



Legal Protection For The Community Of Medan City Against The Installation Of Electricity Poles (Case Study At The State Electricity Company)

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Abstract: This study examines the legal protection perceived by the people of Medan City regarding the installation of electricity poles, with a focus on the company responsible for installing them, namely the State Electricity Company (PLN). The background of this research is based on the limited public knowledge of legal provisions governing both corporate and state authority, as well as the inconsistency between electricity infrastructure development and citizens' land rights and safety guarantees. These conditions often lead to problems such as land disputes or disturbances caused by electricity poles located on privately owned property. The purpose of this study is to analyze the forms of legal protection regulated under Law Number 30 of 2009 on Electricity and to identify the obstacles and solutions in its implementation in Medan City. This research uses an empirical juridical approach with a case study method, involving the analysis of legal documents, interviews with residents to examine the reality of legal protection, interviews with company representatives to understand the actual mechanisms for pole installation and the protection measures applied, and direct field observations at pole installation sites. The results of the study indicate that the reality of legal protection for residents remains relatively weak, particularly in the processes of permit management and the fulfillment of compensation. This is reflected in cases involving PLN that have generated public complaints regarding a lack of transparency and limited public participation. The study concludes that there is a need to educate the community to participate more actively and to improve their understanding of legal protection as consumers, as well as to recognize the gap between regulatory frameworks and their practical implementation in providing legal protection.

Keywords: Case study of PT PLN, installation of electricity poles, Legal protection, the Electricity Law, the people of Medan City.

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Received: Feb 25, 2026;

Revised: Mar 02, 2026;

Accepted: Mar 12, 2026;

Published : Apr 30, 2026;



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1. Introduction

Electricity infrastructure constitutes the backbone of national development, ensuring the supply of electrical energy for both society and industry. However, the installation of electricity poles by companies such as PT PLN (Persero) often triggers conflicts with local communities, particularly concerning land rights, health, and environmental issues. In Medan City, North Sumatra, cases of electricity pole installation have prompted public protests and legal claims from residents, as occurred in several urban villages in the Medan Johor and Medan Baru districts, where poles were erected on privately owned land without adequate permits or compensation, thereby threatening property rights and community welfare.

This issue becomes increasingly complex because electricity legislation grants broad authority to PLN to construct infrastructure, yet often pays insufficient attention to the aspect of legal protection for the community. Law Number 30 of 2009 on Electricity stipulates that the installation of electricity poles must go through a licensing process and public consultation. In practice, however, its implementation is frequently suboptimal, especially in densely populated urban areas such as Medan. This situation may result in violations of human rights, including the right to property as regulated in Article 28H of the 1945 Constitution and the right to a good and healthy environment

under Article 28H paragraph (1) of the 1945 Constitution, as well as potential economic losses for affected residents (RI).

Despite the existence of Law Number 30 of 2009 on Electricity, several significant gaps can be identified between the legal provisions and the actual practices of electricity pole installation in the field. First, there is a gap in public participation, where the law requires consultation with affected communities, yet in practice residents are often not adequately informed or involved in decision-making processes regarding the placement of electricity poles. Second, there is a gap in land rights protection, as the law emphasizes licensing and public interest, but its implementation sometimes overlooks the requirement to obtain consent or provide fair compensation to landowners whose property is used for infrastructure development. Third, there is a gap in transparency and administrative procedures, where the licensing process and technical planning are not always clearly communicated to the public, leading to mistrust and disputes. Finally, there is a gap in law enforcement and supervision, since regulatory oversight mechanisms are often weak, allowing irregularities in pole installation practices to persist without effective sanctions. These gaps highlight the need for stronger regulatory implementation and clearer mechanisms to balance infrastructure development with the protection of community rights.

Case studies involving PLN in Medan indicate that several electricity pole installation projects, such as those along Jalan Gatot Subroto and surrounding areas, have led to legal disputes due to a lack of transparency and limited public participation. This research aims to analyze the forms of legal protection available to the people of Medan and to identify gaps in the implementation of regulations in order to prevent similar conflicts in the future. By focusing on a case study of PLN, this study is expected to provide policy recommendations that can enhance harmony between infrastructure development and the protection of community rights (Arief Fahmi Lubis, 2015).

