

Wire bill - Testimony and Photos.pdf

Uploaded by: Bailey, Suzanne

Position: FAV

February 23, 2021

RE: House Bill 1231/SB754

Dear Committee Members,

I am writing to request a favorable report for HB1231/SB754. I am including an example of the wires that are on our block. These wires are being increased and not decreased by corporations such as Comcast, Verizon and BGE. Community members do not have the skill or knowledge to solve this unsightly problem that the community did not create. We are asking for help from the General Assembly in this session to start the process of cleaning up our neighborhoods from these unused and unnecessary wires. No community should have to endure these eyesores on a daily basis. Let's start the cleanup NOW.

Thank you and take good care,

Suzanne Bailey

Suzanne Bailey
416 S. Durham Street
Baltimore, MD 21231







SB0754.pdf

Uploaded by: Bement, Liz

Position: FAV



the
UPPER FELL'S POINT
Improvement Association/Asociación de Mejoramiento

upperfellspoint.org | PO Box 38315, Baltimore MD 21231



TESTIMONY IN SUPPORT OF SB0754

Public Service Commission-Damaged, Obsolete, or Excessive Lines-Fines

Finance Committee

Chair Kelley, Vice-Chair Feldman and Members of the Committee,

On Behalf of the Upper Fells Point Improvement Association (UFPIA), I am writing today to ask you to support SB0754.

UFPIA strives to improve the lives and environment of our community.

In our rowhome community, there are three alley streets (Regester, Durham and Chapel) and these alleys in particular have webs of entangled abandoned wires marring the look of our Historic streets and houses, and the wires have grown exponentially over the years.

The wires are ugly, abandoned, useless, and potentially dangerous and it is incomprehensible that to date, the cable, satellite dish, and phone companies hold no responsibility for removing these lines and their abandoned equipment. Baltimore City must stop bowing down to huge for-profit corporations just so they "can" do business in our city.

The residents of Upper Fells Point have grown tired of relinquishing our rights to an attractive streetscape, simply because powerful for-profit corporations are negligent in doing what is right. We are in full support of this legislation to demand that the cable and phone companies make good on their negligence.

For these reasons, the Upper Fells Point Improvement Association asks for a FAVORABLE REPORT on SB0754.

Sincerely,

Liz Bement
President
Upper Fells Point Improvement Association

SB0754.pdf

Uploaded by: Bement, Liz

Position: FAV



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UPPER FELL'S POINT
Improvement Association/Asociación de Mejoramiento

upperfellspoint.org | PO Box 38315, Baltimore MD 21231



TESTIMONY IN SUPPORT OF SB0754

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For these reasons, the Upper Fells Point Improvement Association asks for a FAVORABLE REPORT on SB0754.

Sincerely,

Liz Bement
President
Upper Fells Point Improvement Association

Final SB 754 Testimony - Senator Hayes.pdf

Uploaded by: Hayes, Antonio

Position: FAV

ANTONIO HAYES
Legislative District 40
Baltimore City

Finance Committee



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Antonio.Hayes@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

March 9, 2021

**Testimony of Senator Hayes in Support of Senate Bill 754: Public Service Commission -
Damaged, Obsolete, or Excessive Lines - Fines**

Chairperson Kelley and Fellow Members of the Finance Committee,

Damaged and obsolete power lines are not only unsightly, but can also be dangerous and potential fire hazards. In numerous alleyways and streets across Maryland, these black wires even dangle low enough to reach eye-level. The wires stand in the way of clean-up and revitalization projects, and serve as an altogether public nuisance.

SB754 requires the Public Service Commission to notify a utility pole's owner about any lines deemed damaged, dangling, obsolete, or a public nuisance due to an excessive amount of power lines, upon receiving a complaint from the public. The owner will be given 30 days to repair or remove the offending line after receiving notice.

If the pole is not attended to within 90 days of receiving this notice, the owner will face a fine of \$250 for each day of noncompliance.

The inattention to these wires leaves residents feeling neglected and frustrated. Upon introducing this legislation, I have received many calls and emails to my office expressing dismay at the neglect that people have experienced around the wires. After repeated attempts to call various utility companies to solve the problem, many people have given up. Companies should be obligated to remove redundant and potentially dangerous wiring, rather than run a new length of wire at infinitum.

For these reasons, I strongly urge a favorable report on SB 754.

