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Consultancy, R&D Training Ltd:

Electric panels, Switchgear and Testing Labs Design



CIRED: proposal for creation of a new working group on URBAN OVERHEAD NETWORKS about "Dangerous Distances between MV Cables / Transformers / Fuses to Building Facades & Windows". Examples of lawsuits sentences in Annex D.

Is it a crime to keep a transformer that can explode 2 meters from a window where there are children?
Brazilian technical standard ABNT NBR 15688 ignores the problem and allows it. What say IEC standards?

Watch this video and understand the problem: <u>https://youtu.be/9fyUPAepuYM</u>



- ARTICLE in English: <u>https://www.cognitor.com.br/FusesInTheWindows.pdf</u>
- ARTGO em Portugues: <u>https://www.cognitor.com.br/FusiveisPerigososNasJanelas.pdf</u>

1. WHY IS IT SO DANGEROUS TO BE NEAR TRANSFORMERS and EXPULSION FUSES on POSTS? (Check Annex D examples of legal disputes and sentences related to this topic and ABNT NBR 15688)

Just watching the video above, any person will understand that it is very dangerous to have a 13.8 kV cable in front of a window, two meters away. Unfortunately, overhead lines with bare conductors are common in developing countries like Brazil. TV reports show the risks and consequences of explosions and falling transformers and expulsion fuses. Although the example in the photo above is in Rio de Janeiro, in an area with high property tax rates, this occurs in many Brazilian cities that follow the ABNT NBR 15688 technical standard. In Rio with so many problems such as violence, corruption, cable theft and lack of planning, risks of this type are overlooked. The only quiet days we had here were in this week of November 2024, when the G20 countries met.

THIS ARTICLE AIMS TO ALERT THE GENERAL PUBLIC AND AUTHORITIES ABOUT THE RISKS of placing transformers, fuses and high-voltage cables from distribution networks near building facades and windows. They are extremely dangerous and deadly in the event of an explosion or contact due to proximity. ABNT NBR15688 does not take them into account. Even after repeated formal communications from this author, nothing has been done to revise the ABNT Technical Standard. The information in this article is all verifiable, including to support legal cases.



In my 70s, I am an internationally recognized expert in high power testing and the drastic consequences of substations equipment explosions. I have spent 45+ years analysing and performing short-circuit tests on transformers and other substations and lines equipment in testing laboratories. Many oil-containing equipment explodes under short-circuit conditions. In small distribution transformers like in the photo, the burning oil can travel over 5m. The video at the beginning of the article clearly demonstrates this.

In the case of Brazil, it is worth remembering that using the ABNT NBR 15688 technical standard does not exempt power utilities from liability, since Law No. 8,078 / Art. 6 (Consumers Code) states that the basic rights of consumers include the protection of life, health and safety against risks caused by practices in the supply of products and services considered dangerous. Annex D of this article contains examples of legal disputes. For details, visit the websites of the state Courts of Justice and search the Web with keywords such as "Transformer" + "Explosions" + "Deaths" + "NBR 15688".

ABNT NBR 15688 X Law No. 8,078 (Consumer Protection Code): When an electric power company keeps – or installs – a distribution transformer in front of a window, as in the photo above, it is taking the risk of killing someone, even if the Standard – wrongly – does not cover the subject, as it should.

IEC 61936 X NBR 15688: The minimum distances of Brazilian standard, made without any basis in international technical standards, disregard the IEC_61936 standard on the distances between equipment containing oil and buildings. What does the regulatory ANEEL say about the subject?

2. HISTORY OF THE ATTEMPT TO SOLVE THE PHOTO PROBLEM

LIGHT (electric power utility): October 2023, I asked LIGHT SESA to move the transformer. After an automatic response asking me for a large number of documents, without going into the merits of the request, they sent a team to the site. LIGHT response said that there was no problem because it was following NBR 15688.

ANEEL: November 2023: to avoid a lawsuit against LIGHT to discuss the matter, I wrote to ANEEL, which never expressed its opinion. I was surprised and disappointed by the lack of response from the regulatory agency that should clarify conflicts. It was better in the past.

ABNT (Brazilian National Standards Association): November 2023 to the end of January 2024: I asked ABNT to review the standard. ABNT, in turn, asked the Study Committee that deals with such standard revisions to meet, analyse the matter and give me an official response. The matter proceeded slowly until two confusing meetings were held, which I was not invited for in due time. I could see from the subsequent meeting minutes that the central issue was not even analysed. I did not receive a response to my questions about the minutes.

Rio de Janeiro Public Ministry's Office: January 5, 2024: I consulted the Office of the Rio de Janeiro, which registered the communication No. 922968. On February 24, 2024, the website stated that No. MPRJ 2024.01279055 was sent to the Secretariat of the 5th Public Prosecutor's Office for Collective Protection of Citizenship in the Capital. The website states that on November 10, 2024, there was an internal referral, but I was unable to interpret what is shown below. To date, I have not received any contact from the Office.

Ministério Consulta p	Público do Estado do Rio de Janeiro rocessual pública
Documento	
N° MPRJ 2024.012790	55
ÓRGÃO RESPONSÁV	EL
ASSESSORIA EXECU	ΓΙVΑ
HISTÓRICO DE MOVI	MENTOS
Data andamento	Тіро
12/06/2024	SERVIDOR ATOS COMUNS Autuação Autuação de Notícia de Fato (Peça de Informação)
23/05/2024	MEMBRO Homologação de declinação de atribuição
18/02/2024	MEMBRO Declinação de Atribuição Para outro Ramo
26/01/2024	SERVIDOR Encaminhamento ao Membro
05/01/2024	SERVIDOR ATOS COMUNS Encaminhamento a Órgão Interno Outros

<u>IEC – Consultation on February, 2, 2024</u>: I did not receive an answer to this "Dear TC11 Officers – About overhead lines in urban areas densely populated. I am trying to identify if there are IEC standards specifying distances from cables of 13,8 kV and 36,2 kV to building facades and windows. More than the cables distances I want also to know if these standards consider safety distances considering that distribution transformers and expulsion fuses may explode causing risks to lay people. Along many years I participate in IEC / CIGRE working groups (TC17 / TC32) but no one related to transmission lines. In the past I was chair of IEC TC32 (Fuses) IF you read this my article and watch the video

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you will understand the reasons for my interest in the matter Article (see photo in top first page): https://www.cognitor.com.br/FusesInTheWindows.pdf Video (sorry TV Reports in Portuguese): https://www.youtube.com/watch?v=dra1zBg9OuE I thank you in advance. I am also writing to the other officers mentioned in the IEC site Sergio Feitoza Costa

3. A LEGAL PROCESS THAT INCLUDED TESTS AT CEPEL TO VERIFY DISTANCES REACHED BY THE OIL AFTER A TRANSFORMER FAILURE AND EXPLOSION.

In 2002, during a lawsuit requesting the relocation of a transformer, I witnessed a test that caused an explosion to see how far the burning oil would reach. The oil reached more than 5 meters. The testing laboratory and the lawyers of that case possibly have a complete report. This type of document is not public, but I imagine that it could be requested by the courts, if necessary.

Distribution power utilities are well aware of the risks of a transformer or fuse explosion. They must have learned this at least after being tried in lawsuits like those listed in Appendix D. There are countless reports in the media, showing accidents, including fatal ones.

The overhead power lines, with their transformers and expulsion-type fuses, appeared about 100 years ago, for use in sparsely populated areas and far away from people. However, cities grew, and many of them did so in a disorderly manner. Buildings were getting closer to the power lines. In the city of Rio de Janeiro, underground networks, which are much better and safer, are only used in parts of the richest areas of the South Zone and Barra da Tijuca.

The overhead networks in the city of Rio de Janeiro show that the City Hall and other authorities lost control of the situation. The aesthetics of the favelas have become the rule rather than the exception. The neglect and lack of public control can be seen in the photo showing the amount of cables left by telephone, cable TV, internet, etc. companies. This is not a favela. It is an area with high property tax in Jardim Guanabara, Ilha do Governador (R\$27.5/m2 per apartment). In Rio, which is full of problems such as violence, corruption, cable theft and lack of planning, transformers near windows are left in the background and there is no one to complain to, as in the "History" above.



