

Survey Information
United States Regulatory Commissions
Adoption of the
IEEE National Electrical Safety Code (NESC)

The IEEE has conducted a survey of the regulatory bodies in the United States regarding adoption of the National Electrical Safety Code. We asked the 50 state public service or regulatory commissions the following questions:

1. Does your state automatically adopt each new edition of the NESC?
2. Does your state hold a rulemaking proceeding for each new edition of the NESC?
3. If your state has specifically adopted an edition of the NESC, please indicate which one.
4. Does your state use the NESC to develop its own Code?
5. Does your state have its own Code, and does not use the NESC?
6. Other

As of Oct 2007, we have received an approximate 84% response. As more information is provided to us from the regulators, we will update this report.

While we have reflected here the information provided to us by the Commissions, we urge those seeking further accuracy of this information to contact the individual state regulatory commission to confirm this data. Information on the Commissions and how to contact them is available on the internet at <http://www.naruc.org/Stateweb.htm>.

NOTE: The information from this survey was compiled and distributed for informational purposes only. This information is not intended to provide an interpretation of the data received. The IEEE is not responsible for verifying the accuracy of information provided by the Commissions.

* Did not respond to survey

State	(1) New Edition Automatically Adopted	(2) Rulemaking proceeding each new code	(3) Specifically adopted this edition	(4) Uses the NESC to develop own code	(5) Has own code and does not use NESC	(6) Other
AL	Yes * (compliance with requirements at time of construction/installation; not retroactive)	No	n/a	No	No	
AK	No	The Dept of labor and Workforce Development is the Authority Having Jurisdiction in Alaska and we adopt through the regulation process.	Current is the 2002 and 2007 is in the adoption process	No	No	
AZ	No	Yes	1997 Edition	No	No	
AR	Yes	No	NA	No	No	
CA	*	*	*	*	*	
CO	No	Yes	C2-2007 (for our Rules Regulating Telecommunications Providers, Services, and Products) C2-2002 (for our Rules Regulating Electric Utilities)	No	No	
CT	Yes	No		No	No	
DE	Yes. On January 10, 1952 in Order No. 103 in Regulation 58, the Delaware Public Service Commission adopted regulations for Electrical Corporations. Rule 10. b. of those regulations indicates that the Commission will use the current edition of the NESC, as well as other codes, as criteria for accepted good practice.	No	NA	No	No	
DC	No	No	NA	No	No	
FL	No	Yes	2007	No	No	
GA	No	No	NA	No	No	
HI	No	Hawaii has historically not adopted each new Code, but	2002 NESC	2002 NESC incorporated into Chapter 6-73, Hawaii	No	

State	(1) New Edition Automatically Adopted	(2) Rulemaking proceeding each new code	(3) Specifically adopted this edition	(4) Uses the NESC to develop own code	(5) Has own code and does not use NESC	(6) Other
		intends to do so beginning with the adoption of the 2002 NESC		Administrative Rules, with certain modifications		
ID	Yes	No		No	No	
IL	No	Yes	Portions of the 1997 edition and the 2002 edition depending on the application.	No	No	
IN	No. We normally adopt each new edition shortly after it is issued, but the process is not "automatic."	Yes	2002	No	No	
IA		Yes	2007			We do not adopt Part 4 of the NESC; it is considered OSHA's area.
KS	No	No X The Kansas Corporation Commission (KCC) has not adopted EACH new edition. However, as the KCC reviews new editions of the NESC, it has held rulemaking proceedings to adopt them.	1997	No	No	NESC. The 1997 edition of the NESC is adopted by reference in the Commission's Wire-Stringing Rules, K.A.R. 82-12-1 et seq. Specifically, the regulation adopting the NESC is K.A.R. 82-12-2.
KY	Yes	No	KRS 278.042 references the "most recent edition of the NESC."	Yes: KY incorporates the entire NESC as the safety standard for electric utilities. This is augmented by accepted engineering practices and utility specific safety programs.	No	
LA	No	No	No	No	No	The LPSC has not formally adopted the Code. However, all electric utilities in the state of Louisiana abide by the NESC. Additionally, the LPSC staff uses the NESC in its investigations, when necessary. We note that NARUC, to which the LPSC is a voting member, is a member of the NESC Standards Committee.