Respectfully,

A handwritten signature in blue ink, appearing to read "Antonio L. Hayes".

Senator Antonio L. Hayes
40th Legislative District - MD

SB0754_2021_Favorable_Richman.pdf

Uploaded by: Richman, Daniel

Position: FAV

March 5, 2021

TESTIMONY IN SUPPORT OF SB 754

Public Service Commission - Damaged, Obsolete, or Excessive Lines - Fines

To: Chair Kelley, Vice Chair Feldman, and the members of the Finance Committee

From: Daniel Richman

My name is Dan Richman. I am a resident of Baltimore, Maryland, legislative District 46. I am submitting this testimony in support of SB 754, the authorization for the Public Service Commission to demand that private companies cleanup nuisance utility wires and to fine them for noncompliance.

The alley behind my house north of Patterson Park and the other alleys around me are like jungles with vines of black wires hanging loose between utility poles or poles and houses. Some come down to head and ground levels and many are close to peoples' back fences, clotheslines, and other backyard structures. I'm concerned that these messes can start fires or make it easier for fires to spread fast between poles and homes or from home to home. I think often about a fire a block over a couple years ago that did start around a utility pole and fence and spread rapidly through the entire house and its neighbors.

I'm also bothered that BGE, Comcast, and other companies neglect to clean up after themselves, treating our city like a dumping ground, and the public can't hold them accountable. Empowering the Public Service Commission to be able to deal with this problem would help keep our surroundings safe and pleasant.

I respectfully urge a favorable report for SB 754.

SB 754 - Potomac Energy -- Oppose [92].pdf

Uploaded by: Greal, Anne

Position: UNF



Anne M. Grealy
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OPPOSE – Senate Bill 754

SB 754 Public Service Commission – Damaged, Obsolete, or Excessive Lines – Fines
Senate Finance Committee
Tuesday, March 9, 2021

SB 754 - 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 SB 754 for the following reasons.

SB 754 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 SB 754 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 Senate Bill 754.

2021 PHI Testimony SB 754 – Public Service Commiss

Uploaded by: Guy, Dan

Position: UNF



An Exelon Company



An Exelon Company

March 9, 2021

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

Oppose Senate Bill 754

SB 754 – Public Service Commission – Damaged, Obsolete, or Excessive Lines

Potomac Electric Power Company (Pepco) and Delmarva Power & Light Company (Delmarva Power) oppose **Senate Bill 754 – Public Service PSC – Damaged, Obsolete, or Excessive Lines**. Senate Bill 754 would require the Public Service Commission (the “PSC” or the “Commission”) to promptly notify the owner of a utility pole after the Commission receives notice of a damaged, dangling, obsolete, or redundant lines on a utility pole, or blight or public nuisance caused by an excessive number of lines on a utility pole. The bill would also mandate the owner of a utility pole to require the person or entity that controls the affected line or lines to investigate, repair, or remove offending lines within 30 days of receiving notice from the Commission of any one of the above-listed issues. Finally, the bill would impose a fine of \$250 on the utility pole owner for each day of non-compliance if the offending line or lines are not repaired or removed within 90 days after the Commission notifies the utility pole owner about the condition of the lines.

SB 754 places an additional burden on the Commission to rely on public assessment of the state and condition of lines attached to utility poles. It further obligates the Commission to act regardless of whether the complainant has the necessary credentials or background, or expertise related to engineering, construction and infrastructure.

In addition, SB 754 does not define “damaged,” “dangling,” “redundant,” “obsolete,” “blight” or “public nuisance”, which leaves open interpretation of these terms by the general public. Without defined terms to serve as a guide for the application of the bill’s intent, there is no standard by which the general public can uniformly consider and follow when filing a complaint with the Commission. This will invariably lead to many frivolous investigations of complaints about pole lines that are based on entirely subjective opinions of the public. In short, this bill would provide unfettered discretion to unqualified and/or improperly motivated individuals who may simply not want to look at utility poles and their lines.

SB 754 provides a 90-day window within which the entity controlling the line or lines is required to repair or remove the offending lines. This short time frame is unmanageable. In some instances, for example, damaged lines attached to utility poles require substantial time and expense to upgrade, relocate, remove, or fix underground existing infrastructure associated with lines and utility poles. That process often requires formal surveys, remediation design-work, acquisition of necessary materials and permits to complete any necessary infrastructure change. That process, when undertaken in an efficient and expeditious matter can take more than 90 days, yet under the existing framework of this bill, the owner of the utility pole would be subject to a penalty of \$250

for each day beyond the 90-day period, even if the owner or entity controlling the line caused no delay to remediation efforts.

