

# **SB376\_TownGarrettPark\_FAV**

Uploaded by: Barbara Matthews

Position: FAV



## Town of Garrett Park

Incorporated 1898

February 23, 2022

**VIA ELECTRONIC MAIL**

Senate Finance Committee  
c/o Senator Delores Kelley, Chair  
Senator Brian Feldman, Vice-Chair

Re: Support for SB 376

Dear Senators Kelley and Feldman and Members of the Senate Finance Committee:

I am writing to express the support of the Town of Garrett Park for SB 376 – County and Municipal Street Lighting Investment Act.

This enabling legislation will streamline the process for local governments interested in acquiring utility-owned street lights and assuming their ownership and maintenance. Conversion of utility-owned street lighting has been proven to improve service and reduce costs.

The Town of Garrett Park already owns and maintains the lights on Strathmore Avenue. The Town could easily assume maintenance responsibility for the decorative induction street lights on Town side streets if Pepco were to allow a transfer of ownership.

SB 376 would strengthen the original Maryland law enacted in 2007. The Town of Garrett Park played an active role in enactment of the 2007 legislation, and we are pleased to have the opportunity to support SB 376.

The Town of Garrett Park urges you to issue a favorable report for SB 376.

Sincerely,

*Kacky Chantry*

Kacky Chantry  
Mayor

cc: Garrett Park Town Council  
Barbara B. Matthews, Interim Town Manager

# **SB376\_TownBrookeville\_FAV**

Uploaded by: Bill Gaskill

Position: FAV



February 18, 2022

VIA ELECTRONIC MAIL

Senate Finance Committee  
Senator Delores G. Kelley, Chair  
Senator Brian J. Feldman, Vice Chair

Re: Senate Bill 376 – County and Municipal Street Lighting Investment Act

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

The Town of Brookeville has been on the National Register of Historic Places since 1979. We are also a Montgomery County Historic District and part of the National Park Service's Star-Spangled Banner National Historic Trail. Within the Town's municipal boundaries, we have a mixture of utility-owned overhead streetlights wooden pole light with multiple lamps/bulbs and Town-owned streetlight that reflects the aesthetics of a historic district. The Town-owned streetlights serve a vital role in public safety while blending in with the historic surroundings of the Town.

Conversion of utility-owned street lighting to customer-owned lighting is a best practice proven to improve service reliability and reduce costs. It has been successful for California, the District of Columbia, Connecticut, Massachusetts, Pennsylvania, Rhode Island, and other states. This enabling legislation will streamline the process for local governments to acquire utility-owned overhead streetlights and assume all aspects of ownership and maintenance.

We urge you to issue a favorable report for SB 376.

Respectfully,

*William H. Gaskill IV*

William H. Gaskill, President  
Town of Brookeville Commissioners

cc: Senator Susan Lee, sponsor  
cc: Senator Craig Zucker, District 14

# **SB367\_TownofChestertown\_FAV**

Uploaded by: Bill Ingersoll

Position: FAV

# Town of Chestertown



118 N. Cross Street, Chestertown, MD 21620  
tel: 410-778-0500 fax: 410-778-4378  
email: office@chestertown.com  
url: www.townofchestertown.com

*Mayor*  
David Foster  
*Council*  
Samuel T. Shoge  
Thomas A. Herz, Jr.  
Rev. Ellsworth Tolliver  
Meghan E. Efland  
*Town Manager*  
William S. Ingersoll

February 25, 2022

Senator Delores G. Kelley, Chair Senate Finance Committee  
Senator Brian J. Feldman, Vice Chair Senate Finance Committee

**RE: Support for Senate Bill 376**

Dear Senators Kelley and Feldman and members of the Senate Finance Committee:

The Town of Chestertown hereby submits our support of Senate Bill 376, the County and Municipal Street Lighting Investment Act.

This proposed enabling legislation will streamline the process for those local governments that are considering acquisition for the ownership and maintenance of what are currently utility-owned streetlights.

Bill 376 would strengthen the original Maryland law enacted in 2007. The Maryland Municipal League and individual municipalities were instrumental in getting the original legislation passed in 2007 and have supported subsequent efforts to strengthen the law.

We ask you to issue a favorable report for SB 376.

Sincerely,

David Foster  
Mayor

**SB 376\_FAV\_MML.pdf**

Uploaded by: Bill Jorch

Position: FAV



Maryland Municipal League  
*The Association of Maryland's Cities and Towns*

TESTIMONY

February 15, 2022

**Committee:** Senate Finance

**Bill:** SB 376 – County and Municipal Street Lighting Investment Act

**Position:** Support

**Reason for Position:**

The Maryland Municipal League supports SB 376 which authorizes a local government, subject to specified requirements, to (1) convert its street lighting service to an customer-owned tariff established under the bill; (2) acquire certain street lighting equipment by purchase or condemnation; and (3) enter into an agreement to purchase electricity.

Since legislation was first enacted in 2007 to permit local government purchase of street lighting equipment from private entities, discussions between municipalities and power companies have proved fruitless in finding agreement on the fair market value of street lighting equipment. Since then, few municipalities have successfully negotiated the sale of street lights. The League hopes that the articulation in law of considerations that may be considered in determining fair market value of street light equipment will provide an equitable means of breaking the stalemate that has persisted in this area and set forth a process by which municipalities will be able to purchase and maintain streetlights.

As SB 376 will help municipalities address these ongoing issues, the Maryland Municipal League supports this bill and asks this committee to provide the bill with a favorable report.

**FOR MORE INFORMATION CONTACT:**

Scott A. Hancock	Executive Director
Angelica Bailey	Director, Government Relations
Bill Jorch	Director, Research & Policy Analysis
Justin Fiore	Manager, Government Relations

1212 West Street, Annapolis, Maryland 21401

410-268-5514 | 800-492-7121 | FAX: 410-268-7004 | [www.mdmunicipal.org](http://www.mdmunicipal.org)



# **SB376\_TownofCottageCity\_FAV**

Uploaded by: Brittany Gabriel

Position: FAV



**TOWN OF COTTAGE CITY**

3820 – 40th Avenue Cottage City,  
Maryland 20722  
(301) 779-2161 • Fax (301) 779-3525

March 9, 2022

Senator Delores Kelley, Chair – Senate Finance Committee  
Senator Brian Feldman, Vice Chair – Senate Finance Committee  
Delegate C.T. Wilson, Chair – Economic Matters Committee  
Delegate Brian Crosby, Vice Chair – Economic Matters Committee

Re: Support for Senate Bill 376/House Bill 1083 – County and Municipal Street Lighting Investment Act

Dear Senator Kelley, Senator Feldman, Delegate Wilson, and Delegate Crosby,

The Commission of Cottage City support Senate Bill 376/House Bill 1083 for the County and Municipal Street Lighting Investment Act. We believe that proposed legislation will assist municipalities in controlling the cost, efficiency, and ownership of street lighting.

Thank you for your consideration.

Respectfully,

A handwritten signature in cursive script that reads "Wanda Wheatley".

Wanda Wheatley  
Commission Chairman

CC: Senator Susan Lee  
Senator Michael Hough  
Delegate Al Carr  
Delegate Barrie Ciliberti  
Delegate Daniel Cox  
Delegate Jesse Pippy

# **SB376\_CityBrunswick\_FAV**

Uploaded by: Carrie Myers

Position: FAV



# THE CITY OF BRUNSWICK MARYLAND

1 WEST POTOMAC STREET · BRUNSWICK, MARYLAND 21716 · (301) 834-7500

February 22, 2022

Senator Delores Kelley, Chair – Senate Finance Committee  
Senator Brian Feldman, Vice Chair – Senate Finance Committee  
Delegate C.T. Wilson, Chair – Economic Matters Committee  
Delegate Brian Crosby, Vice Chair – Economic Matters Committee

Re: Support for Senate Bill 376/House Bill 1083 – County and Municipal Street Lighting Investment Act

Dear Senator Kelley, Senator Feldman, Delegate Wilson, and Delegate Crosby,

The Mayor and Council of the City of Brunswick support Senate Bill 376/House Bill 1083 for the County and Municipal Street Lighting Investment Act. We believe the proposed legislation will assist municipalities in controlling the cost, efficiency, and ownership of street lighting.

Thank you for your consideration.

Respectfully,

Nathan Brown  
Mayor

Cc: Senator Susan Lee  
Senator Michael Hough  
Delegate Al Carr  
Delegate Barrie Ciliberti  
Delegate Daniel Cox  
Delegate Jesse Pippy

# **SB367\_TownofPoolesville\_FAV**

Uploaded by: Cathy Bupp

Position: FAV



TOWN OF  
**Poolesville**  
MARYLAND

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The Honorable Delegate Alfred C. Carr  
Maryland House of Delegates  
222 Lowe House Office Building  
6 Bladen Street  
Annapolis, MD 21401

**Re: MD SB376/HB1083 County and Municipal Street Lighting Investment Act**

Dear Delegate Carr,

The Town of Poolesville fully supports the subject bills for the conversion of utility-owned lighting. Authorizing the conversion of lighting and the development of procedures for acquiring equipment and resolving disputes will enable a successful transition.