To keep the focus of the English version of this article I will suppress here some local information that is detailed in the Portuguese version (link on the first page above)

4. HOW I DISCOVERED THE ERRORS IN ABNT NBR 15688

At first, I just wanted to solve the case of the dangers of the window in the photo above. I started investigating after receiving the surprising response from the power utility LIGHT that it follows the requirements of the ABNT NBR 15688 Standard. I soon realized that the standard does not apply to distances between transformers and fuses to facades and windows. The standard is negligent with regard to obvious risk situations and was created by the electricity power utilities. It simply disregards the fact that those at the window are lay citizens, such as children, who have no

perception of the risk. In my opinion as an expert, this is a culpable crime and not only on the part of the power utilities. It also involves ABNT and ANEEL, who should be responsible for looking out for the consumer.

In order not to be negligent as a citizen, I started to draw public attention to the issue, which affects many families in Brazil. Many Brazilian energy distributors cause the same risk situations in other parts of the country and justify themselves by saying that they use the ABNT NBR 15688 standard.

The technical error in ABNT NBR 15688 is that it fails to consider that there are standards such as ABNT NBR 13231 and IEC61936 that deal with distances to equipment containing oil, with regard to fires and explosions. These are the ones that should be clearly referenced and are not.

The ABNT NBR 15688 standard, "Aerial electrical energy distribution networks with bare conductors" specifies that 13.8kV cables must be kept at least 1.5 meters away from facades, while IEC 61936-1 specifies a minimum of 7.5 meters inside a substation, for oil filled items that may explode or fire. This is the same value as ABNT NBR 13231, based on IEC 61936.

When I made a request to Light, to move the transformer from the front of the window, they informed that sent a team to the location and measured the distance of 2.20 m and that this is sufficient and based on ABNT NBR 15688 and internal regulations. The mistake is that this standard does not deal with distances from transformers and fuses to facades. It only covers (very poorly) with distances from high voltage cables to facades.

However, their answer was useful to understand that the ABNT NBR 15688 standard has a serious omission and must be corrected immediately. It would be dangerous even if there were qualified substation operators at the window, and not children and laymen. It is irresponsible to pretend that one is not seeing this. If I had to point out that I consider the biggest culprit for this situation, I would say that it is ABNT and ANEEL, for failing to resolve the problem, even after repeated warnings and formal information from me. Of course they have learned the dangers with the judge's sentences like the ones I show in Annex D.

When I consulted ANEEL, as has become the practice at regulatory agencies since the introduction of artificial intelligence robots, they simply passed on the concessionaire's response without getting involved. It is disappointing not to even be able to speak to a human, about a "risk of death" matter. Since everything above is formally published, none of those mentioned will be able to say, in the event of an accident, that they were not aware of the risks. In these situations, the culprits usually tries to shift the blame onto the other. It is common practice in Brazil, after problems such as blackouts, etc., to see authorities going on television to say that they are going to fine power utilities. They know that in most cases the fines are cancelled after appeals. To check, refer to the big blackouts I the cities of São Paulo and Rio de Janeiro (Ilha do Governador), this 2024.

5. HOW ABNT AND IEC STANDARDS DEAL WITH DISTANCES TO FACADES AND BUILDINGS

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I am very familiar with ABNT and IEC standards and coordinated the preparation of several of them, such as NBR IEC 7282 (Transformer fuses) and IEC 60282-2, when I chaired Technical Committee 32 (FUSES) of the IEC – International Electrotechnical Commission. I am a co-author of IEC62271-307. I can prove, even in court, everything I write here.

The ABNT NBR 15688 standard - "Overhead electrical power distribution networks with bare conductors" is used to define **short distances that do not consider that oil-filled transformers and expulsion fuses can explode**. In the case of transformers, the distances need to be much greater, as in ABNT NBR 13231 standard - Fire protection in electrical substations. **Consult experts in the local Fire Department.**

ABNT NBR 15688 deals only – and wrongly so, because it disregards laypeople – with distances from high-voltage cables to facades and buildings. It uses small distances as if the consumer were an expert on the dangers of electrical substations. Unlike the vast majority of ABNT standards on electrical networks and substations, it does not reference any IEC or other relevant standard. I ask, where did the distances in the tables came from? Why does it not mention distances to oil transformers and the dangerous expulsion fuses (IEC60282-2)?

ABNT NBR 13231 standard – Fire protection in electrical substations, deals with **distances from buildings to equipment containing oil (transformers)**. It refers to IEC 61936 – "Power Installations exceeding 1 kV AC and 1.5 kV DC - Part 1: AC". **It recognizes the dangers and defines distances from oil-filled transformers to buildings according to the volume of oil,** as shown in the following tables, taken from Reference [1] . Since these standards were made for substations where electrical specialists work, the distances to homes, facades and buildings should be even greater, since their users are not experts in electricity.



In December 2023, I submitted a proposal to ABNT to revise NBR 15688 to increase the distances. There were two meetings of that committee in January 2024 and, believe it or not, they did not invite me to participate in due time. The subject of my request to ABNT, the Brazilian standardization body, included:

a) ABNT NBR 15688 standard needs to be revised immediately: because it specifies minimum distances from cables to facades and windows that are much lower than what is necessary to avoid explosion dangers. The minimum

distances for 13.8kV cables do not consider that those who will be close to the cable will be laypeople, including children, who could, for example, extend a toy stick towards the cable. The small distances were made for qualified people in high-voltage substations and not for children and laypeople. They possibly only considered aspects of dielectric discharges and, perhaps, the legislation that limits the intensity of electric and magnetic fields (Normative Resolution No. 616/2014 of ANEEL).



a) NBR 15688 disregards the minimum distance to transformers and expulsion fuses that can explode and kill. These distances must be greater than 7 meters in accordance with IEC61936. It uses technically wrong distances, as small as 1.5 m. NBR 13231 deals with distances to buildings from equipment that contains oil, such as transformers.

b) **NBR 15688 does make reference to any international standard as recommended by ABNT**. Where do the values in the table for such small distances came from?

c) **ABNT / ANEEL: Neutrality in preparing the review:** Only specialists from the power utilities participated in the meetings, who are possibly not interested in changes. Question: who will look at the interest of the layman who is in the window? ANEEL is perhaps the only one with neutrality and technical competence to coordinate the review. ABNT and IEC rules give importance to the issue of neutrality. At least in the past, it was mandatory to include at the beginning of the minutes the Stakeholders: (1) Manufacturers; (2) Customer/Supplier; (3) Technical/scientific support; (4) Governing Body. In the two meetings mentioned, the audience was 100% of power utilities experts. The question is: does ABNT consider a meeting valid with 100% of a single interested party, in this case the energy concessionaires?

d) **Question to be answered in review work:** What are the national and international standards that deal with minimum distances? Do they consider that minimum distances for laypeople should be greater than for qualified substation operators?

e) If knowledge has advanced and is now public knowledge, who is held legally responsible in the case of accidents? Are the actors taking the risk of killing? If the technical standard has omissions because the knowledge available in the previous version was less, it must be revised immediately

6. ANEEL CAN MOTIVATE INNOVATIONS TO AVOID EXPLOSIONS IN SMALL TRANSFORMERS

Since underground networks will not be built outside of rich areas in the next ten years, we need to, in addition to increasing the minimum distances allowed in the technical standard, encourage innovations to reduce risks. The creators of innovations for the electrical sector have a huge market in countries such as Brazil and others in Latin America, Africa and Asia, and even in parts of the developed United States. Examples of welcome innovations to minimize the effects of these urban overhead networks are:

- Depressurization systems to prevent explosions in transformers up to 300 kVA that comply with ABNT 8222 (why was cancelled?)
- Low-cost non-explosive fuses for use in existing fuse switch bases.
- Self-protected transformers with quick fuse replacement;

Addressing the risks associated with electrical networks is one of ANEEL's responsibilities, and it could include the topic in its list of desirable projects in the R&D program (Law No. 9,991) for distributors. It could even be a "priority" or "structuring" project like that of the Itajubá Laboratory, unfortunately discontinued in 2019.