Finally, the onerous nature of the penalties outlined in the legislation is overbroad and improperly focused on the pole owner. The owner of the dangling line should be responsible for any penalties for failure to maintain or repair lines. SB 754 requires, within 30 days after receiving notice from the Commission, the owner of the utility pole to require the person that controls the line or lines to investigate and where appropriate, repair or remove the offending line or lines. If the offending line or lines are not repaired or removed within 90 days after the Commission notified the owner of the utility pole, then the Commission shall impose a fine on the owner of the utility pole of \$250 for each day of noncompliance. Utility pole owners are not necessarily qualified nor authorized to repair other parties' lines. SB 754 unfairly holds the utility pole owner responsible when legitimate issues to lines may be caused by an entity that does not own any utility poles.

For the above reasons, Pepco and Delmarva Power respectfully request an unfavorable vote on Senate Bill 754.

Contact:

Katie Lanzarotto
Senior Legislative Specialist
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Ivan K. Lanier
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SB754 Verizon Testimony Opposition.pdf

Uploaded by: Harvey, Tiffany

Position: UNF



Government Affairs Office
12 West Street
Annapolis, MD 21401
(410) 269-6653

BILL NO. : **Senate Bill 754**

TITLE: Public Service Commission- Damaged, Obsolete, or Excessive Lines - Fines

COMMITTEE: Finance Committee

HEARING DATE: March 9, 2021

VERIZON POSITION: **Opposed**

PURPOSE OF BILL:

Senate Bill 754 creates a new task for the Public Service Commission ("PSC"). The bill would require the PSC to notify owners of utility poles about damaged, dangling, obsolete, or redundant lines. Upon issuance of the notification, the PSC would be tasked with issuing and collecting fines if the prescribed timelines for cure are not met.

COMMENTS:

Verizon is committed to building, operating, and maintaining a technology network that provides its customers with technology solutions needed for their education, public safety, health and economic needs. Verizon has a notification system in place that allows us to be both proactive and reactive to any issues with our lines and wires. Service and reliability are our highest priorities in meeting our customer's needs. To deliver on this commitment, Verizon techs are deployed daily throughout Maryland and are tasked with installation, repair, and maintenance of the networks. During the course of these normal operations, our technicians remove dead wires, remove outdated and decommissioned equipment, replace or reposition poles based on age or damage, clean up terminal boxes, and replace and/or adjust lines to proper heights, etc. In addition to the aforementioned, Verizon receives, through its customer service phone, on-line and social media chains, residents inquiries and concerns related to its physical network that results in the Verizon's Operation's Team investigating and taking the appropriate action to respond and/or address the matter raised by residents, customers, and government. As a result of the aforementioned, we have identified, addressed, and closed over 700 wire tickets in the past year, and will address and close future issues as they are identified. It is for these reasons, as well as the following, that Verizon does not believe that SB754 is necessary and urges an unfavorable committee vote.

We would also like to point out a few other concerns with this bill. Under existing law, pole owners are required to allow various entities to attach equipment to their poles. It is unfair to penalize the pole owner if one of those attachers refuses to comply with this bill and fails to promptly clean up their facilities. The owner has no leverage to force them to clean it up, and

the owner is legally required to allow the attacher continued use of the pole. Since the bill only penalizes the pole owner, there is no penalty or incentive for the attacher to resolve the issue that triggered notice from the PSC.

Moreover, the bill includes vague and subjective language regarding the types of issues it is seeking to cure. There are no definitions in the bill and the bill fails to delegate the authority for determining whether a wire is damaged, obsolete, redundant, or a public nuisance. The use of subjective and undefined terms will likely result in disputes and litigation between the PSC, pole owners and attachers.