The Town of Poolesville converted its street lighting service to a customer-owned street lighting service in 2009. The ability to provide maintenance, change fixtures and convert to LED technology has proven to improve service and reduce costs.

The Town sincerely hopes that SB376/HB1083 passes.

Thank you for your consideration.

Sincerely,

James E. Brown  
President  
Commissioners of Poolesville

# **SB376\_CCANActionFund\_FAV**

Uploaded by: Davonte Douglas

Position: FAV

**SB376 - Economic - County and Municipal Street Lighting Investment Act**

**Date: March 10th, 2022**

**Committee: Finance**

**Position: Favorable**

**Davonte Douglas, Maryland Policy Fellow - Chesapeake Climate Action Network Action Fund**

On behalf of the Chesapeake Climate Action Network Action Fund, I urge a favorable report from the committee on **SB376 - County and Municipal Street Lighting Investment Act**. Converting Maryland's street lights to efficient LED lighting would help to reduce Maryland's greenhouse gas emissions while also improving the accessibility and safety of communities by achieving a better service at a lower cost.

The CCAN Action Fund is the advocacy arm of Chesapeake Climate Action Network, a grassroots organization dedicated exclusively to fighting for bold and just solutions to climate change in the Chesapeake region of Maryland, Virginia, and Washington, DC. We believe that the state government has a crucial role to play in mitigating climate change and should lead by example in all efforts to decrease greenhouse gas emissions. This is particularly important for our electricity infrastructure and our ability to adapt to a world that will be phasing out fossil fuel use. SB376 updates Maryland's street lights to run on efficient LED bulbs to conserve and reduce electricity use.

SB376 authorizes counties and municipalities to:

- Convert their street lighting service to a customer owned street lighting tariff
- Acquire certain street lighting equipment by purchase or condemnation
- Enter into an agreement to purchase electricity
- Request that an electric company remove certain street lighting equipment in the county's or municipality's jurisdiction

We believe that this bill is a commonsense step in the path to meeting Maryland's emission reduction and energy efficiency goals while also ensuring that Maryland's communities are provided with accessible street lights that provide better services at a lower cost. Thank you for your consideration of SB376. For all the reasons stated above, we urge a favorable vote from the committee.

**CONTACT:** Davonte Douglas, Maryland Policy Fellow

[davonte@chesapeakeclimate.org](mailto:davonte@chesapeakeclimate.org)



# Support of SB376.pdf

Uploaded by: Elizabeth Boa

Position: FAV

The Town of  
***GLEN ECHO***  
Chartered 1904

Town Hall • 6106 Harvard Avenue • P.O. Box 598 • Glen Echo • MD 20812 • (301) 320-4041

February 10, 2022

To: Senator Delores Kelley, Chair, Senate Finance Committee  
Senator Brian Feldman, Vice Chair, Senate Finance Committee  
Members, Senate Finance Committee

The Town of Glen Echo supports The County and Municipal Street Lighting Investment Act. It gives municipalities a streamlined procedure to own their own streetlights and upgrade to the style and technology of their choosing. The Town of Glen Echo may wish to pursue updating streetlights to a new style and to LED lights, without it being prohibitively costly. LED lighting would save the Town on electricity costs and reduce needed maintenance.

We offer our support to Senator Lee and Delegate Carr as they spearhead this issue for all interested Maryland municipalities. We encourage bill SB376 to be approved.

Respectfully,



Dia Costello  
Mayor of Glen Echo

Cc: Senator Susan Lee  
Delegate Alfred C. Carr, Jr.

# **SB376\_TownofSykesville\_FAV**

Uploaded by: Joe Cosentini

Position: FAV



## *Town of Sykesville*

7547 Main Street, Sykesville, MD 21784  
p: 410.795.8959 f: 410.795.3818  
[townofsykesville.org](http://townofsykesville.org)

## *Town House*

*Stacy Link, Mayor*  
*Joe Cosentini, Town Manager*  
*Craig Weaver, Treasurer*  
*Kerry G. Chaney, Town Clerk*

March 9, 2022

Honorable Delegate C.T. Wilson, Chair  
Honorable Delegate Brian Crosby, Vice Chair  
Economic Matters Committee

Honorable Senator Delores Kelley, Chair  
Honorable Senator Brian Feldman, Vice-Chair  
Senate Finance Committee

RE: County and Municipal Street Lighting Investment Act (HB1083SB376)

The Town of Sykesville would like to voice support for Delegate Carr and Senator Lee's bill (SB376) to allow municipalities to gain ownership of their municipal street lights. For several years now, the Town has worked with and encouraged our energy supplier to retrofit our lights with energy efficient lighting with success occurring only recently. The cost of our municipal street lighting has seen a dramatic reduction since these changes have been implemented. Many small and large municipalities across the State will be able to benefit from similar retrofit projects and this bill will aid in moving these projects forward at a much faster rate than what occurred in Sykesville. In addition the bill opens more opportunities for other energy saving innovations from direct metering information that could be obtained. The improvements realized from these bills will simply be better for the environment and will likely save millions of tax payer dollars each year. Therefore, we support the enabling legislation that would make this possible. We would urge the House and Senate to give this bill serious consideration for the benefit of all Maryland municipalities.

Please let me know if there is any other information I can provide.

Sincerely,

Stacy Link  
Mayor, Town of Sykesville

# **SB376\_TownChevyChaseView\_FAV**

Uploaded by: Julie Sparacino

Position: FAV

# *Town of Chevy Chase View*

P. O. Box 136  
Kensington, MD 20895  
301-949-9274  
[www.chevychaseview.org](http://www.chevychaseview.org)

February 22, 2022

The Honorable Senator Delores Kelly  
Senate Finance Committee, Chair  
3 East – Miller Senate Office Building  
Annapolis, MD 21401

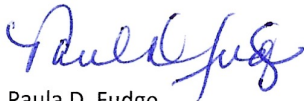
RE: Support of SB376 – County and Municipal Street Lighting Investment Account

On behalf of the Town Council of Chevy Chase View, I am writing in support of SB376 – County and Municipal Street Lighting Investment Act. This legislation will allow Maryland's counties and municipalities the opportunity to acquire and convert existing street lighting services to a customer-owned street lighting tariff, by establishing a necessary procedure that will streamline the process for local governments to assume ownership and maintenance.

We offer sincere appreciation for the work that has been put into this matter by our State legislators, the Maryland Public Service Commission staff, lighting experts and municipal representatives.

We strongly support SB376 and hope that 2022 is the year when this longstanding issue is resolved by this bill's passage.

Sincerely,



Paula D. Fudge  
Chair

cc: Senator Brian Feldman  
Senator Susan Lee  
Senator Jeff Waldstreicher  
District 18 Delegates Al Carr, Emily Shetty, Jared Solomon  
Town of Chevy Chase View Council

# **SB376\_TownofDenton\_FAV**

Uploaded by: Lisa Orendorf

Position: FAV

*Town of Denton*  
*4 N. Second Street*  
*Denton, Maryland 21629*

*Phone (410)-479-2050*

*Fax (410)-479-3534*

Mayor  
Abigail W. McNinch

Council  
Doncella Wilson  
Lester L. Branson  
Dallas Lister  
Walter Keith Johnson

March 3, 2022

Senator Delores Kelley, Chair, Senate Finance Committee  
Senator Brian Feldman, Vice-Chair, Senate Finance Committee  
3 East  
Miller Senate Office Building  
Annapolis, MD 21401

Re: Letter of Support – SB 376

Dear Senators Kelley and Feldman:

The Town of Denton supports Senate Bill 376 The County and Municipal Street Lighting Investment Act.

This Bill will streamline the process for local government considering acquiring utility owned streetlights and assuming ownership and maintenance. Conversions of utility owned streetlights and customer owned lighting is a best practice utilized to improve service and reduce costs.

We respectfully request your consideration in voting in favor of this bill.

Sincerely,



Abigail W. McNinch  
Mayor

Cc: Senator Susan Lee  
Delegate Jeff Ghrist  
Delegate Steven J. Arentz  
Delegate Jay A. Jacobs  
Senator Stephen S. Hershey, Jr.



# **SB376\_KensingtonTownCouncil**

Uploaded by: Matthew Hoffman

Position: FAV

**Mayor Tracey Furman**

**Council Member Darin Bartram  
Council Member Nate Engle**



**Council Member Conor Crimmins  
Council Member Bridget Hill-Zayat**

February 16, 2022

The Honorable Delores G. Kelley  
Senate Finance Committee, Chair  
3 East – Miller Senate Office Building  
Annapolis MD 21401

Re: SB 0376  
County and Municipal Street Lighting Investment Act

Dear Chair Kelley:

On behalf of the Kensington Town Council, I am writing in support of SB 0376 – County and Municipal Street Lighting Investment Act. This legislation will allow Maryland's Counties and Municipalities the opportunity to acquire and convert existing street lighting services to a customer-owned street lighting tariff, by establishing a necessary procedure that will streamline the process for local governments to assume ownership and maintenance.

