In Support of Public Power Utilities’ Use of Unmanned Aerial Aircraft in Utility-Related Operations

Unmanned aerial vehicles, also known as “drones,” are aircraft operated with no human pilot aboard. These can include autonomous aircraft and remotely-piloted aircraft. Autonomous drones are not yet technologically developed enough for safe commercial use, but remotely-piloted drones are and show huge potential for use by electric power utilities. Drones can be used to survey electric power equipment, assess damage, and aid in construction and repair. The Federal Aviation Administration (FAA) and federal aviation rules have failed to keep pace with this new technology.

Government-operated (public) aircraft must comply with federal airspace and air-traffic rules, but generally are exempt from civil airworthiness and airman certification requirements. This has eased the use of traditional aircraft by governmental entities. However, drones cannot meet certain airspace rules. For example, a pilot is required to scan the sky from the cockpit to “see and avoid” other aircraft. As a result, the FAA has required governmental entities to obtain an FAA-issued Certificate of Waiver or Authorization (COA) to operate drones. The process is complicated and unpredictable. Media accounts indicate that many public safety departments currently use drones or are beginning to experiment with drone use. The fact that many ignore or are unaware of the COA requirements indicates that the process is too opaque and burdensome and that the FAA itself is incapable of adequately policing these requirements.

The FAA Modernization and Reform Act of 2012 required the FAA to develop a plan to integrate civil unmanned aerial vehicles into the national airspace system and simplify the process for state and local governmental entities seeking a COA.

The FAA on February 1, 2015, published proposed rules providing clear guidelines for civil operations of drones weighing less than 55 pounds, operated within eyesight of the operator, operated only during daylight hours, and flown by “operators” vetted by the Transportation Security Administration and who have passed an FAA-approved aeronautical test. These rules would not change the COA process, but governmental entities could apply to have their operations regulated by these civil drone rules, rather than operating under a COA. The option to adopt these civil drone rules would be of little use in many of the operations where drones would be of most use to public power utilities, including surveying and assessing equipment in remote locations and aiding operations which occur outside daylight hours.
NOW, THEREFORE, BE IT RESOLVED: That the American Public Power Association (APPA) believes unmanned aerial aircraft (drones) could be beneficial to the operation of public power utilities, including for surveying electric power equipment, assessing damage, and aiding in construction and repair; and

BE IT FURTHER RESOLVED: That current Federal Aviation Administration (FAA) regulations and federal aviation laws have failed to keep pace with this emerging technology; and

BE IT FURTHER RESOLVED: That FAA regulations and federal aviation laws should facilitate, not impede, the responsible use of drones by public power utilities.

As adopted June 9, 2015, by the membership of the American Public Power Association at its annual meeting in Minneapolis, Minnesota.