Verizon believes we, along with industry partners, can come together and address the wire issues with better communication and coordination. For these reasons, Verizon urges an **UNFAVORABLE COMMITTEE REPORT on Senate Bill 754.**

FOR ADDITIONAL INFORMATION CONTACT:

Tiffany Harvey
Director, State Government & Community Affairs
443-223-2814

SB 754 Public Service Commission Damaged Obsolete

Uploaded by: Krieger, Damon

Position: UNF



An Exelon Company

Position Statement

OPPOSE
Senate Finance Committee
03/09/2021

SB 754 Public Service Commission – Damaged, Obsolete or Excessive Lines - Fines

Baltimore Gas and Electric Company (BGE) opposes *Senate Bill 754 Public Service Commission – Damaged, Obsolete or Excessive Lines – Fines*, which requires the Public Service Commission (Commission) to require the owner of a utility pole to require the person that controls the damaged or dangling line or lines to investigate and repair or remove the offending lines within 30 days after receiving notice from the Commission. The bill requires that if the offending lines are not repaired or removed by the person who controls the lines within 90 days after the Commission notifies the utility pole owner, the owner of the utility pole is fined \$250.00 for each day of noncompliance.

BGE understands the frustration regarding unsightly lines or equipment attached to utility poles. Unfortunately, however, this bill is not the appropriate way in which to address the issue and is problematic on multiple levels. The bill attempts to shift responsibility for the maintenance of a damaged or dangling line from the actual responsible party of the line to the utility pole owner in a manner that is neither effective in accomplishing the intended goal nor prudent. While BGE is the sole or joint owner of utility poles within our service territory, other service providers, including telecommunications companies, attach their lines to those poles. BGE's electric lines sit highest on any utility pole and most often a line that is damaged or dangling belongs to one of the attaching companies rather than BGE.

The bill as written suggests that BGE will have the ability and absolute authority to require another company to repair or remove lines in question in all circumstances. This is not accurate. Currently, while BGE may notify a company of its need to remove or repair lines in a timely fashion, BGE has no absolute authority to ensure this happens unless the line is directly impacting the safety or reliability of the electric system, which is not always the case with damaged or obsolete lines. Establishing a law that penalizes a company for its inability to regulate the behavior of another company would be misplaced policy. BGE should not be penalized and incur fines for something largely outside of its control. BGE is not a regulatory body, and while the Commission regulates BGE, BGE cannot in turn regulate another company attaching lines to BGE's poles in all circumstances.

Additionally, the provision regarding "blight or public nuisance caused by an excessive number of lines" is vague and subject to numerous interpretations. Who determines what is "blight"? Who determines what is a "public nuisance"? Who determines what is an "excessive" number of lines? It may be that numerous lines are

necessary in particular areas where undergrounding lines is not feasible and the lines are needed to adequately provide varying services to customers in that area.

The bill gives no discretion to the Commission about whether it needs to notify the pole owner of a complaint -- the bill mandates prompt notification upon receipt of a complaint, regardless of the circumstances. This ambiguity in the legislation regarding what constitutes an actionable complaint is very problematic. The ambiguity continues in determining how to define what is an "obsolete" or "redundant" line. A line may appear to be redundant or obsolete, but is not. The concern is that BGE will be deploying resources actively responding to numerous complaints only to determine that the line at issue is still necessary and/or in operation, or will not be able to determine this information at all because it is not BGE equipment at issue.

Finally, it is not clear that the Commission would even have the authority or jurisdiction to levy a fine regarding these matters. Currently, matters related to pole attachments in Maryland by telecommunications companies such as Verizon, Comcast and AT&T are regulated by the Federal Communications Commission (FCC). The Commission does not have the authority to dictate the terms and conditions of pole attachment agreements or pole attachments (including lines), absent a direct impact on the safety or reliability of the electric system or the traditional copper telephone line system. This issue most recently came up in the PC38 pole attachment matter before the Commission several years ago. Additionally, Maryland's highest court has opined that the Commission only has jurisdiction over matters directly germane to the provision of public service, and cannot dictate, for example, rental rates or other terms and conditions for telecommunications equipment or other attachments made to utility poles. See Chesapeake and Potomac Telephone Company of Maryland v. Maryland/Delaware Cable Television Association, 310 Md. 553 (1987).

While BGE understands the concern that the bill attempts to address, the bill fails to provide a solution to that concern, and instead creates additional unnecessary problems that should be avoided.

For these reasons, BGE respectfully request an unfavorable report on this legislation.

BGE, headquartered in Baltimore, is Maryland's largest gas and electric utility, delivering power to more than 1.2 million electric customers and more than 655,000 natural gas customers in central Maryland. The company's approximately 3,400 employees are committed to the safe and reliable delivery of gas and electricity, as well as enhanced energy management, conservation, environmental stewardship and community assistance. BGE is a subsidiary of Exelon Corporation (NYSE: EXC), the nation's leading competitive energy provider.