Regarding potential innovation, in 2005 I, the author of this article, coordinated at ABNT the review of fire protection standards in substations (NBR 13231, NBR 8222, NBR 12232 and NBR 8674). The only one of these that dealt with systems to prevent fires and explosions in transformers was ABNT NBR 8222 (explosion and fire prevention systems, by depressurization). This standard was a novelty and the only one in the world that had a real test to prove that explosions and fires can be prevented (I wrote the test method).

Successful tests were carried out at CEPEL by the French company SERGI, which demonstrated that they work properly. In 2014, when researching on the web, I was surprised to see that both ABNT NBR8674 and NBR 8222 had been cancelled, without replacement. I do not know what is behind this cancellation of useful documents. This should be reviewed, starting by identifying who participated in the review that led to the cancellation and why it happened. Unless what was stated in those standards was transferred to some other standard, it was a gross error. I would like to know what ANEEL's current procedure is for dealing with explosions and fires in transformers, such as the one that occurred in Amapá in 2020. It is worth reading the article "Fires, Blackouts, Planning and Technical Standards (the Amapá case)" whose link is in reference [5]. To whom it may concern, in Reference [6] there is an article with a **proposal for a new IEC standard based on ABNT NBR 8222.** The article is named "Preventing Explosions and Fires in Transformers. Why was the only global technical standard with tests for internal arc faults and depressurization systems, NBR_8222 (2005) - Depressurization protection systems, cancelled in 2014? Could this have any relation to NBR 15688?

Another catalyst for innovations will be the increase in the number of lawsuits for the displacement of transformers, when the distributor does not meet the requests spontaneously.

7. HOW TO PLAN AND IMPLEMENT THE INCREASE IN DISTANCES IN URBAN AERIAL NETWORKS?

There are two steps to follow. The first is to have a competent technical standard that makes safe distances mandatory in new installations. The second step is to give a period of, say, 5 years for power utilities to adapt old installations that do not meet the new standard.

A plan should be made so that, in certain areas, it is only permitted to replace current overhead networks with underground networks. An effort would also be needed to make underground the telephone and cable TV service networks that make the streets ugly.

It is worth mentioning that today, when we send a request to the concessionaire to move a transformer, there is an inversion of values. The company responds as if it were doing the customer a favor and makes unreasonable demands. This needs to change because it discourages customers and makes them give up on fair demand.

The request to move transformers cannot be confused with a request for a new connection in the consumer's interest. This is something that, unfortunately, the consumer is forced to do, to avoid dangers caused by poorly drafted ABNT technical standard and by the distribution company, in addition to the omission of those who should be taking care of the issue from a broader perspective of safety and aesthetics. This is where ANEEL and the City Halls come in.

It is worth remembering that, even when they operate correctly, expulsion fuses, also known as fuse switches, emit dangerous sparks and hot gases. Australian technical standards have requirements regarding this, but Brazilian ones do not. When they fail, it is common for the transformer to explode, which can injure or kill people nearby.

CITIZENS: If you have a situation like this near your family, take it seriously and complain immediately at the levels where necessary. It is more or less like a stray bullet in the routine shootings in Rio de Janeiro. We think it will never happen to us until it does. This report has credible information to help you.



UNDERSTAND HOW THE "LIFE-THREATENING" BEGINS AND NOBODY SEES

Watch the video in this link

VÍDEO: Transformador pega fogo e deixa mais de 100 moradores sem enercia elérrica em luiz de Fora

https://g1.globo.com/mg/zona-da-mata/noticia/2024/10/31/transformador-pega-fogo-e-deixamais-de-100-moradores-sem-energia-eletrica-em-juiz-de-fora.ghtml





8. FINAL COMMENTS

The ideal solution for densely populated urban areas is to use underground systems. In Brazil, this is unlikely to happen in the next 10 years. Technological innovations that can alleviate the problem of transformer and fuse explosion risks are necessary and feasible. ANEEL can promote the emergence of innovations through its R&D program (Law No. 9,991).

The ABNT NBR 15688 standard should be revised – now – to increase the distances, preferably based on international standards. The issue of cables, fuses and transformers with oil should be clearly differentiated. If there is no neutrality in the preparation of the revision, nothing will change.

The ABNT NBR 13231 Standard - Fire protection in electrical substations should be included in the references of NBR 15688 because it correctly addresses the issue of the distance between transformers with oil that are subject to explosions.

ABNT should ensure that someone formally representing consumers participates in the work of the Study **Committee**. The code of conduct (Ref. [4]) even indicates this, but it does not actually happen. This also happens at IEC. It is easy to predict the result of the review of the technical standard if 100% of the participants are experts from electricity concessionaires. Nothing of major relevance would change.

Evidence and studies already carried out should be considered, such as the aforementioned legal case, I believe from 2002, in which I gave a technical opinion in a lawsuit filed by a consumer who complained about a situation similar to mine. He requested the removal of a transformer from near his window. I believe it was in Leblon, an upscale neighbourhood in Rio de Janeiro. I recommended that a short-circuit test be performed on a transformer in which the fuse failed, as happens due to aging or some other abnormality. The hot oil's reach from the transformer explosion was checked, and the burning oil reached more than 5 meters. If it were near an open window and the fuse operated correctly, the sparks would reach the curtains and start a fire. If the fuse failed and the transformer exploded, it could kill persons. I don't remember the (2002 or 2003) process number including the tests. I believe the lawyers company was called Mazzillo.

For consumers who are in risky situations, as in the photo at the beginning of the article, the only current option is to file a lawsuit. This public article contains complete, technically well-founded information to serve as a basis for lawsuits. In Appendix D, I showed examples of lawsuits. It is, together with this article, a good starting point for requesting removal from the concessionaires.



CIRED NEW WORK SUGGESTION: I think CIRED (The International Conference on Electricity Distribution) has here a good opportunity for new work. Along the last 12 months I took it to Cigrè but did not spark interest there, possibly because, it is not a serious problem in high-voltage systems in Europe and North America.

Maybe also due to this, the issue of dangerous small distances in urban aerial networks, is completely disregarded in IEC technical standards. It is an important matter for countries like Brazil, which have become large in terms of economy and resources but is each time more delayed in terms of ideas about distribution networks.

In the Annex B there is a formatted TOR NEW WORK PROPOSAL on "Dangerous Distances Between medium voltage Cables/Transformers to Building Facades and Windows in Urban Areas". I also present in Annex B the formal consultation with the IEC described in Section 2.

It is worth remembering that, at least I Brazil, using the official technical standard ABNT NBR 15688, which is poor due to small distances, does not exempt the concessionaires from liability because there is Law No. 8,078 / Art. 6, which states that the protection of life, health and safety against risks caused by practices in the supply of products and services considered dangerous are basic consumer rights. Check the examples of lawsuits sentences in Annex D to notice that the matter involve risks and deaths.

END OF ARTICLE

ABOUT THE AUTHOR Eng. Sergio Feitoza Costa, M.Sc.

C.V: <u>https://www.cognitor.com.br/Curriculum.html</u>

Things I helped to do: <u>https://www.cognitor.com.br/HelpedToDo.pdf</u>



9. REFERENCES

[1] Code of Conduct for Participation in Technical Standardization of the Brazilian Association of Technical Standards (ABNT) https://www.abntonline.com.br/normalizacao/codigo conduta.pdf

[2] Book TRANSMISSION AND DISTRIBUTION SUBSTATION EQUIPMENT (author Sergio Feitoza Costa) Portuguese https://www.cognitor.com.br/Book SE SW 2013 POR.pdf English https://www.cognitor.com.br/Book SE SW 2013 ENG.pdf

[3] Article in the Magazine "O Setor Eletrico" Edition 114 -2015. Page 46 "ASPECTS LINKED TO FIRE AND EXPLOSIONS IN TRANSFORMERS AND OTHER EQUIPMENT".

[4] Article by Sergio feitoza Costa --- IEC 60282-2 - High-voltage fuses - Part 2: Expulsion Fuses *** Suggestions to SC32A for next revision . (Include a world comparison of prices & quality of distribution services) https://www.cognitor.com.br/IEC602822sugestionstosc32afrombrazil.pdf

[5] Other Technical Articles by Sergio Feitoza Costa: https://www.cognitor.com.br/Downloads1.html

[6] Video prepared by Sergio based on the others below.

