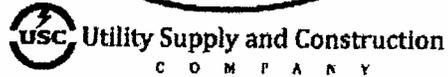
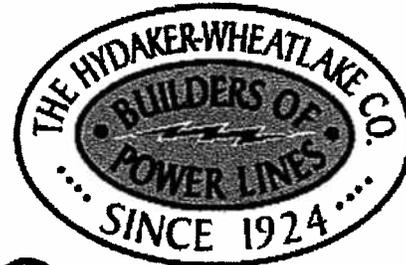


**F C Wheatlake**  
**Chairman**



June 30, 2009

[www.u-s-c-co.com](http://www.u-s-c-co.com)

420 Roth Street • PO Box 147 • Reed City MI 49677  
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The Honorable Jeff Mayes  
Chairman, House Energy and Technology Committee  
Room 1285 House Office Building  
Lansing, MI 48909

Dear Representative Mayes:

As Chairman of The Hydaker-Wheatlake Co., I am concerned about Michigan's "Frost Law" and its negative impact on utility contractors. Michigan's Frost Law takes effect during the months of March, April and May each year. During these months, weight limits on certain county roads are generally reduced by 35%. This weight limit reduction presents special problems for my company. Many of our utility repair and maintenance vehicles are not able to meet this reduced weight limit; however, the need for reliable and efficient utility service does not end during those months.

Michigan's Frost Law only partially accommodates itself to the important needs of its citizens and businesses for reliable and efficient utility service. Michigan's utilities and their contractors are able to use county roads under Michigan's unreduced weight limits to respond to emergencies. However during these three months when the Frost Laws are in effect, utilities, **but not their contractors**, may obtain permits for their vehicles to use county roads for non-emergency utility work such as trenching for underground electric and gas service, demand maintenance, load management and tree trimming to protect against outages in preparation for spring storms. Many utilities have chosen to outsource this work, to Contractors such as ourselves. Denying utility contractors the same ability to obtain permits to use county roads degrades utility industry efforts to operate reliably and efficiently.

We are a company that provides labor and material for electric (transmission, distribution, substation) and gas infrastructure to the utility industry. We perform these services for ITC Transmission, METC, Consumers Energy, DTE, Wolverine Power Supply, all REA distribution CO-Ops, WE Energy, WPL, Edison Sault, Alpena Power, and all Municipals in Michigan. Additionally we have performed contract services for utilities throughout our market area of MI, IN, OH, KY, IL, IA and WS. We have responded to ice storms and hurricanes east of the Rocky Mountains and in Canada. We are headquartered in Reed City, Michigan, and provide employment to 800, 550 of whom are **residents** of Michigan. The preponderance of our employees are International Brotherhood of Electrical Workers (IBEW). We have been in this business since 1949. We carry substantial commercial general liability insurance to ensure we are well covered for the many risks associated with our business.

We believe Michigan's current law, which allows utilities permitted use of county roads during March, April and May, is a necessary balance between the interests of providing reliable and efficient utility service and maintaining the roads. As contractors, we are doing the same work as utilities and that work should be accorded the same privileges and responsibilities regardless of who is performing the work.

I ask for your support of HB 4999 to address this issue. HB 4999 would simply allow utility contractors to use county roads during the months of March, April and May under the same rules and procedures that apply to the utilities that employ them.

Thank you for introducing House Bill No. 4999. We appreciate your support. Please call me if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alvin Stutz". The signature is written in black ink and includes a long horizontal flourish extending to the right.