



Proposed Policy Resolution 4.2021

Adopted Unanimously on September 28, 2021

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

Sponsor

Representative Mark McBride, Oklahoma

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

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

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

WHEREAS, UAS can assist state regulatory authorities overseeing siting approval and safety enforcement and inspection to ensure safe and modern energy infrastructure, as well as improved safety inspections necessary to promote public safety; and

WHEREAS, UAS can provide operational benefits to utilities and their customers, including but not limited to: greater efficiency through lower-cost facilities for inspections; improved safety for utility workers, other personnel, contractors, and customers resulting from the ability of UAS 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; and

WHEREAS, the majority of utilities using UAS are limited to line-of-sight operations, in which the UAS pilot must be able to see the aircraft without additional visual aids; and

WHEREAS, using UAS for outdoor visual line-of-sight operations or specifically authorized BVLOS operations would greatly improve operational efficiency, reduce safety hazards for utility employees and contractors, and ultimately lower costs to customers; and

WHEREAS, companies seeking permission to fly UAS BVLOS currently must submit a waiver application to the Federal Aviation Administration ("FAA"); and

WHEREAS, the FAA has jurisdiction 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; and

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; and

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, the FAA has initiated an important Aviation Rulemaking Committee ("ARC"), to develop a regulatory framework for BVLOS operation, within the next 2-3 years, that will facilitate greater future use of BVLOS UAS operations by utilities; and

WHEREAS, there is an immediate need for BVLOS waiver to be approved during the pendency of the ARC's work.

THEREFORE, BE IT RESOLVED, the Southern States Energy Board, convened at its 61st Annual Meeting, supports and encourages the FAA to use its authority to approve BVLOS waivers during this critical interim period before there are final rules in place that facilitate BVLOS operations by utilities; and

BE IT FURTHER RESOLVED, the Southern States Energy Board 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.