We applaud the substantial work that has been put into this matter by State legislators in conjunction with Maryland Public Service Commission staff, topical experts, and municipal stakeholders.

We appreciate your thoughtful consideration of SB 0376 and look forward to its passage.

Sincerely,

A handwritten signature in black ink, appearing to read "Tracey Furman", with a long horizontal flourish extending to the right.

Tracey Furman,  
Mayor

Cc: Senator Brian J. Feldman  
Senator Susan C. Lee  
Senator Jeff Waldstreicher  
Delegate Al Carr  
Kensington Town Council

# **SB376\_HowardCounty\_FAV**

Uploaded by: Meghan Lynch

Position: FAV



## HOWARD COUNTY OFFICE OF COUNTY EXECUTIVE

3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2013 Voice/Relay

Calvin Ball  
Howard County Executive  
cball@howardcountymd.gov

www.howardcountymd.gov  
FAX 410-313-3051

March 10, 2022

Senator Delores Kelley, Chair  
Senate Finance Committee  
Miller Senate Office Building, 3 East  
Annapolis, MD 21401

Re: Testimony **IN SUPPORT** of SB 376: County and Municipal Street Lighting Investment Act

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

I am writing to express my support for Senate Bill 376 which would streamline the process for local governments considering acquiring utility-owned overhead streetlights. This legislation would provide a valuable tool for local governments to improve service on behalf of citizens by assuming ownership and maintenance of these utilities.

Howard County and other local governments are in the business of responding to constituent requests and seeking modernization and efficiencies where possible. SB 376 would provide an additional avenue for government to provide effective and efficient service.

I urge favorable report on SB 376.

All the Best,

Calvin Ball  
Howard County Executive

**SB 376 - MoCo\_Wenger\_FAV (GA 22).pdf**

Uploaded by: Melanie Wenger

Position: FAV



# Montgomery County

## Office of Intergovernmental Relations

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**ROCKVILLE: 240-777-6550**

**ANNAPOLIS (toll free): 301-261-2461**

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**SB 376**

**DATE: February 15, 2022**

**SPONSOR: Senator Lee**

**ASSIGNED TO: Finance**

**CONTACT PERSON: Melanie Wenger**

**POSITION: SUPPORT (Montgomery County Department of Transportation)**

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### **County and Municipal Street Lighting Investment Act**

Senate Bill 376 enables counties and municipalities to purchase street lighting equipment at fair market value from the equipment owner. This bill also empowers counties, through their condemnation powers, to acquire property in the event an agreement is not reached and to request the removal of equipment that is not purchased by the jurisdiction. Finally, the bill directs the electric utilities to file tariffs with the Public Service Commission that only include electrical distribution fees, which would allow the local government to choose its own energy supplier, an option available to most other consumers.

The Montgomery County Department of Transportation supports the environmental and economic goals sought by this legislation. Other jurisdictions, such as in California and Rhode Island, have enabled local governments to purchase street lighting technology. In implementing similar regulations, these jurisdictions have observed lower maintenance costs (due to lower overhead), decreased energy usage, and improved reliability because of the installation of LED bulbs. The Department also supports the additional flexibility this legislation would provide to jurisdictions interested in adopting these practices.

The potential benefits of this enabling legislation would need to be weighed against the assumption of certain risks. These would include taking on the responsibility of updating old equipment or incurring higher repair and maintenance costs than anticipated. Therefore, as an alternative, the sponsor may want to consider requesting the Public Service Commission to establish efficiency standards for the electric companies who currently own the street lighting equipment.

With the above points in mind, Montgomery County Department of Transportation supports Senate Bill 376.

# **SB0376\_CityofRockville\_FAV**

Uploaded by: Pam Kasemeyer

Position: FAV



**Testimony of the Rockville Mayor and Council**  
**SB 376 – County and Municipal Street Lighting Investment Act**  
**Support**

The Rockville Mayor and Council are thankful to Chair Kelley and members of the Senate Finance Committee for the opportunity to share the City’s comments regarding SB 376 – County and Municipal Street Lighting Investment Act. We thank Senator Lee for her leadership.

The City supports SB 376 and its goals to streamline the process for local governments acquiring utility-owned overhead streetlights and assuming ownership and maintenance. As you consider the merits of this legislation, we urge the committee to provide the bill with a favorable report and forward it to the full Senate for a vote.

This enabling legislation would provide municipalities and counties interested in purchasing existing streetlights with a fair acquisition process and would enable them to assume the responsibility for owning and maintaining the equipment. At present, municipalities and counties do not have control over the maintenance and operations of utility owned streetlights. As a result, there is interest among some local jurisdictions in purchasing these streetlights and assuming this responsibility.

Streetlighting services provided by Rockville and other jurisdictions enhance public safety in residential and commercial areas and enable the secure and efficient operation of local transportation networks. Current law lacks a defined formula for the purchase of utility owned streetlights, which makes it difficult for local governments and utilities to agree on a fair purchase price. SB 376 creates a “fair market value” calculated by the original cost of the streetlight, minus depreciation and amortization.

Currently, there is no incentive for Pepco and other utility providers to use energy efficient street lighting such as LED fixtures and bulbs. Furthermore, existing tariffs are not structured for government owned streetlights and lack rates for LED and other energy efficient technologies. With approval from the Public Works Commission, SB 376 would authorize local governments to convert street lighting service to an alternate tariff that would support improved services and lower costs.

Although the current environment is not economically favorable for Rockville to purchase Pepco-owned streetlights in the City, we believe if SB 376 were enacted, it would lay a solid foundation in support of such an effort. Rockville supports the defined purchase price and authority for alternative tariffs included in SB 376. Should the economics change in the future and the City be in a position to purchase Pepco owned streetlights, this legislation would make it more favorable to do so.

SB 376 provides enabling authority and would simplify the process for local governments who wish to acquire utility-owned overhead streetlights and maintain them. We ask for your support for this legislation.



# **SB376\_TownofEdmonston\_FAV**

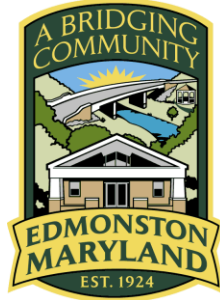
Uploaded by: Rod Barnes

Position: FAV

# TOWN OF EDMONSTON

MAYOR  
TRACY R. GANT

TOWN ADMINISTRATOR  
RODNEY BARNES



COUNCIL MEMBERS  
HILARY CHESTER  
BETSY MCCAULEY  
JOHN A. JOHNSON  
SARAH TURBERVILLE

February 18, 2022

Senator Delores Kelley, Chair of the Senate Finance Committee  
Senator Brian Feldman Vice-Chair of the Senate Finance Committee  
11 Bladen St.  
Annapolis, MD 21401

RE: Support for Senate Bill 376

Dear Senator Kelley and Senator Feldman:

The Mayor and Town Council of the Town of Edmonston supports the passage of Senate Bill 376, the County and Municipal Street Lighting Investment Act.

The Town of Edmonston is a “green” community that prides itself on its numerous green initiatives. One of those actions is to have the streetlights in our community converted to LED. This enabling legislation will streamline the process for local governments considering acquiring utility-owned overhead streetlights and assuming ownership and maintenance. This will give local control for ensuring that the lights are well maintained, operating at peak efficiency and environmentally friendly.

I urge you to vote for this bill.

Sincerely,

A handwritten signature in black ink, appearing to be "TRACY R. GANT", written over a light gray rectangular background.

Tracy R. Gant  
Mayor

cc: Senator Susan Lee  
Delegate Al Carr  
Senator Paul Pinsky  
Delegate Anne Healey  
Delegate Nicole Williams  
Delegate Alonzo Washington

# **SB376\_VillageNorthChevyChase\_FAV**

Uploaded by: Susan Theis

Position: FAV



**VILLAGE OF NORTH CHEVY CHASE**  
**PO BOX 15887, CHEVY CHASE, MD 20815**

February 15, 2022

Senator Delores Kelley, Chair, Senate Finance Committee  
Senator Brian Feldman, Vice-Chair, Senate Finance Committee  
11 Bladen Street  
Annapolis, MD 21401

Re: Support for Senate Bill 376

Via email: [delores.kelley@senate.state.md.us](mailto:delores.kelley@senate.state.md.us), [brian.feldman@senate.state.md.us](mailto:brian.feldman@senate.state.md.us)

Dear Senators Kelley and Feldman,

On behalf of the Village of North Chevy Chase, the Village Council supports the passage of Senate Bill 376, the County and Municipal Street Lighting Investment Act.

This legislation will streamline the process for local governments considering acquiring utility-owned overhead street lights and assuming ownership and maintenance. Conversion of utility-owned street lighting to customer-owned lighting is a best practice proven to improve services and reduce costs.

The Bill strengthens the original Maryland law enacted in 2007. The Maryland Municipal League and individual municipal officers were instrumental in getting the original Maryland legislation passed in 2007 and have supported subsequent efforts to strengthen the law.

