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An Exelon Company



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February 25, 2021

112 West Street  
Annapolis, MD 21401  
410-269-7115

**Favorable with Amendment House Bill 1114**

**House Bill 1114 – Illegal Dumping and Litter Control Law – Yard Waste – Disposal on Highways**

Potomac Electric Power Company (Pepco) and Delmarva Power & Light Company (Delmarva Power) support with amendment **House Bill 1114 – Illegal Dumping and Litter Control Law – Yard Waste – Disposal on Highways**. House Bill 1114 would prohibit a person from disposing of yard waste on a highway or private property. The bill defines yard waste as organic plant waste from gardening, landscaping and tree trimming as well as leaves, garden waste, lawn cuttings, weeds and pruning's. The bill also establishes a penalty for the disposal of yard waste on a highway or private property starting at \$300 for the first infraction and increasing to up to \$1000 for any second or subsequent offense.

House Bill 1114 would significantly slow down storm response activities and impact a utility's routine tree trimming and vegetation management program. Pepco and Delmarva Power's first priority in any storm is to restore electric service to customers as quickly and as safely as possible, and to keep electrical facilities safe. To achieve these goals, Pepco and Delmarva Power crews are responsible for cutting, trimming or removing trees or branches from our equipment in an effort to restore service and ensure future reliability. Under this bill, utilities would be required to remove storm debris, which would hinder timely restoration efforts and increase costs to customers.

In addition, Pepco and Delmarva Power's Vegetation Management program is designed to minimize service interruptions by clearing limbs, trees, vines, and other vegetation away from power lines. By doing this before the vegetation has a chance to cause power supply interruptions, we can improve reliability of our electric service. In rural and wooded areas, it is a common practice, and allowed under the Maryland Roadside Tree law, to disperse wood chips from active tree trimming operations into the adjacent wooded area. To impose a penalty for common practices that are allowed under the Maryland Roadside Tree law would add cumbersome restrictions to Pepco and Delmarva Power's vegetation management program.

As such, Pepco and Delmarva Power propose an amendment that clarifies that an electric utilities tree trimming activity and storm response activity would not be included in the definition of yard waste in the bill. With the inclusion of the attached amendment, Pepco and Delmarva Power support HB1114 and respectfully request a favorable committee report.

Amendment:

On page 3, after line 4, insert:

**(III) “YARD WASTE” DOES NOT INCLUDE PLANT MATERIALS DERIVED FROM AN ELECTRIC COMPANY’S TREE TRIMMING ACTIVITIES IN:**

**(1) COMPLIANCE WITH MARYLAND ELECTRIC SERVICE RELIABILITY REQUIREMENTS; OR**

**(2) RESPONSE TO STORM ACTIVITY WITHIN THE ELECTRIC COMPANY’S SERVICE TERRITORY.**

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