State	(1) New Edition Automatically Adopted	(2) Rulemaking proceeding each new code	(3) Specifically adopted this edition	(4) Uses the NESC to develop own code	(5) Has own code and does not use NESC	(6) Other
ME	Yes	No		No	No	
MD	Yes	No	No	No	No	For enforcement we use the NESC edition that was in effect at the time of installation. This is particularly true for clearance issues.
MA	*	*	*	*	*	
MI	No	No	1997	No	No	R 460.813 Standards of good practice; adoption by reference. Rule 3. Parts 1, 2, and 3 and sections 1, 2, 3, and 9 of the national electrical safety code, 1997 edition (ANSI-C2-1997), are adopted by reference in these rules as standards of accepted good practice. (link to ruleset) http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46000811&Dpt=CI&RngHigh
MN	Yes. The most current edition of the NESC is referenced in Minnesota Statutes Section 326.243.	No	Because the statute refers to the most current edition, the 2007 NESC is in effect in Minnesota.	No	No	Most work under the jurisdiction of the NESC in Minnesota is exempt from licensing and inspection requirements and therefore the NESC is minimally referenced by the department.
MS	Yes	No		No	No	
MO	No	Yes	2002	No	No	We've adopted the 2002 NESC in our rule 4 CSR 240-18.010 at this link: { HYPERLINK "http://sos.mo.gov/adrules/csr/current/4csr/4c240-18.pdf" }
MT	No	Yes	2007	No	No	
NE	No	Yes	WE ARE IN THE PROCESS OF ADOPTING THE 2007 EDITION.	No	No	
NV	*	*	*	*	*	
NH	No	Yes	2002	No	No	
NJ	No	Yes	2007	No	No	
NM	*	*	*	*	*	
NY	Yes, our regulations require utilities to comply with the latest edition of the NESC.	No, a rule making proceeding is not required to adopt the latest edition of the code.	N/A	No	No, but New York State does have safety requirements in addition to the NESC that include stray voltage testing and mandatory facility inspections.	
NC	Yes	No		No	No	
ND	No	Yes	Last NESC	No, the	No	

State	(1) New Edition Automatically Adopted	(2) Rulemaking proceeding each new code	(3) Specifically adopted this edition	(4) Uses the NESC to develop own code	(5) Has own code and does not use NESC	(6) Other
			specifically adopted was the 2002 edition. A proceeding is underway to adopt the 2007 edition.	NESC is adopted by reference.		
OH	No	Yes	2002	No	No	
OK	*	*	*	*	*	
OR	No	Yes	2007	No	No	
PA	Yes	No		No	No	<p>Our regulations containing the NESC:</p> <p>§ 57.82. Installation of distribution and service lines.</p> <p>(a) Distribution and service lines installed under an application for electric service within a development shall be installed underground, shall conform to the utility's construction standards, § 57.26 (relating to construction and maintenance of facilities), the specifications set forth in the National Electric Safety Code (NESC), and shall be owned and maintained by the utility. Pad-mounted transformers may be installed as a utility construction standard. Excavating and backfilling shall be performed by the developer of the project or by another agent the developer may authorize. Installation of service-related utility facilities shall be performed by the utility or by another agent the utility may authorize. Street-lighting lines installed then or thereafter within the same development shall also be installed underground, upon terms and conditions prescribed elsewhere in each utility's tariff. The utility is not liable for injury or damage occasioned by the willful or negligent excavation, breakage or other interference with its underground lines occasioned by anyone other than its own employees or agents.</p> <p>(b) Nothing in this section shall prohibit a utility from performing its own excavating and backfilling for greater system design flexibility. No charges other than those specified in § 57.83(4) (relating to applicants for electric service) shall be permitted.</p> <p>Source</p> <p>The provisions of this § 57.82 adopted March 4, 1977, effective March 5, 1977, 7 Pa.B. 577; amended June 29, 1984, effective June 30, 1984, 14 Pa.B. 2230. Immediately preceding text appears at serial page (80639).</p> <p>Cross References</p> <p>This section cited in 52 Pa. Code § 57.19 (relating to line extensions); 52 Pa. Code § 57.88 (relating to subdivisions); and 52 Pa. Code § 69.43 (relating to notice lead-time).</p>
RI	Yes	No		No	No	
SC	Yes	No	N/A	No	No	
SD	*	*	*	*	*	
TN	No - Legislation has to be passed to	No - The Code is adopted by	See answer to number one (1)	No - The state has	No - The state uses the	

