



Interpretation

Section 1. Introduction to the National Electrical Safety Code[®]

Rule 011A1

Scope – Covered

(2012 Edition, page 1)

(30 November 2020) IR591

Question: Rule 011A1 of the 2012 National Electric Safety Code (NESC) covers supply by public or private utilities, railway, trolley, etc. In a situation where the electrical supply is being provided by a public utility to a meter point and then distributed by the transit property to its various facilities and trainway, would the transit property be considered a private utility downstream of the metering point?

Discussion: In this instance, the transit property is not a power generator, but rather it provides the utility function of distribution and maintenance of the system downstream of the meter point. There is debate regarding whether this segment of the system (from metering point to the utility-defined point of service) should conform to the National Electrical Code or the NESC, and whether the public utility has the authority to define the point of service.

Interpretation

This response is based on the 2012 Edition of the NESC, Rule 011A1 and the definitions for “utility, private utility” and “service point” found in Section 2. The rule and both definitions were unchanged in the 2017 Edition of the NESC.

The answer to the question is yes—the transit property can be considered a private utility. The definition for “utility, private utility” states a private utility “performs or provides one or more utility services to its own facilities.” Because the transit property is not a power generator does not exclude it from being a private utility. Based on the description, the transit property provides the utility functions of installation, operation, and maintenance, which would meet the definition of a private utility. However, it must operate as a utility. This includes operating and maintaining its facilities with personnel who are authorized and qualified.

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