



TESTIMONY OF JAMIE PY

March 7, 2017

President of the Maine Energy Marketers Association

BEFORE THE JOINT STANDING COMMITTEE ON Energy Utilities and Technology,

We are OPPOSED to:

LD 405, "An Act to Make Changes to the So-called Dig safe Law".

Sponsor: Senator Woodsome

Senator Woodsome, Representative Berry, and members of the Energy, Utilities and Technology Committee, my name is Jamie Py. I am the President of the Maine Energy Marketers Association (MEMA). MEMA is a trade association composed of approximately 300 member companies and over 8,000 permanent people working in the energy delivery and service businesses delivering heating oil, biofuels, motor fuels, propane and kerosene and offering HVAC service and installations on the equipment that operates on these fuels. In addition, our members own many convenience stores throughout Maine. We also provide education and training to the heating, ventilation, air conditioning, weatherization, and energy auditing trades for hundreds of Maine citizens annually through our courses at Maine's community colleges and at our own state of the art training facility (MTEC) in Brunswick.

We are OPPOSED to this bill.

- **Is Maine unique with this problem? No other State regulates or requires this, is there something unique to Maine? We think not.**
- **Has this been discussed before?**

The Dig Safe Task Force of 2011 clarified this section of law already in 2012. EUT Committee clarified this section of law with Public law Ch 588 of the 2nd session of the 125th.

In fact, the Dig Safe Task Force of 2011 specifically addressed the issue of adding propane facilities to Dig Safe and specifically clarified the law to ensure that Maine would NOT include these installations in Dig Safe. The EUT Committee unanimously endorsed the bill and the clarification.

In 2014, the EUT committee, through PL Ch 557 asked the PUC to investigate and may report on how to reduce the number of tickets being generated. It is attached.

- **Who owns the lines to the homes and businesses?**

This bill will require owners of duplexes, multifamily and commercial property that have underground propane lines to become familiar with Dig Safe, register and respond to the many calls to mark.

- **Dig Safe is broad and not suited to individual accounts.**

A notification will be generated for a large radius 500 feet, and if along the street until the next cross. In some cases we have notification over 3 miles away. Again thousands of new tickets will be issued: Shouldn't we fix the broadness of Dig Safe before asking homeowners and businesses to join?

- **Before we require more registrations, Dig Safe must modernize**

Today, if we are to expand Dig Safe registrations, we must first modernize the Dig Safe registration and notification process before adding new locations. This was the discussion and general consensus the last few times the State reviewed this issue.

Everyone has GPS coordinates. It is time Dig Safe move forward from Fax machines and physical written locations to the 21st century. In an age of Uber, smart houses, self driving cars and an app for just about everything, the legacy Dig Safe process needs an overhaul.

- **Who is going to regulate this?**

Do we have additional inspectors to enforce this new requirement?

- **Are excavators responsible for looking at where they are digging?**

Propane tanks are above ground, or if buried, have aboveground structures that indicate where they are. Their lines are generally short and one can reasonably expect a straight line from the tank to the building. If digging is nearby, one should shut the tank off preceding the digging.

- **Conclusion:**

If there is only a small perceived problem, this does not justify bringing hundreds of new accounts to Dig Safe. The costs are high and safety will not be significantly improved. In fact, one could argue that safety will be decreased as more assets will have to be put towards these useless issues instead of other perhaps more important safety aspects. If safety is the goal, there are many issues that could be addressed that make better financial sense to potentially improve safety. This idea is among the least effective and may be damaging to overall safety which is why no other State requires this.