

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 828

STATE OF NEW JERSEY

DATED: FEBRUARY 24, 2021

The Assembly Appropriations Committee reports favorably Senate Bill No. 828 (1R).

As amended and reported, this bill provides that a public utility regulated by the Board of Public Utilities, a local unit, and a local utility, are to notify each other within 180 days of the start of a public utility infrastructure project and a local infrastructure project that a public utility, local unit, or local utility plans to undertake. The bill defines a “local infrastructure project,” “local unit,” “local utility,” and “public utility infrastructure project.” The notice is to include a summary of the purpose and scope of the public or local infrastructure project (infrastructure project), the infrastructure project schedule, and a map of the infrastructure project location.

Within 60 days of the receipt of the required notice, the public utility, local unit, and local utility are to examine any underground utility facility owned or operated by the public utility, local unit, or local utility to the extent feasible and notify each other whether any such underground utility facility needs repair or replacement and if any of these entities intend to undertake an infrastructure project within the scope of the other’s infrastructure project. The bill requires the public utility, local unit, and local utility to coordinate to provide timely notification of any changes to their respective project plans or schedule and, when feasible, to jointly establish a timeframe for scheduled work.

The bill requires the Board of Public Utilities, in consultation with the Department of Community Affairs, to adopt rules and regulations, pursuant to the "Administrative Procedure Act," necessary to implement the provisions of the bill.

As reported by the committee, Senate Bill No. 828 (1R) is identical to Assembly Bill No. 2101 (1R), which was amended and reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that the bill will have a minimal direct fiscal impact on local governments and local utilities through additional requirements to provide advanced notice to public utilities concerning pending infrastructure work. By having

advanced knowledge about future public utility work, there is a possibility that local decisions concerning the timing and nature of local infrastructure projects will be impacted. The short term impact could be more or less local spending, but in either situation long term local costs are likely to be reduced.