We urge you to vote for passage of Senate Bill 376.  
Thank you.

Sincerely,

*Adrian Andreassi*

Adrian Andreassi  
Chair  
Village of North Chevy Chase

Cc: Senator Susan Lee  
Delegate Al Carr  
Senator Paul Pinsky  
Delegate Anne Healey  
Delegate Nicole Williams  
Delegate Alonzo Washington  
VNCC Secretary, Maury Mechanick  
VNCC Treasurer, Olga Joos

# **SB376\_PGCMA\_FAV**

Uploaded by: Therese Hessler

Position: FAV



**Prince George's County Municipal Association**  
*An Association Of 27 Municipalities*



Dear Chairman Wilson and Committee Members:

The Prince George's County Municipal Association writes to support SB 376 and HB 1083 - County and Municipal Street Lighting Investment Act. If enacted, this legislation would create a clear, fair, and efficient process for local governments to purchase existing streetlights and assume responsibility for maintaining and upgrading this equipment.

Quality street lighting is a major public safety, environmental, and financial concern for local governments, and unfortunately current law falls short in each area. Local governments have insufficient control over the quality of lighting, and the utility companies have insufficient incentive to provide high quality maintenance and efficient fixtures. SB3 76 and HB 1083 establishes a fair manner to calculate the value of existing street lighting equipment.

Many of our member municipalities have explored the possibility of purchasing the streetlights within their jurisdictions, because despite paying hundreds of thousands of dollars in maintenance and electricity fees, the quality of lighting and maintenance is not at a commensurate level. With HB 1083, municipalities would be able to pay fair market value to acquire streetlights, increase public safety with better lighting, and decrease financial and environmental costs.

We believe this legislation will create important public safety, financial, and environmental benefits across the State, and respectfully request a favorable report on SB 376 and HB 1083.

Sincerely,

A handwritten signature in blue ink, which appears to read "Patrick L. Wojahn".

---

Patrick L. Wojahn  
PGCMA President  
240-988-7763 (c)  
President@thepgcma.com

Pronouns: He/Him/His

**SB376\_MWCOG\_FAV**

Uploaded by: Tim Masters

Position: FAV





Metropolitan Washington  
Council of Governments

March 7, 2022

The Honorable Susan C. Lee  
Senator, Maryland General Assembly  
James Senate Office Building, Room 223  
11 Bladen Street  
Annapolis, MD 21401

RE: Support for SB 376, Legislative Initiative to Establish the County and Municipal Street Light Investment Act

Dear Senator Lee:

On behalf of the Climate, Energy, and Environment Policy Committee (CEEPC) of the Metropolitan Washington Council of Governments (COG), I am writing to offer our support for your bill, the County and Municipal Street Light Investment Act, that establishes a process by which local governments may improve service and reduce costs by choosing a maintenance or LED upgrade provider. As the association of local governments in metropolitan Washington, COG supports your efforts to enable local governments to upgrade streetlights to be more energy efficient, which aligns with our legislative priorities.

The bill enables local governments and municipalities to convert its streetlighting service to customer-owned streetlighting tariff, establishes an orderly process for putting a value on streetlights acquired from a utility, streamlines the process for resolving any disputes, and provides Maryland's local governments additional control over the cost, quality, and efficiency of their streetlighting fixtures. Streetlighting is a significant energy expense for local jurisdictions. The bill's passage would allow Maryland municipalities to use energy-efficient lights in their operations and reduce their carbon footprint. The bill's passage will directly assist Maryland municipalities in improving energy efficiency and making progress toward our regional greenhouse gas emission reduction goals.

Additionally, COG, together with the Maryland Energy Administration, Clean Energy Solutions, Inc., Virginia Energy, and the National Association of State Energy Officials, have been working on an initiative to facilitate the adoption of LED streetlights by local governments. The County and Municipal Street Light Investment Act would greatly facilitate these efforts by removing barriers to local governments adopting more energy efficient streetlighting.

Please contact Jeffrey King, COG Director of Climate, Energy, and Air Programs at (202) 962-3238 or [jking@mwkog.org](mailto:jking@mwkog.org) if you have any questions. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Koran Saines".

Koran T. Saines  
Chair, Climate, Energy, and Environment Policy Committee

**TOCC Letter re. SB 376.pdf**

Uploaded by: Todd Hoffman

Position: FAV



Barney Rush, *Mayor*  
Irene Lane, *Vice Mayor*  
Joy White, *Treasurer*  
Joel Rubin, *Secretary*  
Ellen Cornelius Ericson, *Community Liaison*

February 15, 2022

Maryland State Senate  
Finance Committee

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

On behalf of the Town Council, I am writing in support of SB 376 -- County and Municipal Street Lighting Investment Act. This enabling legislation strengthens the original Maryland law on this subject and will streamline the process for local governments to acquire utility-owned overhead streetlights and assume ownership and maintenance. We applaud the substantial work that has been put into this matter by State legislators in conjunction with Maryland Public Service Commission staff, topical experts, and municipal stakeholders.

We appreciate your thoughtful consideration of SB 376 and look forward to its passage.

Sincerely,

Barney Rush  
Mayor

cc: Senator Susan C. Lee, Sponsor, Senate Bill 376  
Senator Jeff Waldstreicher

# **SB376\_CityofGaithersburg\_FAV**

Uploaded by: Tom Lonergan-Seeger

Position: FAV



March 7, 2022

Senator Delores G. Kelley  
Chair, Finance Committee  
3 East  
Miller Senate Office Building  
Annapolis, Maryland 21401

Delegate C. T. Wilson  
Chair, Economic Matters Committee  
Room 231  
House Office Building  
Annapolis, Maryland 21401

**RE: Support for SB376/HB1083- County and Municipal Street Lighting Investment Act**

Dear Chairs and Committee Members:

The Mayor and City Council of Gaithersburg support Senate Bill 762 & House Bill 1187. This legislation would authorize a county or municipality to convert its street lighting service to a customer-owned street lighting tariff, acquire certain street lighting equipment by purchase or condemnation, enter into an agreement to purchase electricity, and request that an electric company remove certain street lighting equipment in the county's or municipality's jurisdiction

This bill has the potential to provide a meaningful benefit for local governments that acquire street lighting equipment. Although local government expenditures for street lighting equipment may increase in the short term as they elect to exercise their authority to purchase street lighting equipment, those expenditures could consequently decline as municipalities, such as the City of Gaithersburg, install low-energy bulbs, switch to customer-owned street lighting tariffs, and pay separately for street lighting equipment maintenance. As noted in the Fiscal and Policy Note, small businesses involved in the maintenance of street lighting equipment could potentially benefit from the bill as well, to the extent that local governments exercise the option to purchase and maintain street lights, as these street lighting equipment purchased by local governments will no longer be maintained by an electric company such as

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MAYOR  
Jud Ashman


COUNCIL MEMBERS  
Neil Harris  
Lisa Henderson  
Jim McNulty  
Ryan Spiegel  
Robert T. Wu

CITY MANAGER  
Tanisha R. Briley

PEPCO. Gaithersburg currently contracts with private businesses for some street light maintenance, and could potentially augment such contracts if additional lights become the property of the City.

For all of the reasons stated herein, we respectfully request these committees grant these bills a favorable report. Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jud Ashman", with a long, sweeping horizontal line extending to the right.

Jud Ashman

Mayor

City of Gaithersburg

**Testimony SB0376 Feb 15 2022.pdf**

Uploaded by: George Woodbury

Position: FWA

**Direct Testimony**

**SB 0376**

County and Municipal Street Lighting Investment Act

Witness: George Woodbury

Page 1 of 10

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**State of Legislature- Education, Health, and Environmental Affairs**

**Support of the County and Municipal Street Lighting Investment Act**

**SB 0376**

**Pre-Filed Testimony of**

**George A. Woodbury**

**February 14, 2022**

**Presented To**

**Honorable Chair**

**and**

**Finance Committee Members**



**I. This testimony is in support of SB0376**

**Q. What is the purpose of your testimony in this docket?**

A. The purpose of this testimony is in support of SB 0376 and to share the experience of in Massachusetts since 1998 when the law permitting municipal ownership was approved, Maine and Rhode island since 2013 and to share some observations from other states where transfer of ownership from an investor owned utility to a municipality has taken place. It is my hope that by sharing my knowledge and experience of how the process has worked in other states I can help the Committee see the value of this opportunity so that HB 1083 can be moved to the floor for a vote.

**Q. Why is this legislation important?**

A. The municipal streetlight bill is typically the largest of a city or town's electricity costs and typically represents around 34% of their total energy costs. At the same time from a utility perspective it represents less the 1.2% of their total megawatt sales. Acquisition of the streetlights and providing for their maintenance by a community will typically reduce their costs by 30-40 and combined with the conversion to LED technology typically will reduce the costs by more the 70% while improving overall lighting and public safety. Cities and Towns are motivated to saving energy while the utilities derive their income by selling electricity so the motivations are different.