SB0754_Unfavorable_Stanek.pdf

Uploaded by: Stanek, Jason

Position: UNF

JASON M. STANEK
CHAIRMAN

MICHAEL T. RICHARD
ANTHONY J. O'DONNELL
ODOGWU OBI LINTON
MINDY L. HERMAN



PUBLIC SERVICE COMMISSION

March 9, 2021

Chairperson Delores G. Kelley
Senate Finance Committee
Miller Senate Office Building, Room 3 East
Annapolis, MD 21401

RE: SB 754 – UNFAVORABLE – Public Service Commission – Damaged, Obsolete, or Excessive Lines - Fines

Dear Chair Kelley, Vice Chair Feldman, and Committee Members:

The Maryland Public Service Commission opposes Senate Bill 754, which would require the Commission to promptly notify the owner of a utility pole if and when the Commission receives notice related to: 1) a damaged or dangling line; 2) an obsolete or redundant line; or 3) a blight or public nuisance caused by an excessive number of lines on a utility (hereinafter referred collectively as “Offending Lines”). The legislation provides that within 30 days after receiving notice from the Commission, the owner of the utility pole shall require the entity that controls the lines to investigate and, where appropriate, remove the Offending Lines. If the Offending Lines are not repaired or removed within 90 days after the Commission notifies the owner of the utility pole, SB 754 directs the Commission to impose a \$250 fine on the owner of the utility pole for each day of non-compliance.

Regulation of Pole Attachments

As a threshold matter, SB 754 seeks to regulate wires attached to utility-owned poles, which in many cases presents a jurisdictional issue when the lines are for telecommunication services. The Commission only regulates electric utility infrastructure, and, with the exception of local voice telephone service, the Commission does not regulate most of the operations of telecommunication common carriers that attach their wires to utility poles, such as Comcast, AT&T and Verizon. While the Commission has jurisdiction over matters involving electric utility wires and electric utility-owned poles, the Commission does not have jurisdiction over non-utility wire attachments, even if they are attached to electric utility poles. Instead, the Federal Communications Commission (“FCC”) regulates the market for such pole attachments, and there are clear (federal) regulations and rules for attaching wires to poles.¹ Once the wires are attached, however, there are no regulations and rules regarding their removal. In most cases, the Offending Lines may not fall within existing Commission jurisdiction but within FCC jurisdiction.

¹ These rules include mandatory pole access and joint use.

Pole attachments are also governed through negotiated agreements between pole owners and pole attachers. In some cases, where the electric utility has joint ownership of a pole with a telecommunications carrier through a contract, the Commission has jurisdiction over the jointly owned pole. However, the utility's negotiated contracts for wire attachments with various telecommunications common carriers do not fall under Commission jurisdiction; they are also subject to federal law. *See* 47 U.S.C. § 224. Under federal law, there are specific conditions that must be satisfied before a State can certify to the FCC that it can regulate terms and conditions involving pole attachments.

Investigation, Repair and Removal Requirements

SB 754 requires pole owners to be responsible for investigating and, where appropriate, removing the Offending Lines. If the Offending Lines are not timely repaired or removed, the pole owner would be subject to a civil penalty for noncompliance. This provision of the bill is problematic for two reasons. First, pole owners cannot remove lines they do not own, except as provided under any terms and conditions of a controlling pole attachment agreement. Second, as a matter of fairness and due process, before the Commission can impose a civil fine, the pole owner should have an opportunity to respond to the complaint—via Commission-led investigation by the Consumer Affairs Division or evidentiary-type proceeding.

Commission Notification Requirement

SB 754 provides that upon receiving notice of an Offending Line, the Commission shall promptly notify the utility company in whose distribution service territory the pole is located. However, a complaint about an Offending Line could involve a utility pole, a telecommunications common carrier pole, or a jointly owned pole. While a pole number could, in theory, help identify the pole owner, individuals reporting Offending Lines might not provide a pole number when calling in problems at pole locations.