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Electricity is a form of energy that plays a crucial role in daily life. It originates from the flow of electrons moving through conductive materials such as copper or aluminum wires. The generation and distribution of electricity involve a series of processes based on fundamental physical principles and technological systems. In Indonesia, electricity is distributed through overhead lines and underground networks. Generally, electrical power is generated using mechanical power plants fueled by coal. Most electricity distribution uses overhead systems with high- and low-voltage cables supported by electricity poles (Sofyan Ferdiansyah, 2023).

The installation of electricity poles on land with freehold title involves various aspects, including philosophical considerations. From a philosophical perspective, land ownership carries exclusive rights over the land and the results derived from it. In the context of pole installation, private landowners who hold freehold title have ethical responsibilities to grant permission or cooperate in the placement of electricity poles on their land. This involves balancing the exclusive rights of landowners with the responsibility to support essential public services such as electricity provision. This perspective is reinforced by utilitarianism, which emphasizes actions that produce the greatest benefit for the greatest number of people (Subekti, 2016).

Increasing attention to environmental and sustainability aspects also requires that electricity pole installation consider environmental impacts and ethical principles related to environmental protection. Philosophical questions arise regarding how to balance energy needs with environmental sustainability. A philosophical analysis of electricity

pole installation on freehold land therefore encompasses complex ethical considerations involving property rights, utilitarianism, public interest, environmental sustainability, and other ethical principles. In this context, such actions require careful deliberation to achieve a fair balance between individual interests and the broader interests of society (Ressa, 2021).

The state guarantees its citizens the right to obtain justice within the legal system. Every citizen has equal standing before the law, including the right to recognition, protection, guarantees, and legal certainty. PT PLN (Persero), in carrying out its electricity supply business, covers two aspects: electricity provision and supporting electricity services, as regulated in Article 8 of Law Number 30 of 2009 on Electricity (Indonesia).

Communities have a strong relationship with land, where land is not only viewed as an economic asset but also as part of identity and cultural heritage. In many cases, electricity pole installation is carried out without actively involving the community, leading to dissatisfaction and conflict. This situation is exacerbated by the lack of public understanding of their legal rights in the context of land law and the minimal socialization conducted by PLN. Consequently, tension arises between infrastructure needs and the protection of legitimate community rights (Rahardjo, 2009).

Land use must be adjusted to its condition and the nature of its rights so that it benefits both the welfare of the owner and society and the state. However, this does not mean that individual interests must be completely subordinated to public interests. The Basic Agrarian Law also pays attention to individual interests. Public and individual interests must be balanced in order to achieve the fundamental objectives of prosperity, justice, and happiness for all people (General Elucidation II of Law Number 5 of 1960).

Land acquisition for public interest must be carried out by providing proper and fair compensation to those entitled, namely the land rights holders. Therefore, PT PLN (Persero), in acquiring land for the installation of electricity poles for public purposes, is obligated to provide compensation for land rights. Considering that electricity is one of the results of the utilization of natural resources, it plays a crucial role for the state in achieving national development goals within the framework of the welfare state (Shella Fransiska Landasan, 2022).

In the installation of electricity pole networks, many communities are not involved, and some affected landowners report that they do not receive prior notification and are not included in determining the location of pole placement. This results in material and immaterial losses and reflects the absence of legal protection for landowners, particularly when the process does not adhere to the principle of participation (Arifin, 2021).

Conflicts frequently arise that directly affect community rights. As a state electricity company, PLN should bear greater responsibility in the installation of electricity poles by paying close attention to the rights of nearby residents. This is necessary to prevent public losses related to pole placement, reduce land ownership conflicts, and avoid licensing disputes. Although PLN has the right to build electricity network facilities using privately owned land for public purposes, legal protection must still be provided to landowners to ensure that civil rights are not violated and that the company does not exceed its authority.

Although several studies have examined conflicts between infrastructure development and land rights, there remains a gap in a deeper understanding of legal protection for communities in the context of electricity pole installation. This research seeks to fill that gap by providing a more comprehensive analysis of existing regulations and their implementation in practice, as well as their impact on affected communities. Thus, this study is expected to contribute significantly to the development of legal and social scholarship.

The public also needs a clearer understanding of the rights and obligations of electricity supply business license holders in providing compensation and ensuring public safety, including procedures for determining and paying land compensation imposed on PT PLN (Persero). Therefore, this study is important to clarify the forms of

legal protection that can be provided and the mechanisms for effective dispute resolution.

Based on the background described above, the author is motivated to conduct further research entitled:

“Legal Protection for the People of Medan City Against the Installation of Electricity Poles (Case Study at the State Electricity Company).”