- English https://youtu.be/dra1zBg9OuE
- Portuguese: <u>https://youtu.be/9fyUPAepuYM</u> •

[7] TV REPORT - Jornal do Almoço - SC- Celesc investiga causa de explosão de transformador em Blumenau - 21/03/2018 -GLOBOPLAY - https://globoplay.globo.com/v/6597978/

[8] TV REPORT Globo G1 – Santos e Região - Explosões em transformador que assusta moradores e os deixa sem luz no litoral de SP

https://g1.globo.com/sp/santos-regiao/noticia/2023/06/28/video-mostra-explosoes-em-transformador-assusta-moradores-eos-deixa-sem-luz-no-litoral-de-sp.ghtml

[9] TV REPORT Globo G1 – Goiânia - Morador filma o momento em que proteção de transformador explode em rua de Goiânia; https://g1.globo.com/go/goias/noticia/2022/01/28/morador-filma-o-momento-em-que-protecao-de-transformador-explodeem-rua-de-goiania-video.ghtml

[10] TV REPORT Campo Grande News - Transformador explode no Centro - CREDITO: CAMPO GRANDE NEWS https://www.campograndenews.com.br/direto-das-ruas/video-mostra-momento-em-que-transformador-explode-no-centro

[11] TV REPORT – Santa Catarina - Programa SC no ar Transformador explode e deixa 6 mil casas sem luz em Coqueiros, na Capital https://www.youtube.com/watch?v=OoDoNSRCVKQ

[12] TV REPORT – TV Record Goiás - SUSTO: VÍDEO MOSTRA EXPLOSÃO DE TRANSFORMADOR https://www.youtube.com/watch?v=v250kXjAec0

[13] Outros - 50 TRANSFORMERS IN SEQUENCE https://www.youtube.com/watch?v=ICL9gz1aYm8

[14] Livro "PROJETO SALVE O RIO EM 10 ANOS" : https://www.cognitor.com.br/projetosalveorio.html

[15] OS ENGENHEIROS CÓSMICOS NO PAÍS DA AMAZONIA: https://www.cognitor.com.br/OsEngenheirosCosmicos.pdf

IN ENGLISH

[16] Book "Renewable Energy + Environmental Education to try to save the Planet. (About Energy Transition, H2 Green, Hydrogen and how to ride this wave)

https://www.cognitor.com.br/educationfortheplanet.pdf

[17] Book "Project Save Rio in 10 years " https://www.cognitor.com.br/saverioENG.pdf



[18] Book "The Cosmic Engineers in the Land of Amazonia": https://www.cognitor.com.br/TheCosmicEngineers.pdf

[19]_ABNT NBR 15688 - Aerial electrical energy distribution networks with bare conductors"



ANNEX A – MESSAGE TO ABNT AND MISCELLANEOUS

To the Secretary of COBEI and ABNT Commission, in response to the submission of the minutes of the meetings on 01/25/2024 and 02/01/2024 (minutes received on 01/25/2024)

Text omitted if you want to read check the Portuguese version in <u>https://www.cognitor.com.br/FusiveisPerigososNasJanelas.pdf</u>

ANNEX B – OTHER REFERENCES AND WORK PROPOSAL TO CIRED

[15] Book "Renewable Energy + Environmental Education to try to save the Planet. (About Energy Transition, H2 Green, Hydrogen and how to ride this wave) https://www.cognitor.com.br/educationfortheplanet.pdf

[16] Book "Project Save Rio in 10 years "<u>https://www.cognitor.com.br/saverioENG.pdf</u> Book "The Cosmic Engineers in the Land of Amazonia": <u>https://www.cognitor.com.br/TheCosmicEngineers.pdf</u>

CIRED - PROPOSAL FOR THE CREATION OF A NEW WORKING GROUP Prepared by Sergio Feitoza Costa

JWG ¹ N° _xx.	Name of Convenor: E-mail address:	
Strategic Directions		Sustainable Development Goal
The WG applies to distribution networks: $oxtimes$ Yes / \Box No		
Potential Benefit of WG work		

Title of the Group: "DANGEROUS DISTANCES BETWEEN 13,8KV CABLES / TRANSFORMERS TO BUILDING FACADES AND WINDOWS in URBAN CIRCUITS"

Scope, deliverables, and proposed time schedule of the WG:

Background:

Having a 13.8 kV cable right in front of and close to the window where laypeople are present is very dangerous. In developing countries, urban overhead lines near buildings are typical rather than an exception. The dangers of transformer explosions and expulsion fuses are clearly demonstrated in the video and article below. The proximity of residences is not well considered by IEC and national standards on urban lines. The dangers of internal arc overpressures so well addressed by IEC62271-200 have simply not been considered for distribution transformers in the streets. The distances to buildings do not consider the possibility of lay people, especially children, being close to the cable and extending objects towards it. Minimum distances only consider dielectric aspects and perhaps prevent magnetic and electric fields from exceeding legal limits. The Brazilian standard ABNT NBR 15688, "Aerial electrical energy distribution networks with bare conductors", serves as an illustration. It stipulates that 13.8kV cables must be kept at least 1.5 meters away from facades, while IEC 61936-1 specifies a minimum of 7.5 meters within a substation. Using such a small distance is taking the risk of killing. Cigré has the neutrality to study the subject and propose the improvement of these standards. A barrier for changes is that the citizen at the window does not participate in the preparation of standards drawn up by almost 100% of experts from power utilities, not interested in changes. Today, in Brazil, if you want to remove the transformer next to the window, you need to file a lawsuit.

Scope:

The objective of the WG work is to assess the existing standards and to propose suggestions to IEC, considering that that most national standards follow the same rules. The steps would be:

• Raise the history that led to the minimum distances that are used today within IEC and IEEE (consultations to experts and documentation). Identify similarities between the IEC61936 guide for values of outdoor transformers clearances.

- Survey the practices adopted all over the World that can bring evidence to propose raising the minimum distances (questionnaire & consultation with experts of IEC, IEEE, etc...)
- Survey of the existence or not of systematic problems like accidents with an association to the minimum distances practiced.
- Make a proposal for IEC and IEEE of new values of minimum distances from the aerial cables, distribution transformers and fuses, to building facades.
- As far as possible, make an economic comparison between the resources necessary to change distances in new installations and the use of underground networks.
- Identify potential technological innovations that can alleviate the problem like (a) selfprotected transformers with quick fuse replacement and (b) low-cost current limiting fuses for use in existing expulsion type fuse bases.
- To write a brochure including the conclusions of the work. In the results, to indicate the positive and negative impacts of increasing the minimum distances.

Relevant literature:

20GNITOR

Article by Eng. Sergio Feitoza Costa "About Placing A Hv Transformer + Fuses That Could Explode - In Front Of A Window Where Children Live? ": <u>https://lnkd.in/dFnMt3SP</u> Video with the same title of the article by Eng. Sergio Feitoza Costa: <u>https://lnkd.in/dvrUPAXt</u>

- Brochure Cigrè 602 (2014) Tools for simulation of the internal arc effects in HV and MV switchgear
- Brochure Cigrè 740 Contemporary design of low-cost substations in developing countries.

Deliverables:

- ☑ Technical Brochure and Executive Summary in Electra
- ⊠ CIRED Report
- ⊠ Future Connections
- □ CSE
- ☑ Tutorial
- ⊠ Webinar

Time Schedule: start: XXXXXXXX

Final Report: XXXXXXXX

CONSULTING IEC (IEC System no-reply@iec.ch n 2024-02-11 12:06 PM



IEC Contact International Electrotechnical Commission

IEC Standards about overhead lines 13,8 kV in urban areas (TC11)

This is an automated message to let you know that you have recently sent an email through the IEC contact form and your message has been sent to the recipient.

