

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 May 2004, we have received an approximate 77% 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>.

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* 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
Alabama	Yes	No	N/A	No	No	
Alaska	Yes	No		No	No	
Arizona	No	Yes	1997	No	No	
Arkansas	Yes	No		No	No	No specific edition is specified in the Commission' Rules which state that for new construction the current issue of the NESC is designated as the standard in both the electric and telecommunication industry
California	*	*	*	*	*	
Colorado	*	*	*	*	*	
Connecticut	Yes	No		No	No	
Delaware	Yes	No	N/A	Yes	No	
Dist. of Columbia	*	*	*	*	*	
Florida	No	Yes	2002	No	No	Florida has used the NESC as a standard since 1986. To adopt a new edition of the NESC a rule change is required. It is an unusual process in that the state law requires us to adopt any new addition after reviewing the new edition and making a rule change.
Georgia	*	*	*	*	*	
Hawaii	*	*	*	*	*	
Idaho	Yes	Yes	2002	No	No	
Illinois	No	Yes	2002	No	No	Adopted only portions of the 2002 edition of the NESC
Indiana	No	Yes	2002	No	No	
Iowa	No	Yes	2002	Yes	No	
Kansas	No	Yes	1997	No	No	
Kentucky	Yes	No	2002	No	No	The Kentucky State Legislature passed a law in 2003 enabling the Public Service Commission to automatically adapt the newest NESC code. Previously the PSC had adopted up to the 1990 code only.
Louisiana	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

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Maine	Yes	Optional (see other)	N/A	No (see other)	No	Maine statute (35-A M.R.S.A. Sec.2305-A), unless an affected entity requests a PUC hearing within 120 days of publication, the Maine Public Utilities Commission is deemed to have adopted a new/revised NESC effective on the 180th day after publication. The PUC may modify, delete, or waive individual requirements of the NESC, and by rule has imposed slightly more restrictive requirements for overhead utility lines crossing areas of water and adjacent rigging and launching areas where boats may come into contact with overhead lines.
Maryland	*	*	*	*	*	
Massachusetts	Yes					
Michigan	No	No	N/A	No	No	Rulemaking proceeding is not automatic but is required to update reference to more current edition. A proceeding to adopt the 2002 edition has not been started.
Minnesota	Yes	No	N/A	No	No	
Mississippi	Yes	No	No	No	No	N/A
Missouri	No	Yes	2002	No	No	
Montana	No	Yes	2002	No	No	
Nebraska	No	Yes	2002	No	No	
Nevada	No	Yes	2002	No	No	
New Hampshire	*	*	*	*	*	
New Jersey	*	*	*	*	*	
New Mexico	Yes	No	N/A	Yes	No	Please note that NM has a separate NM Electrical Safety Code. That code is developed and administered by NMRLD, which does not regulate electric public utilities. The NMPRC regulates electric public utilities. Our Rules specify that the latest edition of NESC should be complied with by all our regulated public utilities, all the time.

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New York	No	No	N/A	No	No	New York State does not explicitly require utilities to comply with the NESC nor does it have its own electric safety code. New York State does <u>expect</u> utilities to comply with the NESC or the given utilities' own standards, whichever are more stringent. The New York State Public Service Law gives the NY PSC broad authority to direct whatever improvements are necessary to ensure safety of the public from utility facilities. This includes directing a utility to comply with the NESC or any other reasonable safety requirement as determined by the NY PSC. As a practical matter, all NY utilities voluntarily comply with the NESC.
North Carolina	Yes					
North Dakota	No	Yes	2002	No	No	
Ohio	Yes	No	2002	No	No	The NESC is adopted by the PUCO under OAC 4901:1-10-06. Each electric utility shall comply with the then currently applicable edition of the ANSI, NESC ₂ .
Oklahoma	No	Yes	2002	No	No	The OCC had added changes to its rules not found in the NESC. Changes such as procedures to resolve excessive harmonics caused by an electric provider or third party affecting telecommunications providers and the maximum amount of time that a telecommunications has to remove a temporary drop and bury a permanent drop.
Oregon	No	Yes	2002	No	No	
Pennsylvania	Yes	No	N/A	No	No	
Rhode Island	Yes	No	N/A	No	No	
South Carolina	Yes	No	N/A	No	No	
South Dakota	Yes	No		No	No	By statute, rural electric cooperatives must abide by the latest version of the NESC. There are now rules or regulations that I am aware of that require other utilities to follow the NESC.
Tennessee	*	*	*	*	*	
Texas	Yes	No	N/A	No	No	
Utah	No	Yes	2002	No	No	PSC Rule No. R746-310-1.B.13 effective 9-15-03
Vermont	*	*	*	*	*	

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Virginia	No	No	No	No	No	The only explicit requirements placed upon electric utilities are Virginia Code Sections 56-46.2 and 56-265.26-1, which require that overhead electric transmission lines and underground utility lines (including communications) be installed in accordance with the NESC. It is also the expectation of the Virginia State Corporation Commission that all electric power lines will be installed in accordance with industry practice and operated safely. (Municipal electric utilities are not regulated by the VASCC.)
Washington	*	*	*	*	*	
West Virginia	Yes	No	N/A	No	No	
Wisconsin	No	Yes	2002	Yes	No	The Public Service Commission of Wisconsin conducts a rulemaking proceeding to adopt updated versions of the NESC along with modifications for local provisions as found appropriate.
Wyoming	*	*	*	*	*	

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