2. Methods

This research employs an empirical legal research method, which focuses on how law operates within social reality and is not limited solely to written legal norms (Muhaimin, 2020). The type of research used is juridical–empirical, namely legal research that examines the validity and application of law in practice (Azhar, 2020). This study not only reviews written legal provisions but also explores their implementation by the company in providing legal protection related to the installation of electricity poles on land with certified ownership rights belonging to the community (Soeroso, 2021).

The research approach includes both a statutory approach and a case approach (Ibrahim, 2021). Data collection techniques were conducted through interviews and documentation studies (Efendi, 2022). The data obtained were then analyzed using a descriptive–analytical method in order to assess the conformity between the applicable legal provisions and the practice of legal protection implemented in the field (Nurbani, 2023).

3. Results and Discussion

3.1 Mechanism for the Installation of Electricity Poles under Law Number 30 of 2009 on Electricity

Legal protection for the community as consumers is a state effort to ensure public safety in using electricity services, including the mechanism for installing electricity poles as regulated in Law Number 30 of 2009, which is explained in several articles. These provisions grant rights to holders of electricity supply business licenses, such as PLN, to use land for the public interest, including the construction of electricity poles. However, these rights are also accompanied by the obligation to provide compensation or indemnification to landowners, building owners, and holders of crops in accordance with applicable legal regulations (Murjiyanto, 2019).

Based on the results of an interview with the Maintenance Team Leader (TL HAR) of PT PLN (Persero) UP3 Medan Utara: “Law Number 30 of 2009 on Electricity is the main legal basis that grants rights to holders of electricity supply business licenses (such as PLN) to cross and utilize land for electricity networks, with the obligation to provide compensation to landowners. This is not only the main legal basis but is also complemented by implementing regulations,” such as:

“Minister of Energy and Mineral Resources Regulation Number 13 of 2021: This regulation governs compensation for land, buildings, and/or plants located within the clearance area of electricity transmission networks. Government Regulation Number 14 of 2021: This regulation amends Government Regulation Number 22 of 2020 concerning the implementation of Law Number 2 of 2017 on Construction Services, which may relate to technical and construction licensing aspects.”

In accordance with Article 52 paragraph (1) of the Electricity Law, if an electricity provider fails to fulfill its obligations toward holders of land rights, buildings, and plants, it may be subject to criminal sanctions of up to five years’ imprisonment and a maximum fine of IDR 3 billion, as well as revocation of its business license. Article 48 paragraph (1) of the Electricity Law, as amended by the Job Creation regulation, allows PLN to be subject to sanctions such as written warnings, temporary suspension of activities, fines, and/or revocation of business permits.

The following is the explanation from the interview with the Maintenance Team Leader (TL HAR) of PT PLN (Persero) UP3 Medan Utara regarding the mechanism for

installing electricity poles based on Law Number 30 of 2009, with a focus on relevant articles.

General Framework of the Electricity Business

- a) Article 1 paragraph (1)
Electricity is defined as all matters related to electrical power, including infrastructure development such as electricity poles.
- b) Article 10
The government determines general policies for electricity business development, which include network construction to ensure reliable and efficient electricity supply.
- c) Article 11
Electricity business activities may be carried out by state-owned enterprises, regional-owned enterprises, or private entities that hold an Electricity Supply Business License (IUPTL) (Hadjon, 1993). The installation of electricity poles may only be conducted by entities holding this license in order to prevent unregulated or uncoordinated construction.

Mechanism for Network Development (Including Electricity Poles)

The law regulates the development of transmission and distribution networks, in which electricity poles are a key component. The mechanism involves planning, licensing, and supervision as follows:

- 1) Article 16
Transmission and distribution networks (including electricity poles) are part of the electricity system developed by IUPTL holders for the public interest. Development must comply with technical and safety standards established by the government.
- 2) Article 17
Network development is carried out based on the Electricity Supply Business Plan (RUPTL) prepared by the government. The RUPTL includes location, capacity, and construction schedules for infrastructure such as electricity poles to ensure a balance between energy needs and environmental impacts.
- 3) Article 18
The government may establish specific policies for network development, including location permit requirements. The installation of electricity poles requires coordination with local government to obtain spatial planning approval in accordance with Law Number 26 of 2007 on Spatial Planning. This involves: (a) Environmental impact assessment (AMDAL) if required. (b) Consultation with landowners or local communities to avoid conflicts. (c) Approval from relevant agencies, such as the Ministry of Energy and Mineral Resources. (d) Article 19: IUPTL holders must report network development plans to the government for approval. If electricity poles cross state or private land, license holders must follow compensation procedures or obtain land use permits.
- 4) Article 34
The law prohibits damaging electricity installations, including electricity poles, emphasizing the importance of safe and protected construction.

