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UTILITY SERVICE & 2016 HURRICANES: WHAT YOU NEED TO KNOW

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By: Floyd R. Self

Florida's public utilities are ready for the 2016 hurricane season, are you?

The devastating hurricanes of 2004 and 2005 transformed the ways Florida's utilities, especially the electric utilities, plan and prepare for hurricanes. The 2004 hurricanes left many Floridians without electricity for as long as two weeks and the 2005 storms caused power outages of up to 18 days.

As a consequence of these storms, the Florida Public Service Commission ("PSC") implemented new policies to make Florida's critical infrastructure more resistant to winds, rain, and storm surges. The PSC required all electric utilities to inspect every utility pole over an eight year cycle and to repair or replace defective poles. In addition, the utilities were directed to identify critical needs infrastructures – facilities that serve medical, law enforcement, food, fuel, and communications – and to improve electric service reliability by hardening the infrastructure serving those locations.

Power line accessibility was also improved. Tree trimming became more frequent and in some cases more radical. Sometimes these more extensive tree trimming and removal practices often clashed with communities whose citizens had strong tree aesthetics. Finding a balance between reliability and local visual valves has not always been easy.

These policies and actions all come with a cost. The 2004 and 2005 storms caused billions of dollars in utility costs to restore and rebuild damaged infrastructure. For example, storm recovery for the 2004 hurricanes required assistance from utilities outsourced from 38 states and Canada. New legislation authorized the PSC to permit utilities to pass along these storm recovery costs as a special surcharge, and some utilities, like Florida Power and Light, are still charging customers for these costs ten years later.

To ensure that Florida's electric utilities stay on top of their obligations, in the spring of each year the PSC conducts an annual Hurricane Preparedness Meeting. The large investor owned electric utilities – Florida Power and Light, Duke Energy, Tampa Electric, Gulf Power, and Florida Public Utilities – along with representatives from municipal and cooperative utilities, report on their compliance programs and preparations for the upcoming hurricane season. Even though Florida has not had a major hurricane in over ten years, the utilities not only train and stockpile resources, but they gain new experience and insight as they support utilities in other states that have experienced hurricanes, tornados, and other destructive storms.

Just like the utilities plan and prepare, you need to also. You've heard all the things you need to do from a variety of sources, but if you need additional assistance, go the State Emergency Management Team website for additional help. While a good plan is the first and most important step to hurricane preparedness, here are a few other things you need to keep in mind in case your community is damaged by a serious storm this season.

First, safe utility management practices mean that when storm winds reach certain high levels, the electric utilities will turn off their grids. This is done to protect life and property and to facilitate recovery. Thus, if a major storm is heading to your area, expect a loss of power for at least 12-24 hours.

While you may lose power, usually natural gas service and water/sewer service remain available. However, you should still stockpile the recommended drinking water for at least three days, and five days is an even better plan. Likewise, be alert to boil water notices and gas service leaks. While gas and water lines are underground, sometimes the uprooting of trees can break lines, so assume the worse and be prepared.

The utility companies want to restore service as quickly as is safely possible. There is a method to their restoration efforts – generally they seek to restore power to the greatest number of people as can be safely done. This usually means large transmission lines first and then distribution lines that serve large areas. If you live in a house, and if the power lines to your house are down, that may be one of the last things restored. DO NOT EVER TRY TO RESTORE YOUR OWN POWER.

Landline telephone service, whether from a traditional telephone company like AT&T or a cable company like Comcast or Cox, is largely delivered over wires that are attached to the same poles as electric lines. If there is widespread damage to power lines, you may also be without landline telephone and cable service. Telephone restoration often has to wait for electric restoration, but damage to a telephone or cable system network is not going to be the same as to the electric network. Be patient.

Wireless telephone service relies upon wire lines to connect cellular towers and electricity to power the radios that make the wireless services work. This means that your wireless service can be just as vulnerable to storm damage as other utility services. While your wireless phone service may work during and even immediately after a storm, sometimes you will lose service later, especially if there is widespread devastation like a Hurricane Andrew. The wireless companies have worked hard in the last ten years to provide backup electric power to cell tower locations, but backup power sources have limitations.

If you continue to have wireless service during and after a storm, demand on those resources often increases significantly. Don't voice call all of your friends and talk during the duration of the storm. Instead, to let family and friends know where you are and that you are safe, it is always best to text and not to call. Don't use valuable wireless data sources to surf the net and play games. Instead, make a quick check weather, news, or emergency service websites to find out the status of the situation if you don't have TV or radio service and then get off.

The wireless companies have the ability to limit all voice calling to only 911 services or certain other emergency numbers. This limitation can be imposed even if you are hundreds of miles away from the storm's path. This limitation is done in order to preserve network resources and to permit calls to emergency responders.

Today's utility networks are very "smart" in that the utilities know about service outages as they occur. If you are experiencing a major storm, and you lose power, telephone, water, cable, or other services, the utility most likely already knows. If your neighbors are without service, there is no need to call the utility. If it is a minor storm and the power line to your house is knocked down, then certainly call the utility to report that event.

Finally, if at any time during a storm, large or small, you or someone in your home is experiencing a health or life emergency, fire, natural gas leak, or other serious situation, call 911. But if you are not experiencing an emergency situation, stay off the phone and certainly do not call 911.

As a part of your storm preparations, you should have sufficient medications, a first aid kit, and other necessary medical, food, and water supplies to get you through normal day to day situations. During and after a storm, emergency responders are dealing with both life emergencies as well as serious property emergencies, like fires, gas leaks, or trees blocking roads. So do not call 911 unless you are experiencing a situation that requires an emergency responder to come to your location.

We cannot stop hurricanes or tornados, and the larger the storm, the longer the potential recovery from any damage. In the last decade, Florida's utilities have worked hard to limit damage and accelerate service restoration. Like the utilities that plan and prepare for storms and their aftermaths, you can too. You need to. The health and safety of your family depends upon you being prepared.

If you have questions regarding the obligations of utility companies in the event of a catastrophe, please contact attorney Floyd Self on the firm's Government and Regulatory Team.

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