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**OPPOSE – House Bill 1231**

**HB 1231 Public Service Commission – Damaged, Obsolete, or Excessive Lines – Fines  
House Economic Matters Committee  
Thursday, February 25, 2021**

**HB 1231 - Public Service Commission – Damaged, Obsolete, or Excessive Lines – Fines**

The bill requires the Public Service Commission (PSC) to notify the owner of a utility pole if the PSC receives notice that a pole is damaged/dangling, is obsolete or redundant, or causes blight or a public nuisance due to excess lines. Within 30 days of receiving the notice, the owner of the pole must investigate and repair or remove the offending line(s). If the lines are not repaired or removed within 90 days, there is a fine of \$250 for each day of noncompliance.

**Unfavorable**

Potomac Edison, a subsidiary of FirstEnergy Corp., serves approximately 270,000 customers in all or parts of seven Maryland counties (Allegany, Carroll, Frederick, Garrett, Howard, Montgomery and Washington Counties). FirstEnergy is dedicated to safety, reliability and operational excellence. Its ten electric distribution companies form one of the nation's largest investor-owned electric systems, serving customers in Ohio, Pennsylvania, New Jersey, West Virginia, Maryland and New York.

**FirstEnergy requests an Unfavorable report on HB 1231 for the following reasons.**

HB 1231 leaves open to interpretation what constitutes “damaged/dangling, redundant, obsolete, blight, and public nuisance” poles, equipment, and lines. This would lead to frivolous and unnecessary field investigations, increasing costs to both the PSC and the utilities it regulates and interfere with providing quality service. Significant resources would be needed to investigate the complaint, determine the owner of the line, track down a contact for the owner of the line, and then monitor to confirm the work is completed. These may sound like easy tasks, but they are not. There is too much subjectivity in “dangling lines”, “obsolete”, or “excess”. This legislation would cost our customers more money with little value in return.

Another significant issue with HB 1231 is that it holds the pole owner responsible even though the concern may be caused by an entity that does not own the pole in question. Applying the fine to the pole owner rather than the owner of the facility that is a concern is problematic and unworkable because the fine would be applied to a party with little leverage to remedy the concern. Arbitrary removal of lines creates safety risks and would likely result in complaints.

For the above reasons, Potomac Edison respectfully request an **Unfavorable** vote on House Bill 1231.