**Q. Have other States enacted Legislation to allow the municipal acquisition of streetlights??**

A. Yes. Massachusetts was the first, passing Massachusetts General Law MGL164 § 34a in 1998. I was the author of that legislation. Prior to that time communities in Marin County California took the eminent domain/condemnation route as a means to take over their streetlights. Following Massachusetts, Connecticut, Maine, Rhode Island and New York have passed similar laws. Additionally there was a period in the 1980's where many utilities were allowing communities to take over the lights. While I am not certain of the reason I suspect it was related to the shift from mercury vapor lighting to high-pressure sodium lighting that took part during the 80's. The utilities would

avoid the capital cost of the conversion to the newer lighting source by selling the assets to the municipalities, generate some revenue and the municipality could complete the conversion saving money thru reduced energy costs.

**Q. Can you describe the process works in Massachusetts?**

A. Generally, in Massachusetts, the community will request preliminary purchase price information, which they will use to analyze the financial benefit of ownership. If they decide to proceed, they give notice of their intent to acquire the lights to the utility and to the Department of Public Utilities (DPU). At that point the utility provides the final purchase price and the parties have 60 days to reach agreement on the terms of sale and the purchase price. If they cannot agree, then they can bring the unresolved issues to the DPU, which has sixty days to develop a resolution. Once the terms are agreed to, the parties sign the Purchase and Sale agreement and, if any streetlights are attached to joint use poles, a License Agreement (modeled after other attachment agreements.) Once the transfer is complete the utility will adjust the billing at the start of the next billing month, except when the transaction has taken place before the tenth of the month, in which case the billing is adjusted to the beginning of the transaction month. In the event there is a dispute over the terms or the price, then once the dispute is resolved and the transaction has been completed the billing adjustment would be retroactive to 60 days from the date of notice of intent. This eliminates the incentive for the utility to drag out the process.

**Q. How has this worked for communities?**

A. Quite well. Overall the typical savings net of all costs have been over 40% just for changing the ownership and when combined with a conversion to LED technology the savings typically exceed 65-70%. The primary reason for such high savings is the community is no longer paying rent for the lights which includes the utility profits, depreciation of the asset and their vary high labor costs. Streetlight work does not require the same level of training or skill as line workers dealing with very

high voltages. Consequently, the communities can hire well qualified people meeting all of the national and state standards at lower cost than a typical utility line worker. Secondly communities do not make a profit nor do they collect depreciation. The cost of the system maintenance and replacement is carried through the maintenance contract. Today over 150 communities in Massachusetts and thirty-one in Rhode island have taken over their streetlights are saving a combined total of over 80 million dollars per year.

**Q. How many communities in Massachusetts have not acquired their lights and why not?**

A. There are 350 communities in Massachusetts and of these 41 have municipal utilities that own their lights and another 150 or more have acquired their lights under the law. This means that some 150 have not taken on the streetlights. In some cases, they have no streetlights or the number is so small it is not an important budget item. For the larger communities most of these are in Western Massachusetts and were former customers of Northeast Utilities who in 2010 as a result of a rate case found a way to drive up the cost of purchase to where the economics became difficult. As an example the Town of Longmeadow was negotiating the original offered purchase price of \$216,000 for 1400 streetlights and as a result of the 2010 rate case this price tag jumped to \$713,000 ending the negotiations. The other issues that affects many western Massachusetts communities is isolation making it difficult to find local contractors able to take on the maintenance services so it becomes easier to leave it in the hands of the utility. Virtually all communities in the eastern part of the state have taken over their streetlights.

**Q. Are there any other reasons besides the savings that this is a good idea?**

A. Yes. Streetlight technology has evolved very rapidly with the advent of the LED (light emitting diode). This technology is more than three times as energy efficient as the current street lighting technology, it lasts four times longer greatly reducing maintenance and disposal costs, and provides superior light distribution and nighttime visibility. Implementation of this technology has generally

only been allowed in communities that own the lights and therefore bear the capital investment costs and risks of premature failure. The many investor owned utilities that have looked at this technology or offer it as part of their tariffs are providing on average less than 15% savings and in some isolated cases actually charge more. In those communities that have converted to LED's it increases the total savings for a community to over 70% from what they currently pay. Additionally, owning the lights should provide the municipality greater flexibility to employ smart controls and other advanced technologies to improve public safety as well as reduce costs. LED lights can with smart controls be remotely dimmed or brightened. As an example in Providence RI when there is a concert or event in Roger Williams park the lights are brightened leading up to the event, dimmed during the performance and ramped back up following the event. The City controls this as can the police department. In this age of the internet of things, IOT, larger cities streetlights can serve as a valuable platform for supporting many municipal services including gun shot detection, traffic monitoring, cameras, traffic signal synchronization, small cell repeaters, local WiFi hot spots, license plate recognition, and weather monitoring to name just a few. Streetlights are ubiquitous in a city or town and are becoming very valuable "real estate". Who should own and control that real estate? The risk and decision making shifts to the community who also has access to lower cost borrowing than is available to the utility companies. In addition, by owning this valuable real estate they control their ability to use this important real estate.

Secondly streetlights are becoming a critical piece of the smart cities technology. They provide an ideal location and have ready power to support all manner of technology to address crime, traffic management, parking, localized WiFi, pollution monitoring, weather monitoring, flooding and so forth. Communities need to control this valuable "real estate".

**Q. Have there been any problems or issues with the communities that have taken over their lights?**

A. None that I am aware of. It is, of course, important the people servicing the lights be properly qualified for the work they are performing. As a general rule municipalities are more risk adverse than the for profit utilities. Additionally, also would remind the Committee that both in Maryland and across the country there are hundreds of municipal power companies operating their distribution systems quite safely and typically at lower costs than their Investor Owned counterparts. In addition, we have found the level of service for the street lighting is actually greatly improved when they are owned by the community with typical repair times being 48 hours or less because the contract for services can include penalties for not meeting response times. Most IOU's treat streetlight repairs as filler work and do not have dedicated staff to this mission. Whereas for a municipally owned system there is a dedicated staff and so response times are greatly improved.

**What were the objections raised by the utility companies and have any of them been proven to be valid?**

A. The IOU's have not been supportive of this change. They will raise many issues in objection to try and block such legislation. Most of their objections will center on alleged safety concerns. They, for example, will argue that they cannot have other non company workers working in their space. However, this is not true as they currently do this all the time. The cable television companies, the phone companies, the wireless companies, private contractors they engage and during emergencies utility crews from all over work on their equipment. Additionally, the tree trimming companies such as Asphlundh also work near their equipment all of the time. The key here is the people working on the lights should have to meet applicable federal and state qualifications for the work they are performing including the OSHA 1910.269. The utilities may argue they do not have a tariff for customer owned streetlights. That tariff should be an energy only tariff and be the same as their current metered outdoor lighting tariff. Further it should provide for the kWh consumption to be calculated as they do now or provided through any device that provides meter grade accuracy (ANSI

C12.20.5). The fact is this has been going on now in Massachusetts for over twenty-one years and there has not been a single incident involving work on streetlights that I am aware of. Further, in both Massachusetts and Rhode Island the utilities have adopted dimming tariffs to provide for part night dimming which results in an added savings

**Q. Are there any pole attachment fees for joint use poles?**

A. No. This was a point of some discussion after the law was passed. The DPU recognized several points. Other attachees to the joint use poles, such as the cable television company, do not consume electricity and therefore the utility has no mechanism to recoup a fair share of the poles maintenance costs and depreciation. In this case a fee is appropriate. Streetlights produce revenue for the company, and with properly designed street lighting rates, the utility captures the pole costs, so no fee is required and would be inappropriate.

Secondly, the utility gains a significant benefit from the no-fee placement of their poles and equipment in the public way, even though this location increases a community's costs for a wide variety of operations.

Finally should the utility be allowed to charge the communities pole attachment fees the communities could and should decide to charge a pole placement fee for use of the right-of-way. Properly constructed the costs of the pole and other distribution components are embedded in the electricity rates. Charging a pole attachment fee would constitute a double charge.

**Q. Do you believe and in your experience is municipal acquisition of streetlights a beneficial program?**

A. Yes absolutely. We now have over twenty-one years of experience with such a program in Massachusetts and seven years in both Main and Rhode Island. Communities where this has occurred are saving a substantial amount of money and are receiving a superior level of service. Street lighting is typically one of the largest utility bills paid by a municipality. Municipal ownership reduces those

costs and creates good paying long term jobs (typically union jobs-IBEW) for private sector companies providing the maintenance services for communities. Additionally communities have the ability to have much greater control over public safety when it comes to street lighting. We have to keep in mind that street lighting technology is changing very rapidly. Ownership by the Cities and Towns gives them the ability to take advantage of this technology on their time schedule not the utilities. It took the IOU's from 1964 when the HPS lamp was introduced until the 1980's to adopt it even though it provided twice the light output per watt as the mercury lamp it replaced. LED technology also offers the opportunity for dimming, timed operations, and flashing which can be controlled from a police squad car or from central dispatch which can aid in locating emergency address location speeding response times or increasing light levels in a crime area while at the same time saving money by reducing wattages when not needed. As the technology matures the streetlight could also supply power using its smart technology to supply the energy usage data to the utility at no added cost to them for other connected devices. The streetlight could become valuable real estate to support micro repeaters for cellular communications, security cameras and so forth and in some cases this space could be rented by the cities to the user creating a benefit both to the City and the utility. The regulated monopoly was created for the benefit of the public and to make electricity available to the poor as well as the wealthy. Municipal ownership of the street lighting assets is very clearly in the best interest of the public with minimal impact on the utility companies.