Mail sent by: Sergio Feitoza Costa

Content:

Company/Organization: Cognitor Consultoria P&D e trainamento Country: Brazil Alternative email: -Phone: 5521988874600

Your meassage:

Dear TC11 Officers – About overhead lines in urban areas densely populated. I am trying to identify if there are IEC standards specifying distances from cables of 13,8 kV and 36,2 kV to building facades and windows. More than the cables distances I want also to know if these standards consider safety distances considering that distribution transformers and expulsion fuses may explode causing risks to lay people. Along many years I participate in IEC / CIGRE working groups (TC17 / TC32) but no one related to transmission lines. In the past I was chair of IEC TC32 (Fuses) IF you read this my article and watch the video you will understand the reasons for my interest in the matter Article (see pholo in top first page): https://www.cognito.com.br/FusesInTheVindows.pdf Video (sorry TV Reports in Portuguese) : https://www.youtube.com/watch? v=dra12bg9OuE I thank you in advance. I am also writing to the other officers mentioned in the IEC site Section Febra Consta e-amail servicinefizer.

If you are not the sender, please inform IEC by calling +41 22 919 02 11

ANNEX C – COMMENTS RECEIVED ON THE LINKEDIN POST "TECHNICAL STANDARD....

Text omitted if you want to read check the Portuguese version in https://www.cognitor.com.br/FusiveisPerigososNasJanelas.pdf

ANNEX D – SOME EXAMPLES OF JUSTICE PROCESSES (Jurisprudence)

To read the whole text use Google translator or equivalent from Portuguese (Brazilian) to English.

For example, obtained in <u>https://www3.tjrj.jus.br/ejuris/ConsultarJurisprudencia.aspx</u>

Processo e link	Datas	Ementa
Processo: Ju Apelação Cível 0 1.0000.23.245 P 010-6/001 su 5124026- 0 75.2020.8.13. 0024 (1)	Julgamento: 20/ 02/2024 Publicação da súmula: 26/02/2 024	CIVIL APPEALS - COMPENSATION FOR MATERIAL DAMAGES - PRELIMINARY DEFENSE RESTRICTION REJECTED - CEMIG TRANSFORMER EXPLOSION - OBJECTIVE LIABILITY - EXISTENCE OF CAUSAL LINK - MATERIAL DAMAGES CONFIGURED - DEVALUATION OF THE PROPERTY NOT PROVEN - MAINTENANCE OF ATTORNEY FEES.
		APELAÇÕES CÍVEIS - INDENIZAÇÃO POR DANOS MATERIAIS - PRELIMINAR DE CERCEAMENTO DE DEFESA REJEITADA- <mark>EXPLOSÃO DE TRANSFORMADOR</mark> DA CEMIG - RESPONSABILIDADE OBJETIVA - EXISTÊNCIA DE NEXO DE CAUSALIDADE - DANOS MATERIAIS CONFIGURADOS - DESVALORIZAÇÃO DO BEM NÃO COMPROVADA - MANUTENÇÃO DOS HONORÁRIOS ADVOCATÍCIOS.
		 Evidenciado que a controvérsia em análise diz respeito à matéria eminentemente técnica, a oitiva de testemunhas torna- se desnecessária para o desate da lide, razão pela qual não é possível falar em cerceamento de defesa. Nos termos do art. 14, do CDC, a concessionária de serviço público responde objetivamente pelos danos causados aos consumidares, independentemente de culpa, hastando a comprovação nos autos do efetivo prejuízo e do pero de
		causalidade entre estes e a conduta daquela - A presença de pássaros próximos à rede elétrica é fato comum e previsível, de forma que a CEMIG não só pode, como também deve, utilizar equipamentos seguros e resistentes às intervenções causadas pelas aves.
		 Do acervo probatório dos autos, extrai-se a relação causal entre o curto-circuito na rede de distribuição de energia elétrica da concessionária de serviço público e o prejuízo experimentado pelo autor, ensejando o dever de reparação daquela
2 - Processo: Apelação Cível 1.0000.22.013 313-6/003	Julgamento: 22/ 06/2023 Publicação da súmula: 29/06/2	CIVIL APPEAL - ADMINISTRATIVE - CIVIL LIABILITY OF PUBLIC SERVICE CONCESSIONAIRE - COMPENSATION FOR MORAL AND MATERIAL DAMAGES - ACCIDENT IN ELECTRICITY NETWORK - BURNS ON THE CITIZEN'S SKIN - PROOF - POLICE OCCURRENCE REPORT - DISCONSTITUTION - DEFENDANT'S BURDEN - MORAL DAMAGES - CONFIGURATION
<u>5013966-</u> <u>94.2019.8.13.</u> <u>0145 (1)</u>	023	APELAÇÃO CÍVEL - ADMINISTRATIVO - RESPONSABILIDADE CIVIL DE CONCESSIONÁRIA DE SERVIÇO PÚBLICO - INDENIZAÇÃO POR DANOS MORAIS E MATERIAIS <mark>ACIDENTE EM REDE ELÉTRICA - QUEIMADURAS NA PELE DO CIDADÃO</mark> - COMPROVAÇÃO - BOLETIM DE OCORRÊNCIA POLICIAL - DESCONSTITUIÇÃO - ÔNUS DO RÉU - DANOS MORAIS - CONFIGURAÇÃO 1. A responsabilidade civil das pessoas jurídicas de direito público e das pessoas jurídicas de direito privado prestadoras
		de serviço público é objetiva - art. 37, §6°, da Constituição Federal 2. O registro de ocorrência lavrado por policial, no local do acidente, minutos após o sinistro, gera presunção relativa de veracidade dos fatos relatados
		3. The public service concessionaire must compensate the individual for material and moral damages caused by an explosion in an energy transformer that caused burns to his body.
		 A concessionária de serviço público deve indenizar o particular pelos danos materiais e morais ocasionados por explosão de transformador de energia que lhe causou queimaduras no corpo
		4. O valor da indenização por danos morais deve ser fixado à luz do grau da responsabilidade atribuída ao réu, da necessidade de se conter a reiteração do ato, da extensão dos danos sofridos pela vítima, bem como das condições social e econômica do ofendido e do autor da ofensa, atentando-se, também, para os princípios constitucionais da razoabilidade e da proporcionalidade
<u>3 - Processo:</u> <u>Apelação Cível</u> <u>1.0701.14.025</u> 547-5/001	Julgamento: 06/ 02/2018 Publicação da súmula: 21/02/2	CIVIL APPEAL. NULLITY OF THE JUDGMENT. RESTRICTION OF DEFENSE. REJECTION. CIVIL LIABILITY. PUBLIC SERVICE CONCESSIONAIRE. CEMIG. THEORY OF OBJECTIVE LIABILITY. FAILURE TO PROVIDE THE SERVICE. EXPLOSION OF THE ENERGY TRANSFORMER. FIRE IN THE USER'S HOME
<u>0255475-</u> <u>63.2014.8.13.</u> <u>0701 (1)</u>	018	APELAÇÃO CÍVEL. NULIDADE DA SENTENÇA. CERCEAMENTO DE DEFESA. REJEIÇÃO. RESPONSABILIDADE CIVIL. CONCESSIONÁRIA DE SERVIÇO PÚBLICO. CEMIG. TEORIA DA RESPONSABILIDADE OBJETIVA. FALHA NA PRESTAÇÃO DO SERVIÇO. <mark>EXPLOSÃO DO TRANSFORMADOR DE ENERGIA. INCÊNDIO NA RESDIÊNCIA DO USUÁRIO</mark>
		Cabe ao juiz, de ofício ou a requerimento da parte, determinar as provas necessárias à instrução do processo, indeferindo as diligências inúteis ou meramente protelatórias, sem que com isso se possa falar em cerceamento de defesa.



