

## **Stombaugh: Stray voltage harms dairy farmers. Don't let utility companies off the hook. (column)**

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Stray voltage is a complex problem, but basically it is exactly what it sounds like: Electrical current that leaks from wiring or power lines into the ground and goes where it does not belong. It happens as power lines age, and it can cause big problems, especially for Wisconsin's dairy farmers.

The current that leaks out of our electrical lines travels across our land and through farms -- where, often, large metallic structures are found in the form of barns or shelters. The cows who come into contact with the metal at just the wrong time can get a shock -- and electrical shocks have long been known to result in harm to the animal's health and to its ability to produce milk.

The harmful economic impact is not limited to a single farm family; the suffering is actually spread across the community, affecting lenders, feed suppliers, dairy employees, school funding, implement dealers, dairy supply companies and many, many others in a widening ripple spreading out to all of us. Truly, no farm is an island.

The invasion of "stray" currents through farmers' property has been found by research and courts to cause significant financial harm to farm families and to hurt dairy herds.

Now a new bill that is being circulated in Madison and may be brought up this fall wants to completely exempt the power utilities from any responsibility in cases of stray voltage. The bill would give utilities immunity if they meet current standards, which were adopted by the Wisconsin Public Service Commission in 1989. The standard set a utility's "level of concern," relying on the screening and testing for stray voltage, not prevention. It does not set a safety standard.

Meanwhile, the costs to farmers are very real. Allan and Beverly Hoffman worked for more than 10 years to address herd health and milk production problems on their dairy farm in Waupaca County. They built new facilities, instituted herd health programs and made changes to their electrical wiring. They contacted their utility, which found that test results did not rise to "a level of concern." It was certainly a concern to them, however, and their problems persisted.

**Christopher D. Stombaugh practices with Keenan Law Firm out of Platteville, Wisconsin and handles stray voltage cases. He is the President-Elect of the Wisconsin Association for Justice.**

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Independent tests showed electrical currents coming from the ground were causing the problem. The Hoffmanns sued their utility and a jury found the utility liable. The Wisconsin Supreme Court in 2003 upheld the verdict finding that the Public Service Commission's standards on stray voltage did not mean the utility was allowed to be negligent in preventing it.

The new law would change that, allowing negligence on the part of the utility with no recourse for farmers like the Hoffmanns.

The current standards governing stray voltage have not been updated for many years and some experts believe they are inadequate, because the vast majority of harm is due to ground or earth currents. The WPSC standards do not cover these currents. In addition, the WPSC standards relied on utility-sponsored stray voltage research, so the research has all the credibility that the Tobacco Research Institute had in their claims of the health benefits of smoking cigarettes.

Finally, utilities have all but ignored the WPSC directive that states, "The Commission expects that additional efforts beyond the basic screening tests will be pursued when those observations justify such further action."

If utilities don't follow the WPSC directive to dig deeper now, what incentive will they have to fix their problems when there will be no consequence for doing nothing? Today, stray voltage cases are heard by a real jury and judge who get to determine whether the farmers' livelihood and herd health has been harmed based on scientific evidence, not on political influence. It should stay that way. When legislators return to Madison this fall, this bill should be D.O.A.

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