Offending Line Conditions

SB 754 specifies three line conditions that trigger the Commission's notification obligation. The first condition pertains to damaged or dangling lines. As a matter of safety and reliability, all lines that are damaged or dangling down need to be reported immediately by the person observing the wire condition to the electric company, even if the observer is uncertain about the type of wire or who owns it. The utility will respond immediately to ensure the area is made safe. SB 754 could have the unintended consequence of confusing customers who have been educated to call the electric utility first to report a damaged, dangling, or downed wire.

The second line condition concerns an obsolete or redundant line. SB 754 does not, however, define the terms "obsolete" or "redundant". Without an objective standard, these terms

are ambiguous. The Commission would be required to act based solely on the reporting individual's subjective judgment.

Similarly, the third line condition covers blight or public nuisance caused by an excessive number of lines on a utility pole. Similar to the "obsolete" and "redundant" condition, this third category relies on the judgment of the individual reporting the line condition to the Commission. Furthermore, placing the maximum number of lines on a pole serves to minimize the number of poles.

For the above reasons, I respectfully request an unfavorable report on SB 754. However, if the Committee is inclined to proceed with SB 754, I recommend that the legislation be amended as follows:

5-107

(A) THE COMMISSION SHALL PROMPTLY NOTIFY THE UTILITY COMPANY OR COMPANIES IN WHOSE DISTRIBUTION SERVICE TERRITORY THE POLE IS LOCATED ~~OWNER OF A UTILITY POLE IF~~ THE COMMISSION RECEIVES ~~NOTICE~~ A COMPLAINT TO ITS CONSUMER AFFAIRS DIVISION RELATED TO A UTILITY POLE AND THE COMPLAINT INCLUDES THE POLE NUMBER. ~~OF:~~

(1) ~~— A DAMAGED OR DANGLING LINE;~~

(2) ~~— AN OBSOLETE OR REDUNDANT LINE; OR~~

(3) ~~— BLIGHT OR PUBLIC NUISANCE CAUSED BY AN EXCESSIVE NUMBER OF LINES ON A UTILITY POLE.~~

(B) WITHIN 30 DAYS AFTER RECEIVING NOTICE FROM THE COMMISSION, THE ~~OWNER OF THE UTILITY POLE~~ UTILITY COMPANY OR COMPANIES IN WHOSE DISTRIBUTION SERVICE TERRITORY THE POLE IS LOCATED SHALL ~~REQUIRE~~ FORWARD THE COMPLAINT TO ALL THE PERSONS THAT CONTROLS THE ANY LINE OR LINES ATTACHED TO THE IDENTIFIED POLE. ~~TO INVESTIGATE AND, WHERE APPROPRIATE, REPAIR OR REMOVE THE OFFENDING LINE OR LINES.~~

(C) ~~IF THE OFFENDING LINE OR LINES ARE NOT REPAIRED OR REMOVED WITHIN 90~~ 45 DAYS AFTER THE COMMISSION NOTIFIES THE ~~OWNER OF THE UTILITY POLE~~ UTILITY COMPANY OR COMPANIES IN WHOSE DISTRIBUTION SERVICE TERRITORY THE POLE IS LOCATED, THE UTILITY COMPANY OR COMPANIES WILL PROVIDE A RESPONSE TO THE COMPLAINT IDENTIFYING ALL PERSONS THAT CONTROL ANY LINE OR LINES ATTACHED TO THE POLE INCLUDING THE TERMS OF THE LINE ATTACHMENT AGREEMENT AND DESCRIBING ~~ABOUT THE CONDITION OF THE LINES, THE COMMISSION SHALL IMPOSE A FINE ON THE OWNER OF THE UTILITY POLE OF \$250 FOR EACH DAY OF NONCOMPLIANCE.~~

WILLIAM DONALD SCHAEFER TOWER • 6 ST. PAUL STREET • BALTIMORE, MARYLAND 21202-6806

410-767-8000

Toll Free: 1-800-492-0474

FAX: 410-333-6495

MDRS: 1-800-735-2258 (TTY/Voice)

Website: www.psc.state.md.us/psc/

(D) IF NECESSARY, IN ITS DISCRETION, THE COMMISSION MAY ~~SHALL~~ ADOPT REGULATIONS TO CARRY OUT THE REQUIREMENTS OF THIS SECTION.

Thank you for the opportunity to provide testimony regarding Senate Bill 754. Please contact Lisa Smith, Director of Legislative Affairs, at 410-336-6288, if you have any questions.

Sincerely,



Jason M. Stanek
Chairman