EL-1 Resolution on the Importance of Beyond Visual Line of Sight for Drone Operations in Maintaining the Safety and Security of America's Utilities

Whereas utilities are responsible for inspecting, protecting, and maintaining the critical infrastructure of the provision of electric, gas, water and telecommunications;

Whereas utilities invest significant resources in protecting the nation's public and private utilities through ground and aerial inspections, including the use of drones or unmanned aerial vehicles ("UAVs");

Whereas many state regulatory authorities oversee siting approval and safety enforcement and inspection of energy infrastructure constructed within their jurisdiction;

Whereas UAVs can improve the efficiency of state regulatory oversight leading to expedited consideration of permits and approvals necessary to ensure a safe and modern energy infrastructure, as well as improved safety inspections necessary to promote public safety;

Whereas UAVs can provide operational benefits to utilities and their customers, including but not limited to: greater efficiency through lower-cost facilities inspections; improved safety for utility field workers, and other personnel, and customers resulting from the ability of UAVs to reach remote areas and be deployed in poor weather conditions, as well as during and after storms when ground crews may have limited mobility; and enhanced data-gathering capabilities that can serve multiple purposes, including performing utility system assessments and inspections, geographical and topographical mapping and monitoring, and environmental compliance, among other uses;

Whereas the majority of utilities using UAVs are limited to line-of-sight operations, in which the UAV pilot must be able to see the aircraft without additional visual aids, such as binoculars;

Whereas using UAVs under outdoor visual line-of-sight operations or specifically authorized beyond the visual line-of sight operations would greatly improve operational efficiency, reduce safety hazards for utility employees and contractors, and ultimately lower costs to customers;

Whereas persons or companies seeking permission to fly UAVs in so-called Beyond Visual Line of Sight ("BVLOS") conditions must submit a waiver application to the Federal Aviation Administration ("FAA");

Whereas the FAA has jurisdiction and controls BVLOS UAV flight and, as of late 2019, has received more than 1,200 BVLOS waiver applications and has denied approval for an overwhelming majority of waiver applicants;

Whereas electric utilities (through representatives of the Edison Electric Institute) and the FAA have begun exploring a pathway to a framework for BVLOS activities that would increase transparency of what is needed for a waiver application without sacrificing the FAA's safety responsibilities. This collaboration should allow owners of linear infrastructure to prepare applications that have a greater likelihood for approval of BVLOS waivers;

Whereas many utilities and state regulatory authorities have expertise with manned and unmanned aerial systems, demonstrating that these entities' use of BVLOS flights can be done while protecting the safety and security of FAA air space; *and*

Whereas state regulatory commissioners have the authority to approve utility activities or investments that are safe, secure, and improve efficiency; *now, therefore be it*

Resolved that the National Association of Regulatory Utility Commissioners, convened at its 2020 Summer Policy Summit conducted virtually, supports the FAA's authority to approve BVLOS waivers and encourages utility and utility regulators knowledge sharing and development of industry best practices concerning BVLOS activities, including support for the development of a common utility BVLOS waiver.

Sponsored by the Committee on Electricity
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