		 O Supremo Tribunal Federal consolidou o entendimento de que, no caso de danos decorrentes de atos comissivos ou omissivos, a responsabilidade do Estado e das pessoas jurídicas prestadoras de serviço público é objetiva, nos termos do art. 37, §6º, da Constituição da República The <u>Consumer Defense Code applies</u>, which provides for the objective liability of providers of divisible and remunerated public services, whenever there are quality defects due to insecurity (products and services), quantity defects (products and services) and quality defects due to inadequacy (products), by force of art. 3, §2, art. 14, art. 22, sole paragraph, of Law no. 8,078/90 combined with art. 7, of Law no. 8,987/95. Aplica-se o Código de Defesa do Consumidor, que prevê a responsabilidade objetiva dos prestadores de serviço público divisível e remunerado, sempre que se estiver diante de vícios de qualidade por insegurança (produtos e serviços), vícios de quantidade (produtos e serviços) e vícios de qualidade por inadequação (produtos), por força do art. 3º, §2º, art. 14, art. 22, parágrafo único, da Lei nº. 8.078/90 c/c art. 7º, da Lei nº. 8.987/95 A ausência de comprovação do nexo causal entre a falha na prestação do serviço de fornecimento de energia elétrica (aruntação do serviço de producto) e o causal entre a falha na prestação do serviço de fornecimento de energia elétrica
<u>4 - Processo:</u> <u>Apelação Cível</u> <u>1.0000.17.078</u>	Data de Julgamento: 01/ 02/2018	CIVIL APPEAL - ACTION FOR COMPENSATION FOR MATERIAL AND MORAL DAMAGES - CEMIG - TRANSFORMER EXPLOSION - PARKED VEHICLE HIT BY FRAGMENTS - SUPPLIER'S STRICT LIABILITY - ACCIDENT LOCATION - CONTROVERSY - LACK OF CAUSAL LINK - ATTORNEY FEES - INCREASE (ART. 85, §11, NCPC) - JUDGMENT UPHELD
<u>150-4/001</u> <u>6075904-</u> <u>87.2015.8.13.</u> <u>0024 (1)</u>	publicação da súmula: 05/02/2 018	APELAÇÃO CÍVEL - AÇÃO DE INDENIZAÇÃO POR DANOS MATERIAIS E MORAIS - CEMIG - EXPLOSÃO DE TRANSFORMADOR - VEÍCULO ESTACIONADO ATINGIDO POR FRAGMENTOS - RESPONSABILIDADE OBJETIVA DA FORNECEDORA - LOCAL DO ACIDENTE - CONTROVÉRSIA - INEXISTÊNCIA DE NEXO DE CAUSALIDADE - HONORÁRIOS ADVOCATÍCIOS - MAJORAÇÃO (ART. 85, §11, NCPC) - SENTENÇA MANTIDA - A responsabilidade civil das pessoas jurídicas de direito público e as de direito privado prestadoras de serviço público rege-se, nos termos do artigo 37, § 6º, da CF/88, pela Teoria da Responsabilidade Objetiva, da qual se depreende que essas responderão pelos danos que seus agentes, nessa qualidade, causarem a terceiros, diante da demonstração da ocorrência do dano e do nexo de causalidade entre esse e a conduta praticada pelo agente estatal, independentemente da existência de dolo ou culpa
<u>5 - Processo:</u> <u>Apelação Cível</u> <u>1.0024.10.014</u> <u>439-3/001</u> <u>0144393-</u> <u>60.2010.8.13.</u> <u>0024 (1)</u>	Julgamento: 31/01/2013 Publicação da súmula: 05/02/2013	DIREITO ADMINISTRATIVO. AÇAO DE INDENIZAÇÃO. CEMIG. EMPRESA PRESTADORA DE SERVIÇO PUBLICO. RESPONSABILIDADE OBJETIVA. ART.37, §6º, CF. DANOS MATERIAIS COMPROVADOS. TEMPORAIS E DESCARGAS ATMOSFÉRICAS. TESE DE CASO FORTUITO OU FORÇA MAIOR AFASTADA. REQUISITOS DO DEVER DE INDENIZAR DEMOSTRADOS. - A empresa concessionária de serviço público responde objetivamente pelos danos causados a terceiros, decorrendo a responsabilidade do próprio risco da atividade, prescindindo da prova da culpa pelo evento ocorrido, consoante dispõe o art. 37, § 6º da Constituição Federal. - Para que possa ser imposto o dever de indenizar, basta restar demonstrado o nexo de causalidade entre a conduta do agente e os danos sofridos, sendo ônus da empresa concessionária elidir ou mitigar essa responsabilidade, comprovando culpa exclusiva da vítima ou de terceiros, caso fortuito ou força maior.
		de segurança para evitar que tais eventos da natureza ocasionem danos à rede.
6 - Processo:	Julgamento:	COMPENSATION FOR MORAL AND MATERIAL DAMAGES - EXPLOSION OF ENERGY TRANSFORMER ON PUBLIC ROAD -
Apelação Cível 1.0024.05.681 714-1/001 6817141- 12.2005.8.13. 0024 (1)	03/07/2007 Publicação da súmula: 21/09/2007	INDENIZAÇÃO POR DANOS MORAIS E MATERIAIS - EXPLOSÃO DE TRANSFORMADOR DE ENERGIA EM VIA PÚBLICA - EMPRESA PRESTADORA DE SERVIÇO PÚBLICO - RESPONSABILIDADE OBJETIVA - QUEIMADURAS EM PEDESTRE - DANO MORAL CARACTERIZADO - QUANTUM INDENIZATÓRIO - DANO MATERIAL - NÃO COMPROVAÇÃO - COMPENSAÇÃO DE HONORÁRIOS ADVOCATÍCIOS - IMPOSSIBILIDADE A responsabilidade da prestadora de serviço público é objetiva Na ação de indenização cabe ao terceiro lesado demonstrar o dano sofrido e o nexo causal entre esse e a conduta da prestadora de serviço público Demonstrada a relação de causalidade entre a conduta, culposa ou não, da prestadora de serviços e o dano causado, fica caracterizada a responsabilidade civil, ensejadora do dever de indenizar
Apelação Cível 1.0024.05.681 714-1/001 6817141- 12.2005.8.13. 0024 (1) Jurisprudência sobre Explosão Transformado r - RJ	03/07/2007 Publicação da súmula: 21/09/2007	INDENIZAÇÃO POR DANOS MORAIS E MATERIAIS - EXPLOSÃO DE TRANSFORMADOR DE ENERGIA EM VIA PÚBLICA - EMPRESA PRESTADORA DE SERVIÇO PÚBLICO - RESPONSABILIDADE OBJETIVA - QUEIMADURAS EM PEDESTRE - DANO MORAL CARACTERIZADO - QUANTUM INDENIZATÓRIO - DANO MATERIAL - NÃO COMPROVAÇÃO - COMPENSAÇÃO DE HONORÁRIOS ADVOCATÍCIOS - IMPOSSIBILIDADE A responsabilidade da prestadora de serviço público é objetiva Na ação de indenização cabe ao terceiro lesado demonstrar o dano sofrido e o nexo causal entre esse e a conduta da prestadora de serviço público Demonstrada a relação de causalidade entre a conduta, culposa ou não, da prestadora de serviços e o dano causado, fica caracterizada a responsabilidade civil, ensejadora do dever de indenizar. <u>https://www.jusbrasil.com.br/jurisprudencia/busca?q=explos%C3%A3o+transformador</u>
Apelação Cível 1.0024.05.681 714-1/001 6817141- 12.2005.8.13. 0024 (1) Jurisprudência sobre Explosão Transformado r - RJ Jurisprudência sobre Proximidade Rede de Alta Tensão	03/07/2007 Publicação da súmula: 21/09/2007	INDENIZAÇÃO POR DANOS MORAIS E MATERIAIS - EXPLOSÃO DE TRANSFORMADOR DE ENERGIA EM VIA PÚBLICA - EMPRESA PRESTADORA DE SERVIÇO PÚBLICO - RESPONSABILIDADE OBJETIVA - QUEIMADURAS EM PEDESTRE - DANO MORAL CARACTERIZADO - QUANTUM INDENIZATÓRIO - DANO MATERIAL - NÃO COMPROVAÇÃO - COMPENSAÇÃO DE HONORÁRIOS ADVOCATÍCIOS - IMPOSSIBILIDADE A responsabilidade da prestadora de serviço público é objetiva Na ação de indenização cabe ao terceiro lesado demonstrar o dano sofrido e o nexo causal entre esse e a conduta da prestadora de serviço público Demonstrada a relação de causalidade entre a conduta, culposa ou não, da prestadora de serviços e o dano causado, fica caracterizada a responsabilidade civil, ensejadora do dever de indenizar, https://www.jusbrasil.com.br/jurisprudencia/busca?q=explos%C3%A3o+transformador https://www.jusbrasil.com.br/jurisprudencia/busca?componentClass=autocomplete&componentName=autocomplete result&q=proximidade+rede+de+alta+tens%C3%A3o



