking legislation to amend the Expedited Review provisions of the Illinois Public Utilities Act to better protect the property rights of landowners who may be impacted by utility projects. Also remove the 45-day deadline the ICC must follow when ruling on eminent domain requests for electric transmission line projects filed under expedited review and instead, request a reasonable timeline for the ruling.
31. Seeking to eliminate the practice of Citizens Utility Board (CUB) literature being inserted in vehicle license renewal notices.
32. Establishing minimum setbacks for overhead transmission lines from sensitive structures (private and public schools, licensed daycare facilities, residences, hospitals, agricultural irrigation systems, and agricultural livestock production facilities) of at least the following distances -- unless waived by agreement -- from the edge of respective power line easements for new electrical transmission line projects.
 - A. 100 feet for 50-138 kV line.
 - B. 150 feet for 139-339 kV line.
 - C. 250 feet for 340 kV or larger line.