## **II. Qualifications**

**Q. Please state your name and business address.**

A. My name is George Woodbury and my business address is 1052 Johnson Farm Road, Lillington NC 27546.

**Q. By whom are you employed and in what capacity?**

A. I am a self-employed consultant and President of LightSmart Energy Consulting.

**Q. Please describe your educational background and training.**

A. In 1969 I graduated from The United States Military Academy with a Bachelor of Science degree. In 1977 I graduated from the University of Florida with a Masters degree in Construction Management.

**Q. Please describe your professional experience.**

A. After a career in the military where I earned the rank of Colonel and commanded engineering and other units, I was the Municipal Utility Director and the Public Works Director for Fort Knox, Kentucky from 1992 to 1995. Fort Knox is the sixth largest city in Kentucky and the Municipal Utility is the largest single customer energy load of Louisville Gas and Electric. During my tenure I instituted demand management programs that reduced our energy costs by 24%.

Following retirement from 1995 to 2000 I was the Director of Public Works in Lexington MA. During that time I authored the legislation in Massachusetts that provided for municipal ownership of street lighting and for municipal aggregation, and played a lead role in the Massachusetts Municipal Association's streetlight maintenance program.

From 2000 until the present I have helped 150+ communities in eleven states acquire their streetlight systems and implement energy savings. In this capacity I assisted them with all aspects of the acquisition process, procurement of more energy efficient lighting sources, lighting design, securing and setting up maintenance programs and financing if needed.

For five years, from 2007 thru 2013, I worked for Republic Electric (now a division of Siemens) as a Municipal Consultant on street lighting matters. Republic Electric is the largest street light maintenance company in the country. More recently my son and I are managing the Rhode Island municipal collaborative of 25 communities called PRISM, Partnership for Rhode Island Streetlight Management. This program provides centralized maintenance management of 65,000 streetlights. It also represents these communities in matters before the legislature and the Public Service commission.



PRISM provides a four day maximum turn around for all repairs and the work order clerk personally contacts every citizen the reports an outage to acknowledge receipt of their call as well as to let them know when the light has been repaired.

Among my current clients is a group of communities in Maine, where I have assisted with the passage of legislation allowing municipal ownership of street lighting. I also served as the expert witness for the Rhode Island League of Cities and Municipalities and the Washington County Regional Planning council on their streetlight legislation in 2013. I was actively involved in the rule making process with the utility commissions in both Maine and Rhode Island. I have testified numerous times before various utility commissions on street lighting matters.

I currently serve as a voting member of the American National Standards Institute, ANSI, 136 Committee for outdoor lighting of the National Electrical Manufacturers Association, NEMA that sets the manufacturing standards for outdoor lighting and a member of the Illuminating Engineering Society, IES.

# **SB376\_ChevyChaseVillage**

Uploaded by: Shana Davis-Cook

Position: FWA



February 17, 2022

**VIA ELECTRONIC MAIL**

Senate Finance Committee  
c/o Senator Delores G. Kelley, Chair  
Senator Brian J. Feldman, Vice Chair

**RE: Support, with amendments, for Senate Bill 376**

Dear Senators Kelley and Feldman and Members of the Senate Finance Committee:

Chevy Chase Village hereby submits our support, with amendments pending from the bill sponsor, of Senate Bill 376, the County and Municipal Street Lighting Investment Act.

This enabling legislation will streamline the process for local governments that are considering acquisition for the ownership and maintenance of what are currently utility-owned overhead streetlights. Conversion of utility-owned street lighting to customer-owned lighting is a best practice proven to improve service reliability and reduce costs. In the case of the Village, ownership of the streetlights within our community would allow us to transition to LED technology, which would also have the benefit of reducing energy consumption.

Bill 376 strengthens the original Maryland law enacted in 2007. The Maryland Municipal League and individual municipalities were instrumental in getting the original Maryland legislation passed in 2007 and have supported subsequent efforts to strengthen the law, many of whom are also lending their support to Bill 376.

We urge you to issue a favorable report for SB 376.

Sincerely,

Gary B. Crockett  
Board Treasurer (and Street Lighting Lead)  
Chevy Chase Village Board of Managers

cc: Chevy Chase Village Board of Managers  
Senator Susan Lee (District 16)  
Nathan McCurdy, Counsel, Senate Finance Committee  
Delegate Al Carr (District 18)  
Maryland Municipal League

**CHEVY CHASE VILLAGE**

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SHANA R. DAVIS-COOK

**LEGAL COUNSEL**  
SUELLEN M. FERGUSON

**corrected\_SB376\_FAV\_Lee\_2022.pdf**

Uploaded by: Susan Lee

Position: FWA

SUSAN C. LEE  
Legislative District 16  
Montgomery County

MAJORITY WHIP

Judicial Proceedings Committee

Joint Committee on  
Cybersecurity, Information Technology,  
and Biotechnology

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Maryland Legislative Asian American  
and Pacific Islander Caucus

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Women Legislators of the  
Maryland General Assembly, Inc.



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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

February 15, 2022

Senate Finance Committee

**SB 376 – Favorable - County and Municipal Street Lighting Investment Act**

The County and Municipal Street Lighting Investment Act is enabling legislation that will allow local governments to expedite investments in energy efficient street lighting, thereby cutting our State’s carbon footprint, improving public safety, and allowing municipalities to direct money saved on energy expenditures to other priorities. Light pollution and the amount of greenhouse gases released to generate power for street lights are important public policy issues. Nearly half of a city’s energy cost may come from street lights that they have no control over updating, with potential cost savings in the millions for larger jurisdictions. In addition to the all-important environmental control and cost savings, the streetlight offers an underutilized outlet to smart technology. Please note that there is an amendment that is included in the written testimony. Delegate Carr is the champion for this effort in the House, and working with the PSC, we have identified some changes worth pursuing, in an effort to catch up to our neighbors to the North in [New England](#). There is a viable [model](#) to follow, we just need to enable the locals.

In 2020, this bill was heard in the EHEA committee, and we can guess that the utilities prefer this committee as a venue, because of the private interests associated with the private property of utilities. To be clear, this legislation isn’t about private companies, so much as public goods. The service that utilities provide were the result of negotiations to allow return on investment, in exchange for a regulated monopoly. The need for light in our streets is clear, but not investing in smarter light technology is just dumb. We don’t need high tech in every fixture, but we do want good technology used appropriately for the end users, our constituents.

The light fixtures are also more than the light they produce through the lightbulbs themselves, they serve as an indispensable connection to the community. Utility pole light fixtures have the potential to be smart technology hubs that provide additional public safety utility like gunshot

detection, communications opportunities like Wi-Fi hubs, and health tools like air quality sensors. There is no limit to the uses in the future. The barrier that exists can and should be eliminated with this legislation.

We take street lighting for granted, but the use and maintenance of these fixtures is one of the largest energy expenses for county and municipal governments. Advances in street lighting technology have allowed for those costs to come down across the country; unfortunately, many Maryland cities and counties have not been able to enjoy the breadth of benefits that modern street lighting provides.

In Montgomery County, when we last checked, only 49 of some 28,000 utility-owned street lights in the Pepco territory are of the efficient LED variety. SB 376 allows municipalities to tackle this problem by authorizing local governments to assume ownership of street lighting infrastructure and then partner with the private sector to upgrade that infrastructure. We have modeled the process of local governments assuming ownership of lighting infrastructure on existing procedures that have been successful in other states, including Massachusetts, Rhode Island, California and Pennsylvania. Among other provisions, local governments are required to compensate the current owners of street lighting infrastructure at a fair market price.

We need this legislation so that Marylanders can benefit from the energy saving innovations that other states have embraced. Government at all levels serves the needs of residents, let there be control over street lights for the greater good, if local governments want to take over the ownership of the lights themselves. There is no taking of any private property proposed here, only common sense enabling legislation on behalf Maryland to the elected governments closest to the people.

For all these reasons, I respectfully urge a favorable report on SB 376.