Supervision and Sanctions

- a) Articles 46–49
The government conducts supervision through the Minister of Energy and Mineral Resources. If the installation of electricity poles does not comply with regulations, administrative sanctions may be imposed, such as warnings, suspension of licenses, or revocation of the IUPTL.
- b) Articles 50–52
Violations may result in criminal sanctions, such as fines or imprisonment, if construction is carried out without permits or causes environmental damage.

Law Number 30 of 2009 provides the basic framework, but the practical mechanism for installing electricity poles is often regulated in more detail in implementing

regulations, such as Minister of Energy and Mineral Resources Regulation Number 28 of 2014 concerning procedures for determining locations for electricity infrastructure development (Leader).

Despite the existence of a comprehensive regulatory framework governing electricity infrastructure development, several key factors contribute to the weak implementation of legal protection for communities in Medan City. First, limited public awareness of legal rights remains a significant issue, as many residents are not fully informed about their rights to consultation, compensation, and participation in decision-making processes related to electricity pole installation. Second, insufficient socialization and communication from relevant authorities, including PLN and local government institutions, often results in misunderstandings regarding procedures and obligations under the law. Third, bureaucratic complexity and administrative inefficiencies may hinder the effective implementation of regulatory procedures, particularly in relation to licensing, land use permits, and compensation mechanisms. Fourth, weak supervision and enforcement of regulations allows irregular practices to occur without adequate sanctions or corrective actions. Finally, the dominance of public interest considerations in infrastructure development sometimes leads to the marginalization of individual land rights, especially in rapidly developing urban areas such as Medan. These factors collectively contribute to the gap between legal provisions and their practical application, thereby weakening the effectiveness of legal protection for affected communities.

3.2 The Reality of the Implementation of Legal Protection in the Field in the Context of the Installation of Electricity Poles by PLN in Medan City

“Legal reality” can be understood as the study of law that focuses on how law actually works in practice, not merely on legal texts or theories. This perspective, known as legal realism, emphasizes that law is shaped by social interests, public policy, and real behavior in society, and often takes into account existing dynamics and uncertainties.

The scope of issues surrounding law enforcement in this context can be expanded to include various aspects, such as whether law enforcement officials have acted in accordance with the behavioral standards prescribed by law, the level of legal compliance within society, whether dispute resolution mechanisms or legal violations have followed the procedures required by law, and the various factors that influence the process of law enforcement. The occurrence of such violations reflects the reality that there are individuals who do not fully accept or comply with these rules. If this situation continues without proper attention, it may create social unrest and disrupt public order (Soekanto, 2011).

Law is not a value-free norm whose benefits or harms depend solely on how it is implemented by humans. Rather, it is a norm rich with values that shape its identity, aspirations, and objectives. In essence, law possesses its own will, purpose, and logic. It is a set of rules that forms a unified whole, which we understand as a system (Kelsen, 2011). In general terms, a system is a complex unity consisting of interconnected parts that relate to one another (Raharjo, 2000).

3.3 The Gap Between Law and Field Reality Regarding Community Protection in the Installation of Electricity Poles by PLN

In the context of community protection against the installation of electricity poles by PLN, there is a significant gap between the *de jure* (as regulated by law) and the *de facto* (reality in practice). From a *de jure* perspective, legislation such as Law Number 30 of 2009 concerning Electricity and related regulations, including Minister of Energy and Mineral Resources Regulation Number 28 of 2014, establish strict standards. These include safety distance requirements between electricity poles and buildings (generally a minimum of 1–2 meters depending on voltage), the obligation to obtain permits from local authorities, and compensation mechanisms if losses occur (Najicha, 2021).

However, in practice, implementation in the field often deviates from these legal provisions. Electricity poles may be erected without adequate permits, safety distances

are sometimes ignored, and communities may not receive sufficient information or protection. As a result, risks such as electrical accidents, health disturbances, or property damage remain high. This gap is further aggravated by weak supervision, administrative inefficiencies, and development priorities that emphasize speed of infrastructure expansion over community safety and legal compliance. Consequently, the existing legal framework does not always provide effective protection for the public (Luh Nyoman Diah Sri Prabandari, 2021).