	ex ate pr	trapatrimonial. Relativamente ao valor conferido pelo Juízo de Origem (R\$ 6.000,00) aos danos morais, tenho que ende às peculiaridades do caso em tela, assim como aos princípios da proporcionalidade e razoabilidade, sem oporcionar o enriquecimento indevido ou tornar inexpressiva a cifra
	Re	sponsabilidade civil Ação ajuizada contra concessionária de serviços públicos (energia elétrica) Morte do filho dos
TJ-SP - Apelação: APL XXXXX200782 60564 60564 SP XXXXX- 59.2007.8.26. 0564 SP	au e im ca irr	tores, que estava no banco do passageiro de caminhão dirigido por seu irmão Colisão do veículo com poste de energia Jesprendimento do transformador, que caiu em cima da cabine onde estava a vítima Manutenção da sentença de procedência A responsabilidade objetiva da concessionária de serviços públicos (art. 37, § 6º, da CF) requer nexo de usalidade entre o dano e a prestação dos serviços, relação que inexistente na hipótese Ausência de qualquer sinal de egularidade na concessão dos serviços, manutenção ou fixação dos equipamentos de energia elétrica
TJ-RJ - APELAÇÃO: - APL - XXXX201481 - 90004 - 20220017223 8 TJ-SP -	AP en Ap ca es Pri rei les RE RE	ELAÇÃO CÍVEL. Ação indenizatória. Light. Danos em veículo estacionado em razão de falha em transformador de ergia. Sentença de parcial procedência. Apelo do autor, pretendendo a condenação da ré em indenização por danos. ielo da ré pela improcedência dos pedidos, in totum. Aplicação do CDC . Prova pericial comprovando dano e nexo de usalidade. Razões de apelação da ré que não infirmam as conclusões do perito. Ausência de produção de prova pericial pecífica acerca do estado e funcionamento do transformador. Danos morais verificáveis com base na Teoria do Desvio odutivo do Consumidor, que despende tempo e energia na tentativa de solucionar a questão, acabando por precisar correr ao Poder Judiciário. Valor da indenização deve ser fixado em razoáveis R\$5.000,00, suficientes para reparação da ião sem provocar enriquecimento ilícito. RECURSO DO AUTOR PARCIALMENTE PROVIDO. DESPROVIMENTO DO CURSO DA RÉ. isponsabilidade civil Ação ajuizada contra concessionária de serviços públicos (energia elétrica) Morte do filho dos
Apelação: APL XXXX200782 60564 SP XXXX- 59.2007.8.26. 0564 Jurisprudência sobre Proximidade Rede de Alta Tensão	au e r im ca irr do nu qu nã <u>ht</u> <u>re</u>	tores, que estava no banco do passageiro de caminhão dirigido por seu irmão Colisão do veículo com poste de energia desprendimento do transformador, que caiu em cima da cabine onde estava a vítima Manutenção da sentença de procedência A responsabilidade objetiva da concessionária de serviços públicos (art. 37, § 6º, da CF) requer nexo de usalidade entre o dano e a prestação dos serviços, relação que inexistente na hipótese Ausência de qualquer sinal de egularidade na concessão dos serviços, manutenção ou fixação dos equipamentos de energia elétrica Queda transformador e evento morte que resultaram da forte colisão verificada, como concluído pela perícia Inexistência de lidade na prova pericial, diante dos critérios científicos adotados e da possibilidade de o perito requerer documentos e estão em poder das partes e instruir o laudo com desenhos, fotografias e outras peças (art. 429, do CPC) Recurso o provido tps://www.jusbrasil.com.br/jurisprudencia/busca?componentClass=autocomplete&componentName=autocomplete sult&q=proximidade+rede+de+alta+tens%C3%A30
Tensao	AE	MINISTRATIVE, CIVIL AND CIVIL PROCEDURAL. APPEAL. COMPENSATION FOR MATERIAL, MORAL AND AESTHETIC
APELAÇÃO: APL XXXXX201180 30001 AP	DA Of FC CC 37 of de thu ap sc	MAGES. PUBLIC SERVICE CONCESSIONAIRE. ELECTRICITY TRANSFORMER EXPLOSION. VICTIM HIT BY HOT OIL. BURNS I THE BODY SURFACE. SCARS. MEDICAL EXPENSES. STRICT LIABILITY. NO EXCLUDING CAUSE. PASSIVE ILLEGITIMACY AND IRMATION OF NECESSARY JOINT-JOINT. NO OCCURRENCY. REASONABLE AND PROPORTIONAL AMOUNT OF IMPENSATION. 1) Because it performs a public service, the civil liability of the concessionaire is objective, based on art. , §6, of the Federal Constitution, and it is sufficient for the plaintiff in the claim for compensation to prove the existence the harmful event and the causal link with the resulting losses, while the concessionaire must, on the other hand, monstrate the existence of any cause excluding its liability, which did not occur in this case. 2 Hypothesis in which, after e explosion of an electric power transformer owned by the public service concessionaire, hot oil was spilled on the pellant's body, and as a result of the event, he suffered 37% (thirty-seven percent) of his body surface area burns, keloid ars and was deprived of exposure to the sun, also bearing private medical expenses during his recovery.
	AL CC OL NE a r ao de o c ev a0 3) do ap au au fat	MINISTRATIVO, CIVIL E PROCESSUAL CIVIL. APELAÇÃO. INDENIZAÇÃO POR DANOS MATERIAIS, MORAIS E ESTÉTICOS. INCESSIONÁRIA DE SERVIÇO PÚBLICO. EXPLOSÃO DE TRANSFORMADOR DE ENERGIA ELÉTRICA. VÍTIMA ATINGIDA POR EO QUENTE. QUEIMADURAS NA SUPERFÍCIE CORPORAL. CICATRIZES. DESPESAS MÉDICAS. RESPONSABILIDADE BJETIVA. INOCORRÊNCIA DE CAUSA EXCLUDENTE. ILEGITIMIDADE PASSIVA E FORMAÇÃO DE LITISCONSÓRCIO CESSÁRIO. INOCORRÊNCIA. QUANTUM INDENIZATÓRIO RAZOÁVEL E PROPORCIONAL. 1) Por executar serviço público, esponsabilidade civil do concessionário é objetiva, fundamentada no art. 37, § 6º, da Constituição Federal, bastando autor do pleito indenizatório comprovar a existência do evento danoso e do nexo causal com os prejuízos decorrentes, vendo a concessionária, de outro lado, demonstrar a existência de qualquer causa excludente de sua responsabilidade, que não ocorreu in casu. 2 Hipótese em que, após a explosão de transformador de energia elétrica de propriedade da necessionária do serviço público houve o derramamento de óleo quente no corpo do apelado, e este, em decorrência do ento, teve 37% (trinta e sete por cento) da superfície corporal queimada, cicatrizes queloidianas e privação de se expor sol, suportando, ainda, despesas médicas particulares durante sua recuperação. Acerca das preliminares de ilegitimidade passiva e formação de litisconsórcio passivo com a fabricante transformador de energia, restaram afastadas, eis que a relação jurídica examinada envolveu a concessionária elante e o apelado, cujo resultado da demanda, seja por disposição legal ou natureza da relação jurídica discutida nos tos, não irradiaria efeitos para o fabricante do produto, competindo à concessionária, querendo, discutir, tonomamente, tal relação. 4) Comprovada a existência das despesas materiais, dano estético e dano moral, pelo mesmo to e com identificação em separado de cada dano, deve ser mantida a condenação, cujo quantum indenizatório é oporcional e razoável. 5) Apelação desprovida.
<u>TJ-SP</u> - <u>Apelacão: APL</u> XXXX200782 <u>60564 SP</u> XXXX- <u>59.2007.8.26.</u> 0564	En da en de de de de	nenta: Responsabilidade civil Ação ajuizada contra concessionária de serviços públicos (energia elétrica) Morte do filho s autores, que estava no banco do passageiro de caminhão dirigido por seu irmão Colisão do veículo com poste de ergia e desprendimento do transformador, que caiu em cima da cabine onde estava a vítima Manutenção da sentença improcedência A responsabilidade objetiva da concessionária de serviços públicos (art. 37, § 6º, da CF) requer nexo causalidade entre o dano e a prestação dos serviços, relação que inexistente na hipótese Ausência de qualquer sinal irregularidade na concessão dos serviços, manutenção ou fixação dos equipamentos de energia elétrica Queda transformador e evento morte que resultaram da forte colisão verificada, como concluído pela perícia Inexistência de

