

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 727

(Senator Klausmeier, *et al.*)

Finance

Economic Matters

**Electric Companies - Notification of Tree Care Schedule and Review - Public
Service Commission**

This bill requires an electric company to provide notice of its upcoming scheduled tree care activities involving electric transmission lines designed to operate at more than 100,000 volts. The notice requirements, however, do not apply to tree care activities that are necessary to address damage or threats to system reliability, restore electric service, or ensure the safety of persons or property. An electric company must also submit to the Public Service Commission by December 31 of each year, its proposed schedule of tree care activities involving transmission lines of over 100,000 volts for the following year. PSC must review each schedule and include a link on its web site to the web site of each company that has submitted a schedule.

Fiscal Summary

State Effect: The bill's requirements could be handled with existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: Customer notification must be provided on the company's web site, at least one time annually with billing materials, and using at least one of the following methods: • personal contact; • phone calls; • door hangers; • mailed notices; • bill inserts; • newspaper advertisements; or • notification of State and local officials.

Current Law: The Department of Natural Resources administers the Roadside Tree Law. The law and its associated regulations seek to ensure the proper care and protection of roadside trees and their compatibility with an efficient and dependable public utility system. A person generally must obtain a permit from DNR in order to cut down or trim a roadside tree. DNR issues two types of tree care permits: (1) specific tree care operations on a specific tree or group of trees for a term of not more than one year (Roadside Tree Project Permit); and (2) comprehensive and continuing programs of general tree care such as those administered by government entities, corporations, or public utilities (Roadside Tree Blanket Permit).

Cutting or clearing of public utility rights-of-way or land for licensed electric generating stations is exempt from the Forest Conservation Act, subject to specified conditions including conducting the cutting or clearing so as to minimize the loss of forest. Routine maintenance of public utility rights-of-way is also exempt. The Act, generally aimed at minimizing the loss of Maryland's forest resources during land development, requires the preparation and approval of a forest conservation plan, consistent with specified standards and requirements, for any activity requiring a subdivision plan or grading or sediment control permit on areas 40,000 square feet or greater.

The Public Service Commission is required to consider the need to minimize the loss of forest and the Forest Conservation Act's provisions for afforestation and reforestation, along with all applicable electrical safety codes, when reviewing applications for certificates of public convenience and necessity necessary for construction of electric generation facilities and transmission lines.

Background: PSC advises that, in recent years, trees have been the single largest cause of electric service interruptions during inclement weather as evidenced by outages during Hurricane Isabel in 2003 and other major storm events since that time. PSC indicates that since 2004, trees have caused about 63% of lost service hours.

The Maryland Electric Reliability Tree Trimming Council, which includes representatives of various utilities, the Maryland Department of Planning, the State Highway Administration, PSC, and DNR, was formed in 2000 and meets quarterly. The council is geared toward cooperation and facilitation of communication between State government and electric utilities to address environmental and electric reliability concerns.

Additional Information

Prior Introductions: None.

Cross File: HB 839 (Delegate Lafferty, *et al.*) – Economic Matters.

Information Source(s): Department of Natural Resources, Public Service Commission,
Department of Legislative Services

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