Based on interviews conducted with residents of Medan City, it was found that in several cases, electricity poles were installed on privately owned land, including in residential yards. In one instance, the landowner planned to build a high fence around the property, but the presence of the electricity pole obstructed the planned construction. When the owner sought clarification from PLN officers, a solution was offered: the pole could be relocated, but the landowner would be required to bear the relocation costs (wawancara).

In another case, although the pole was located at a considerable distance from the main building, the landowner wished to relocate it to expand a business area at the front of the property. Upon requesting relocation, the owner was again required to pay the associated costs, as the pole's position was considered technically appropriate within the distribution network. Further clarification revealed that the initial installation had been carried out with formal approval from the previous landowner, who had already received compensation from the company.

As a licensed electricity service provider, PLN is obligated to provide compensation when the installation of electricity infrastructure reduces the economic value of land. The provision of compensation is strictly regulated under government regulations, particularly Minister of Energy and Mineral Resources Regulation Number 28 of 2014, which stipulates that compensation is granted only once to the legal landowner or rights holder whose land, buildings, and/or plants are affected. This has important implications in property transactions near planned electricity transmission or distribution networks, as subsequent landowners may not be entitled to additional compensation if it has already been paid to a previous owner.

Further interview findings revealed cases where electricity poles were installed adjacent to residential buildings and were not standing upright, requiring additional supports to prevent danger to surrounding homes. Although residents reported the matter to PLN officers and temporary reinforcement measures were provided, relocation was deemed impossible due to technical constraints in the network layout. In some instances, the actual distance between poles and houses did not comply with the minimum safety standards prescribed by regulation, creating potential hazards.

In carrying out its duties, PT PLN (Persero) must follow several procedures during electricity infrastructure development, particularly in the initial stages of distribution network construction. These procedures include socialization and negotiation with affected communities. Nevertheless, field findings indicate that many residents have not received adequate information or educational outreach regarding the installation of electricity poles in their areas.

This situation illustrates a persistent gap between normative legal provisions and their practical implementation, highlighting the need for stronger supervision, transparency, and community participation to ensure that legal protection functions effectively in reality.

4 Conclusions

The forms of legal protection for the community regarding the installation and relocation of electricity poles include regulations governing compensation for land affected by the construction of electricity infrastructure by PT PLN (Persero). These provisions are regulated in Law Number 30 of 2009 concerning Electricity and further elaborated in implementing regulations, such as Minister of Energy and Mineral Resources Regulation

Number 28 of 2014 on Procedures for Determining Locations for Electricity Infrastructure Development, as well as Minister of Energy and Mineral Resources Regulation Number 13 of 2021, which governs compensation for land, buildings, and/or plants located within the clearance area of electricity transmission networks.

Legal protection for landowners in relation to the installation of electricity poles includes preventive measures, particularly by involving affected communities in determining pole locations and ensuring that construction complies with safety distance and technical standards. Government supervision over the development of electricity networks is also required as part of preventive legal protection for the rights of the people of Medan.

In practice, however, legal protection for the community in Medan regarding the installation of electricity poles by PLN has not yet been optimal. Existing regulations are not always aligned with field realities, resulting in violations of community rights and the potential for social conflict. The effectiveness of legal protection is highly dependent on public awareness, educational outreach by the company, and active government supervision. Therefore, synergy among these three elements is essential to create real and comprehensive legal protection.

Future research is expected to be conducted on a broader scale, involving more community members as well as law enforcement officials, in order to obtain a more comprehensive picture of legal protection related to the installation of electricity poles. For PLN, it is recommended to continue improving socialization and public education regarding the importance of protecting individual property rights and understanding the legal mechanisms related to electricity infrastructure development.

This research contributes to the development of legal scholarship, particularly in the field of infrastructure law and the protection of community rights. First, it provides a deeper analysis of the relationship between electricity infrastructure development and the protection of land rights within the framework of Indonesian electricity law. Second, this study enriches academic discussions regarding the implementation of Law Number 30 of 2009 on Electricity by identifying gaps between normative legal provisions and their practical application in society. Third, the research offers an interdisciplinary perspective that integrates aspects of administrative law, land law, and human rights in examining conflicts arising from electricity pole installation. Finally, this study provides policy-oriented recommendations aimed at strengthening regulatory implementation, improving public participation, and enhancing legal protection mechanisms for affected communities. Through these contributions, the research is expected to support the development of more balanced legal policies that accommodate both infrastructure development and the protection of community rights.

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