



March 4, 2025

The Honorable Tom Patton, Chairman  
Senate Transportation Committee  
Ohio Senate  
Statehouse  
Columbus, OH 43215

Dear Chairman Patton:

Subject: Request for Removal of Language from House Bill 54 Regarding Abandoned Utility Lines

On behalf of the interested parties represented on this letter, we are writing to respectfully request that you consider removing specific language from House Bill 54 related to the abandonment of telecommunications and utility structures, specifically the provisions outlined in new Section 5515.10, as well as related amendments to Sections 5515.01, 5515.02, and 5515.99.

While we appreciate that work done by the House Finance Committee, we feel that this needs to be taken further and removed completely. Our industries believe no changes should be made to Chapter 5515 until ODOT and all interested parties can discuss and understand the issues and arrive at some reasonable steps to resolve the issues.

There are several key reasons why this change is necessary:

*Resource Allocation Impact:* Enforcing the removal of abandoned lines as mandated by these provisions will divert significant resources, including time, manpower, equipment, and financial investment, from vital initiatives aimed at expanding and improving Ohio's infrastructure. These resources would be better allocated to building new systems to serve the growing needs of Ohioans, rather than focusing on the costly and time-consuming process of removing abandoned infrastructure. In addition, this puts a huge burden on a party that does not timely respond to ODOT's request to remove what they believe is an "abandoned" facility. First, "abandoned" is in the eye of the beholder. Second, if ODOT prevails, not only does the owner pay for ODOT's costs of the removal of the owner's abandoned facilities, but it also pays for "project delay costs and expenses."

*Damages to Existing Infrastructure:* The removal of abandoned lines can lead to significant damage to not only the roadways but also other critical infrastructure that may be located adjacent to or beneath them. These unintended consequences could have an impact on service to our customers and result in substantial remediation costs that could far exceed the expected benefits of removing the structures. Repairing these damages would further drain resources and delay restoration and other essential projects.

*Safety and Collaboration:* Safety remains the highest priority for our industries. We are actively engaged in collaborative efforts, such as those through the Ohio Underground Damage Prevention Coalition (OUDPC), to identify and implement solutions for issues, including abandoned lines. We strongly believe that this ongoing process will yield more thoughtful, comprehensive, and effective solutions, which will ultimately help reduce damages and increase safety across the state. We urge that this process be allowed to continue developing, so we can reach a consensus that best serves all stakeholders.

Given these concerns, we kindly ask that you reconsider the inclusion of this language in House Bill 54 and allow for further collaborative efforts to address these important issues in a more comprehensive manner. Currently, there are similar discussions taking place with the Abandon Lines Subcommittee of the OUDPC. That committee brings contractors, utilities, PUCO and OHIO811 leadership experience to that discussion, with a committee open to all governmental, contractor and utility types. The Abandoned Lines Subcommittee is progressing toward finding suitable language that can be agreed upon and supported by the OUDPC that can be moved forward for legislative changes. With progress being made at that level, with input from excavators at the contractor and utility level, we feel it is important for those voices to be heard and to allow the positive work from this committee to play out to completion.

Thank you for your time and consideration. We appreciate your attention to this matter and your commitment to improving Ohio's infrastructure and safety.

Sincerely,



Charley Moses  
President  
Ohio Telecom Assoc.



Jimmy Stewart  
President  
Ohio Gas Assoc.



David Koren  
Executive Director  
OH Cable Telecom Assoc.



Rob Brundrett  
President  
Ohio Oil & Gas Assoc.