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Informational- 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) appreciate the opportunity to comment on **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.

As originally drafted, House Bill 1114 would significantly slow down storm response activities and impact a utilities 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 severely 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 increase 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 agree with the amended version of the bill before you which clarifies that an electric utilities tree trimming activity would not be included in the definition of yard waste as it is currently defined.

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