**SB0376-683420-01.pdf**

Uploaded by: Susan Lee

Position: FWA



SB0376/683420/1

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

14 FEB 22  
10:51:56

BY: Senator Lee

(To be offered in the Finance Committee)

AMENDMENTS TO SENATE BILL 376

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “convert” in line 3 down through “tariff,” in line 4; in line 5, after “condemnation,” insert “convert its street lighting service to a customer-owned street lighting tariff.”; strike beginning with “request” in line 6 down through “jurisdiction” in line 7 and substitute “contract with an electric company for the maintenance of the street lighting equipment”; in line 9, after “determine” insert “, in a certain manner.”; in line 10, strike “in a certain manner” and substitute “brought under this Act”; strike beginning with “within” in line 13 down through “time” in line 14 and substitute “, the fair market value of the street lighting equipment, or any other matter regarding the acquisition of certain street lighting equipment”; in line 14, after the first “a” insert “final”; in line 15, strike “acquisition of certain street lighting equipment and the”; and in line 16, strike “within a certain period of time”.

AMENDMENT NO. 2

On page 2, in line 13, after “DEPRECIATION” insert “AND ANY CONTRIBUTION ALREADY PAID TO AN ELECTRIC COMPANY BY A COUNTY OR MUNICIPALITY FOR ACTIVITIES ASSOCIATED WITH THE INSTALLATION OF STREET LIGHTING EQUIPMENT”; in line 18, strike “(4)” and substitute “(4) “MAKE-READY WORK” MEANS ANY STREET LIGHTING EQUIPMENT INFRASTRUCTURE MODIFICATIONS:

(I) REQUIRED TO FACILITATE A TRANSFER OF STREET LIGHTING EQUIPMENT FROM AN ELECTRIC COMPANY TO A COUNTY OR MUNICIPALITY; AND

(Over)



(II) THAT COMPLY WITH ALL APPLICABLE SAFETY AND ELECTRIC CODES.

(5) "STREET LIGHT SERVICE POINT" MEANS THE POINT OF INTERCONNECTION ON A STREET LIGHTING CIRCUIT WHERE OWNERSHIP CHANGES FROM AN ELECTRIC COMPANY TO A COUNTY OR MUNICIPALITY.

(6);

in line 19, after "USED" insert "SOLELY"; in line 25, strike "SUPPLY"; in the same line, after "CIRCUITS" insert "AND EQUIPMENT FROM THE STREET LIGHT SERVICE POINT"; in line 29, strike "LIGHTING TECHNOLOGIES" and substitute "LAMPS"; in the same line, strike "AND"; and in line 30, strike "LIGHTING TECHNOLOGIES" and substitute "LAMPS; AND

6. OLDER LAMP TYPES SUCH AS HIGH PRESSURE SODIUM, MERCURY VAPOR, METAL HALIDE, OR INCANDESCENT".

On page 3, in line 4, strike "ARE MANDATED TO"; in line 11, after "(3)" insert "EFFICIENCY UPGRADES TO"; strike beginning with "IS" in line 11 down through "PRESENTS" in line 12 and substitute "EQUIPMENT PRESENT"; strike beginning with "THERE" in line 18 down through "(6)" in line 21; in line 25, strike "(7)" and substitute "(6)"; and in line 28, strike "ILLUMINATION" and substitute "DURABILITY".

On page 4, in line 2, after "OWNERSHIP" insert "AND MAINTENANCE,"; strike beginning with "ONLY" in line 2 down through "CONSUMED" in line 3 and substitute "DISTRIBUTION SERVICE COSTS, THE COSTS OF ANY MAKE-READY WORK PERFORMED BY AN ELECTRIC COMPANY, AND OPTIONAL ELECTRIC COMPANY-PROVIDED MAINTENANCE AND REPAIR COSTS"; in line 15, strike "60 DAYS"

WRITTEN” and substitute “WRITTEN”; strike beginning with “CONVERT” in line 21 down through “(II)” in line 24; in line 26, strike “AND”; after line 26, insert:

“(II) AFTER ACQUISITION, CONVERT ITS STREET LIGHTING SERVICE TO A CUSTOMER-OWNED STREET LIGHTING TARIFF SET IN ACCORDANCE WITH § 4-212 OF THE PUBLIC UTILITIES ARTICLE; AND”;

in line 27, after “ELECTRICITY” insert “FROM A RETAIL SUPPLIER LICENSED UNDER § 7-507 OF THE PUBLIC UTILITIES ARTICLE OR THE ELECTRIC COMPANY”; in line 29, strike the second “TO” and substitute “ON”; in line 31, after “CONDEMNATION” insert “IN ACCORDANCE WITH TITLE 12 OF THE REAL PROPERTY ARTICLE”; and in line 32, strike “(1)”.

On page 5, in line 3, after “equipment” insert “AND THE COST OF ALL MAKE-READY WORK PERFORMED BY THE ELECTRIC COMPANY”; strike in their entirety lines 4 through 14, inclusive; in line 19, after “with” insert “THE ELECTRIC COMPANY OR”; and in line 21, strike “ALTERATION” and substitute “CHANGE”.

On page 6, in line 10, after “EQUIPMENT” insert “UNLESS REQUIRED BY STATE LAW OR REGULATION”; strike beginning with “WITHIN” in line 21 down through “A” in line 23 and substitute “A”; in line 24, after “SUBSECTION” insert “SHALL BE CONSIDERED BY THE PUBLIC SERVICE COMMISSION IN ACCORDANCE WITH THE COMPLAINT PROCEDURES ESTABLISHED UNDER § 3-102 OF THE PUBLIC UTILITIES ARTICLE”; in line 26, after “PROCEEDING” insert “BROUGHT UNDER THIS SECTION”; and in line 32, strike “THIS” and substitute “THIS”.

On page 7, in line 4, strike “ONLY”; in the same line, strike “FEES” and substitute “SERVICE COSTS AND THE COSTS OF ANY APPLICABLE MAKE-READY WORK PERFORMED BY THE ELECTRIC COMPANY”; in line 7, strike “ANNUAL”; in line 9, after “INCLUDE” insert “MANDATORY”; in line 28, strike “WITHIN 75 DAYS AFTER” and

(Over)

substitute "AFTER"; in line 32, strike "**WITHIN 75 DAYS AFTER RECEIPT OF A REQUEST FOR RESOLUTION, THE**" and substitute "THE"; and in line 33, after the first "A" insert "FINAL".

On page 8, in line 2, after "SECTION" insert "THAT IS SUBMITTED IN ACCORDANCE WITH THE COMPLAINT PROCEDURES ESTABLISHED IN § 3-102 OF THIS ARTICLE".

# **In support of the County and Municipal Street Ligh**

Uploaded by: Virginia Quesada

Position: FWA



Town of Washington Grove  
300 Grove Avenue  
P.O. Box 216  
Washington Grove, MD 20880  
301-926-2256

February 11, 2022

The Maryland Senate Finance Committee  
The Maryland House Economic Matters Committee  
Senate Bill 376 (Lee)  
House Bill 1083 (Carr)

**Re: I'm writing to urge you act favorably and pass *The County and Municipal Street Lighting Investment Act* to strengthen the option for municipalities in Maryland to own their own streetlight fixtures.**

The Town of Washington Grove (TWG) is a small municipality in Montgomery County, Maryland. The Town is on the National Register of Historic Places, and its lighting is included as a Historic Associated Feature in the National Register Historic District Listing.

In cooperation with Pepco, TWG has done several energy-efficient conversions of our streetlights that have helped reduce our lighting costs while improving service. TWG does not own our streetlight fixtures and poles; they are currently owned by Pepco. Had Pepco's recent Multi-Year Plan Rate Case 9655 been successful, it is likely that both our historic lighting and the savings we have managed to develop over the years would have been in jeopardy. Pepco's Multi Year Plan Case 9655 eliminated the option for a municipality to own its streetlight fixtures unless the fixtures were already LED.

There may be significant economic advantages for a municipality to own its own streetlights. For most municipalities in the United States their highest utility cost is their streetlights. And by the numbers, the municipalities around the USA who have opted to purchase their own streetlights have saved a lot of money in the process!

Additionally, these municipalities have been able to improve their streetlight fixture maintenance process by now having the option of hiring certified technicians for their maintenance.

Another critical benefit of owning your own streetlights is the ability to control the aesthetics of the lighting in your communities. You can design and evolve your streetlights to meet the needs of your municipality.

Several New England states have moved towards allowing communities the right to purchase their streetlights from their local utility. In Massachusetts this option was passed in 1998 and since that time nearly 120 communities have purchased their lights, including the Cities of Boston, Fall River, New Bedford, and some communities as small as Royalston with its 70 lights. They are experiencing substantial savings.

TWG has been working with the consultant who was responsible for the legislation in Massachusetts and assisted both Maine and Rhode Island with similar legislation. He has also worked with over 120 communities assisting them through the streetlight acquisition process. By experience, it seems that most communities could benefit from the right to own their lights. They can also realize a substantial improvement in street lighting service by employing maintenance contracts with penalties for failure to meet performance standards.

Communities benefit from being able to select the kind of lighting they want and being billed based on energy usage. Ownership will provide communities the flexibility to make those choices.

I am not suggesting that this is an easy task or undertaking for any municipality. In fact, despite the Maryland law enacted in 2007 that gave Maryland municipalities the right to own their streetlights, Pepco has been able to circumvent the intent of that legislation with process and delays. In our region, Washington D.C. is the only jurisdiction that has been successful in purchasing their overhead streetlights from Pepco.

