



CITY MANAGER

Date: February 5, 2025
To: Chairman Fagg, Vice Chairman Petersen & the Senate Committee on Utilities
From: Kiel Mangus, City Manager, City of Derby
Re: Written Testimony in Opposition to SB 57

Thank you for allowing the City of Derby to submit testimony in opposition to SB 57. As a community experiencing substantial growth and investment, Derby understands the critical nature of right-of-way (ROW) management practices. SB 57 would upend the current competitively neutral mandate in ROW management and decrease available project funds in favor of one industry.

Local governments manage the right-of-way in order to protect both the public and all users of the ROW. Derby's ROW management ordinance focuses on coordination of ROW use between companies to minimize risk and disruption, best practices for facility locates and notices to the public, first responders, and impacted users, restoration and repair requirements, and protecting traffic safety. It is exercised in a competitively neutral and non-discriminatory manner and is critical to maximizing the efficient use of and minimizing the burden on the ROW. Derby's ROW management practices are reinforced through negotiated franchise agreements with ROW users.

SB 57 imposes requirements on certain projects in a manner that overrules both local franchises and ROW management ordinances designed to protect the public. Its practical impact is to increase project costs, divert project funds to one industry in the form of reimbursement, and increase the burden on taxpayers by compressing the available project funds. It provides special treatment to one industry over other ROW users either destroying competitive neutrality or creating a situation where all users want similar treatment--further increasing the burden on taxpayers.

SB 57 negatively impacts local governments like Derby, other utilities, and the current system of ROW management. We urge you not to adopt SB 57. Thank you again for the opportunity to submit testimony in opposition to SB 57.