State	(1) New Edition Automatically Adopted	(2) Rulemaking proceeding each new code	(3) Specifically adopted this edition	(4) Uses the NEC to develop own code	(5) Has own code and does not use NESC	(6) Other
	adopt a version of the NESC (See, Tenn Code Ann. Sec. 68-101-104). Tennessee has recently passed legislation which adopted the August 1, 2006 edition.	the Legislature.	above.	adopted the National Electrical Code, 2002 edition and has its own rules and regulations governing installations of electrical conductors and equipment, etc.	NESC, the NEC, and its own rules and regulations.	
TX	Yes	No	N/A	No	No	
UT	No	Yes	<p>As currently defined in Utah Administrative Code Rule R746-310. Uniform Rules Governing Electricity Service by Electric Utilities "National Electrical Safety Code" means the 2002 edition of the National Electrical Safety Code, C2-2002, as approved by the American National Standards Institute, ISBN 0-7381-2778-7, incorporated by reference. In May the Utah Public Service Commission received a petition to update this reference to the 2007 edition. Rulemaking on this issue will be pursued once copies of the standard have been received by the Commission and are available for use.</p> <p>In addition, Utah Administrative Code Rule R746-310-4. Station Instruments, Voltage and Frequency</p>	No	No	

State	(1) New Edition Automatically Adopted	(2) Rulemaking proceeding each new code	(3) Specifically adopted this edition	(4) Uses the NESC to develop own code	(5) Has own code and does not use NESC	(6) Other
			Restrictions and Station Equipment currently refers to the 1995 edition of the American National Standard for Electrical Power Systems and Equipment-Voltage Ratings (60 Hz), ANSI C84.1. In May the Utah Public Service Commission received a petition to update this reference to the 2006 edition. Rulemaking on this issue will be pursued once copies of the standard have been received by the Commission and are available for use.			
VT	Yes -- Public Service Board Rule 3.500 provides that "All construction and maintenance of electric, telephone, telegraph and cable television systems and facilities in all locations within Vermont shall conform to the standards contained in the 1981 edition of the National Electrical Safety Code or in any subsequent or revised edition thereof."	No	Public Service Board Rule 3.500 was last modified in 1983. Therefore, the Rule specifically mentions the 1981 edition of the NESC, but as stated in the Rule quoted above, each new edition is automatically adopted.	No	No	
VA	*	*	*	*	*	
WA	No	No	2002	No	No	The responses provided here are for this agency only, which has jurisdiction over the investor-owned electric utilities in Washington. The publicly-owned utilities in this state (of which there are 60) are each governed by their own

State	(1) New Edition Automatically Adopted	(2) Rulemaking proceeding each new code	(3) Specifically adopted this edition	(4) Uses the NESC to develop own code	(5) Has own code and does not use NESC	(6) Other
						boards or committees and are otherwise specifically exempt from regulation or oversight by this agency. Please note that the Washington Department of Labor and Industries has adopted the NESC in its rules governing electrical worker safety. Please see: http://apps.leg.wa.gov/WAC/default.aspx?cite=296-45-045 The Washington Utilities and Transportation Commission has adopted the NESC in rules governing the construction and installation of telecommunications network facilities. Please see: http://apps.leg.wa.gov/WAC/default.aspx?cite=480-120-402 The UTC's language regarding the version of the NESC which it adopt by reference can be found at: http://apps.leg.wa.gov/WAC/default.aspx?cite=480-120-999 The UTC has not adopted the NESC in rules governing electric company operations, primarily because the rules adopted by the state Department of Labor and Industries already cover this.
WV	Yes	No	NA	No	No	
WI	*	*	*	*	*	
WY	Yes	No	2007	No	No	

NOTE: The information from this survey was compiled and distributed for informational purposes only. This information is not intended to provide an interpretation of the data received. The IEEE is not responsible for verifying the accuracy of information provided by the Commissions.

* Did not respond to survey