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	nulidade na prova pericial, diante dos critérios científicos adotados e da possibilidade de o perito requerer documentos que estão em poder das partes e instruir o laudo com desenhos, fotografias e outras peças (art. 429, do CPC)
	DJRJ 20/06/2024 - Pág. 495 - II - Judicial - 2ª Instância - Diário de Justiça do Rio de Janeiro Diário Oficial publicado em 19/06/2024por <u>Diário de Justiça do Rio de Janeiro</u> EXPLOSÃO DO TRANSFORMADOR DA REDE DE DISTRIBUIÇÃO DE ENERGIA ELÉTRICA. CONSTITUIÇÃO FEDERAL, ART. 37, § 6º. TEORIA DO RISCO ADMINISTRATIVO. RESPONSABILIDADE OBJETIVA NBR 15.688 e à sua própria especificação técnica, de nº 285. 6 Trata-se de obrigação de fazer cumulada com indenizatória proposta em face de concessionária de energia elétrica em razão de explosão do transformador da rede de distribuição de energia elétrica instalado
	Recurso - TJRJ - Ação Indenização por Dano Moral - Cumprimento de Sentença - contra Ampla Energia e Serviços Peça Processual juntada ao processo XXXXXXX-XX.2022.8.19.0002 em 10/10/2023TJRJ · Comarca · Niterói, RJ Isso porque, observada ou não a distância da rua, a norma técnica 15688 continua a ser inobservada concessionária ré passaram por um longo período de temor que o desgaste das peças, somado às altas temperaturas a que eram submetidos, acarretasse curto circuito, rompimento dos cabos e consequente explosão Em relação à distância mínima entre o poste e o muro da residência, foi constatada a distância de 88 cm (oitenta e oito centímetros), em total desacordo com a NBR 15688 , segundo o qual, conforme destaca
	Petição - Ação Adicional de Periculosidade contra Claro S/.A Peça Processual juntada ao processo XXXXXX-XX.2020.5.03.0018 em 15/06/2021TRT3 · 18ª Vara do Trabalho de Belo Horizonte A norma (NBR 15688) que disciplina o compartilhamento de postes da rede de energia elétrica com as empresas prestadoras de serviços de telecomunicações (telefonia fixa, TV a cabo, operadoras de telecomunicações que, ocorre a possibilidade de energização da rede ou de seus componentes por város fatores, dentre os quais, uma ocorrência de descarga atmosférica, ou a queda de um cabo energizado, uma eventual explosão Foi informado pelo reclamante que era comum do amplificador da Claro, estar praticamente encostado transformador de energia
	Petição - TJBA - Ação Responsabilidade do Fornecedor - Ação Civil Pública - de Ministerio Publico do Estado da Bahia contra TIM, Claro, OI, Telefonica Brasil e Companhia de Eletricidade do Estado da Bahia Coelba Peça Processual juntada ao processo XXXXXXX-XX.2022.8.05.0001 em 25/04/2023TJBA · Comarca · SALVADOR, BA comissão de resolução de conflitos; 1.5. não aprovar projetos e/ou firmar contratos para o uso compartilhado de postes da rede de distribuição aérea de energia elétrica, que estejam em desacordo com a NBR 15688 DESCARGA ELÉTRICA SOFRIDA POR EXPLOSÃO DO TRANSMISSOR FIXADO EM POSTE NA VIA PÚBLICA. RESPONSABILIDADE OBJETIVA DA RÉ. DANO MORAL IN RE IPSA COMPROVADO Perceba-se, aliás, que eventos associados a rede elétrica, como alocação desordenada de transformadores e cabos, causam impacto às redes d
	Recurso - TJRJ - Ação Indenização por Dano Material - Procedimento Comum Cível - contra Light Serviços de Eletricidade Peça Processual juntada ao processo XXXXXXX-XX.2022.8.19.0209 em 06/09/2022TJRJ · Foro · Regional da Barra da Tijuca, RJ

TJ-RJ - APELAÇÃO: APL XXXX20088190001 RIO DE JANEIRO CAPITAL 1 VARA CIVEL

Jurisprudência • Acórdão • Mostrar data de publicação

Ementa: APELAÇÃO CÍVEL. PRELIMINAR DE INCOMPETÊNCIA DA CÂMARA REJEITADA. CONSUMIDOR POR EQUIPARAÇÃO. AÇÃO INDENIZATÓRIA. VÍTIMA FATAL DE DESCARGA ELÉTRICA DE ALTA TENSÃO REPARAÇÃO PLEITEADA PELOS IRMÃOS. DANO MORAL REFLEXO. RESPONSABILIDADE OBJETIVA. MAJORAÇÃO DA VERBA ARBITRADA. Não há dúvida de que a relação jurídica existente entre as partes é de natureza consumerista, enquadrando-se a vítima no conceito de consumidor por equiparação. Aplicável ao caso o enunciado nº 51 do Aviso TJ-RJ n 15/2015. A matéria em questão alude à responsabilidade da concessionária de serviço público de energia elétrica, que, por força do art. 37 , § 6º da Constituição Federal , é objetiva. A responsabilidade é também objetiva devido à incidência, no caso, dos artigos 14 , 17 e 22 do Código de Proteção e Defesa do Consumidor , na medida em que a vítima do acidente de consumo era consumidora por equiparação. Outrossim, verifica-se também a aplicação do parágrafo único do artigo 927 do Código Civil , que adotou a teoria do risco do empreendimento. A prova pericial é clara no sentido de que o acidente com descarga de energia elétrica foi ocasionado pela inobservância da distância mínima de segurança entre a rede e construção. Em outras palavras, não foi observado o afastamento mínimo especificado na NBR **15688** da ABNT. Nesse passo, dúvida não há de que os irmãos da vítima sofreram com o falecimento do

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Jurisprudência • Acórdão • Mostrar data de publicação

Ementa: APELAÇÃO. Ação Indenizatória. Denunciação á lide. Sentença de parcial procedência da ação principal e total procedência da lide secundária. Inconformismo da requerida e da denunciada. 1. Requerente que sofreu energização ao se aproximar de fios elétricos quando estava na varanda de sua casa. Juízo de origem que reconheceu a culpa concorrente e condenou a requerida ao pagamento de R\$ 20.000,00 de danos estéticos e R\$ 100.000,00 de danos morais, estes últimos que deverão ser reembolsados em favor da demandada (Eletropaulo) pela denunciada (Allianz). Ausência de recurso do autor. 2. Concessionária e seguradora alegam culpa exclusiva da vítima. Inadmissibilidade. Responsabilidade objetiva. Empresa prestadora de serviço público que tem o dever jurídico de ostensivamente realizar a prevenção e fiscalização da rede elétrica. 3. Montante relativo aos danos estéticos se mostra adequados ante as lesões permanentes no corpo do autor capazes de impactar negativamente seu meio social. 4. Necessária a redução da quantia relativa ao dano moral. Quantificação da verba indenizatória deve considerar que a laje na qual o requerente se encontrava foi construída irregularmente bem como a compreensão do apelado acerca da proximidade da fiação elétrica. Importância referente ao dano moral que comporta

Encontrado em: MORTE POR DESCARGA ELÉTRICA. Dever da concessionária de fiscalização. Construção irregular que era de conhecimento da Eletropaulo... Vara Cível; Data do Julgamento: 19/12/2012; Data de Registro: 20/12/2012) Apelação Cível - Indenização - Responsabilidade civil - Danos ocasionados pela explosão de transformador de energia elétrica -... acidente concluiu que a distância horizontal do cabo com relação ao muro (aproximadamente 0,45m), antes da reforma da varanda da edificação, era menor do que a distância horizontal mínima prevista na NBR 15.688

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