



7th JMTC Claims Information

STORMY WEATHER: DON'T GET BURNED BY POWER SURGES

Please note that this Information Paper only provides basic information and is not intended to serve as a substitute for personal consultations with a Claims Attorney.

Spring and summer storms bring lightning in their path. Electrical storms, sudden power interruptions, other power surges, and accidentally plugging 110-volt appliances into 220-volt plugs can all damage or destroy sensitive electronic equipment. Losses caused by such occurrences are usually not compensable through the Army claims system, so exercise special care when using American appliances in Germany and carry sufficient renter's insurance on your personal property.

You should safeguard electronic devices- computers, stereos, televisions, VCRs, and other expensive items using surge protectors. Reliable surge protectors are available from AAFES and on the local economy for thirty to forty dollars. Reputable manufacturers of surge protectors often give a warranty against damage to property that occurs while one of their protectors is in use.

Be mindful that destructive power surges can pass through seemingly innocuous telephone lines by way of computer modems. If you use a modem, you may want to look for an integrated surge protector that contains an extra outlet through which you can run your telephone line. Surge suppressors solely for connection to modems are also available.

You should always check the voltage of an electrical device, the voltage of the power socket, and the polarity of the outlet before plugging in the device. Reversing polarity can destroy a thousand-dollar item just as completely as a bolt of lightning. Don't be penny-wise but pound foolish- polarity testers only cost a dollar or two, and losses caused by reversed polarity can't be paid by the Army.

Claims that electronic devices were damaged by a power surge may only be paid under the Army regulation when lightning actually strikes the claimant's residence or an object directly attached to it, or when power-company records show that a particular residence or small group of residences were subjected to a highly unusual power surge. Since it is virtually impossible to distinguish damage caused by a mechanical defect from surge damage by inspecting the item, a repairman's opinion or a claimant's honest belief that the loss was occasioned by a power surge will ordinarily not be enough for the Army claims office to pay for it.

Claims that food was spoiled by a power outage may be considered if the outage is of unusual duration. What constitutes "unusual duration" is determined by how long it normally takes food to spoil under local climatic conditions. In tropical countries, this might be less than one full day. Before paying such a claim, the approval authority must determine that the food did not spoil as a result of either the claimant's negligence in repeatedly opening and closing the refrigerator door or the food's existing condition.

If you suffer loss or damage to property that may be compensable by the Army, contact your local claims office promptly. In Grafenwoehr, call Grafenwoehr Law Center, DSN 475-8428/civilian (09641) 83-8428; at Hohenfels, call Hohenfels Law Center, DSN 466-2471/civilian (09472) 83-2471; for Vilseck, call Vilseck Law Center, DSN 476-2240/civilian (09662) 83-2240.