**There needs to a meaningful path to municipal ownership for those who want the option of owning and maintaining streetlights of their own choosing. With the proposed new legislation, the opportunities for Maryland Municipalities to engage in fair negotiations for the ownership of their streetlight fixtures would be strengthened.**

**I speak for the Town of Washington Grove and its residents that we support passage of *The County and Municipal Street Lighting Investment Act* - Senate Bill 376 (Lee) House Bill 1083 (Carr).**

**Thank you for supporting this legislation!**

Sincerely yours,

A handwritten signature in black ink, appearing to read "John G. Compton".

John G. Compton  
Mayor, Town of Washington Grove

# **BGE - SB 376 County and Municipal Street Lighting**

Uploaded by: Allyson Black

Position: UNF

OPPOSE  
Senate Finance Committee  
02/15/2022

## **Senate Bill 376 County and Municipal Street Lighting Investment Act**

Baltimore Gas and Electric Company (BGE) opposes *Senate Bill 376 County and Municipal Street Lighting Investment Act*, which would authorize counties and municipalities to purchase utility-owned streetlights for the utility's original purchase price, less depreciation. Upon purchasing the streetlights and any associated equipment, a local government would be authorized to install alternate energy street lighting technologies. Utilities would be required to offer alternate-energy only tariffs to provide electrical service to the county and municipality-owned streetlights.

Maryland Code, Local Governments § 1-1309 already provides counties and municipalities the right to purchase street lighting equipment from the utility at fair market value. To date, this existing right has not been exercised by a local jurisdiction within BGE's service territory.

Of note, the bill's definition of 'fair market value' is not consistent with the commonly understood definition and is instead the definition for 'net book value.' Fair market value is the price at which an asset would change hands between a willing and informed buyer and seller and not simply the depreciated cost of the asset in a company's accounting records. In fact, Title 12 of the Real Property Article defines fair market value of property in a condemnation proceeding as "the price as of the valuation date for the highest and best use of the property which a vendor, willing but not obligated to sell, would accept for the property, and which a purchaser, willing but not obligated to buy, would pay..."

In addition to the purchase price formula referenced in Senate Bill 376, other costs and factors associated with transfer of ownership should be considered, including the fact that utility-owned streetlights are often attached to poles that are entirely or jointly owned by the utilities, such as BGE and Verizon. County or municipal purchase of streetlights may also require payment to the utility for pole rental and other associated pole attachment fees.

Although the bill states that joint use poles are not considered to be Street Light Equipment, to the extent that any of the lighting fixtures are attached to poles jointly owned by the telecommunication company, the county or municipality would be responsible for any necessary arrangements with and payments to the telecommunications company.



Additionally, BGE would need to revise the configuration of the street lighting system so that the county, municipality or third-party personnel could safely work on the fixtures, which would have associated charges.

Additionally, BGE's existing street light tariff already offers counties and municipalities the options that appear to be the goal of Senate Bill 376. BGE's street light tariff allows counties and municipalities to own and maintain unmetered street lighting just as the tariff already allows a local jurisdiction to select their own electric supplier. Furthermore, BGE's street light maintenance program is very strong, having already converted over 83 percent of the company-owned overhead street lights to LED, with multiple maintenance options. In addition, BGE offers counties and municipalities a wide variety of LED fixtures to choose from and at lower rates in most cases.

BGE strongly opposes this legislation as it attempts to deny the realization of fair market value for any street lighting equipment sold to a local government. The ability for a local jurisdiction to purchase streetlights currently exists; however, it is inappropriate to attempt to negate the costs and responsibilities associated with such a purchase.

For these reasons, BGE respectfully requests that the Committee vote unfavorable 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.

**2022-SB376\_PHI Opp\_V5.pdf**

Uploaded by: Katie Lanzarotto

Position: UNF



February 15, 2020

112 West Street  
Annapolis, MD 21401

**OPPOSE – Senate Bill 376  
County and Municipal Street Light Investment Act**

Potomac Electric Power Company (Pepco) and Delmarva Power & Light Company (Delmarva Power) **oppose Senate Bill 376 County and Municipal Street Light Investment Act.** Senate Bill 376 would authorize counties and municipalities to purchase utility-owned streetlights for the utility’s original purchase price, less depreciation. Upon purchasing the streetlights and any associated equipment, local governments would be authorized to install alternate energy street lighting technologies. Utilities would be required to offer customer-owned street lighting tariffs to provide electrical service to the county and municipality-owned streetlights.

This bill, or a similar version of it, has been introduced in at least six prior sessions in Maryland. In each of those years, like Senate Bill 376 before you, the “compensation” that would be paid to a utility company whose streetlights have been acquired through condemnation or otherwise does not properly value this equipment. Streetlights are utility assets. Any valuation of a streetlight should include the revenue to the company that would be lost as a result of the sale. Senate Bill 376 does not take this value into account—rather it refers to book value only.

Senate Bill 376 is also unnecessary. The current valuation process is well-defined in the Pepco and Delmarva Power tariffs: after a customer requests to purchase Company-owned streetlights, an assessor is sent to conduct a valuation of the streetlight assets and then the customer is sent the price of those assets. This valuation accounts for revenues the company would forgo if it no longer owns the lights. Pepco and Delmarva Power have been responsive to local governments who have expressed interest in purchasing their streetlights and we remain willing to negotiate the terms of streetlight sales with the municipalities in our service areas. By creating a definition of “Fair Market Value” that does not include the value of the revenues, Senate Bill 376 would require Pepco and Delmarva Power to accept an artificially low price for these streetlights that, in fact, does not represent the fair market value of the asset, which would be an unconstitutional taking. Additionally, the section of the bill related to a jury trial for streetlight condemnation would be costly and unnecessary for all parties involved.

In 2021, Pepco proposed a plan to roll out a streetlight upgrade program across its Maryland service areas to upgrade the lights to light-emitting diodes (LEDs) with smart node technology, which would decrease greenhouse gas emissions and create smarter, brighter lighting options for municipalities. Unfortunately, the Public Service Commission (PSC) did not approve this program but did reserve Pepco’s ability to seek similar programs. Taking into account the feedback provided by the PSC, local stakeholders, and customers, Pepco anticipates re-filing a streetlight

upgrade program in the near future. In addition, Pepco and Delmarva Power also plan to file updates to our streetlighting tariffs to further clarify the point of ownership of streetlights. The ownership agreement provided to the customer will stipulate that the service conductor attaching the luminaire to the Company's distribution system is purchased by the customer. Customers who purchase their streetlights and perform their own maintenance would be billed accordingly. Customers who own their streetlights and provide their own maintenance would not be charged monthly fixed or maintenance charges.

For the above reasons Pepco and Delmarva Power respectfully request an unfavorable vote on Senate Bill 376.

Contact:

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State Affairs Manager  
609-412-6345

[Alexis.gallagher@exeloncorp.com](mailto:Alexis.gallagher@exeloncorp.com)

Katie Lanzarotto  
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# **FE - Opposition Letter SB 376.pdf**

Uploaded by: Kim Mayhew

Position: UNF

**OPPOSE – Senate Bill 376**  
**SB 376 – County and Municipal Street Lighting Investment Act**  
**Senate Finance Committee**  
**Thursday, February 15, 2022**

Potomac Edison, a subsidiary of FirstEnergy Corp., serves approximately 275,000 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, and Maryland.

**Unfavorable**

**Potomac Edison opposes Senate Bill 376 – County and Municipal Street Lighting Investment Act.** Senate Bill 376 would allow a county or municipality to convert its street lighting service to a customer-owned street lighting tariff, acquire certain street lighting equipment by purchase or condemnation, enter into an agreement to purchase electricity, and request that an electric company remove certain street lighting equipment in the county's or municipality's jurisdiction. Counties and municipalities already have the authority to install their own street lighting systems and shop for an electricity supplier in Maryland. This legislation seems only to allow the acquisition of a street lighting system at a significantly reduced cost, in lieu of paying for their own system.

**FirstEnergy requests an Unfavorable report on SB 376 for the following reasons.**

This legislation allows for the “taking” of street lighting and street lighting equipment without the need of public benefit. Beyond the assumption of lower cost, there is no “greater good” identified for the public at large in this bill.

The “Alternative Energy Only Tariff” portion of SB 376 is very confusing. In Maryland, there is no “energy only” distribution service. The distribution of electricity requires more than just the specific facilities used to serve a streetlight. Distribution service includes an allocated share of the supporting distribution infrastructure and back-office support needed to provide electricity. Distribution is based primarily on fixed costs and does not necessarily vary with the amount of energy consumed. Other customers should not have to subsidize these costs. In addition, the bill provides no standards for light fixtures or sizes -- thus making correctly determining consumption difficult, if not impossible, for electric companies.

Many of the declarations in section (B) of SB 376 are false, misleading or inaccurate in some way. Taxpayers are not mandated to pay for streetlighting -- it is an elective service offered to counties and municipalities, and the Public Service Commission determines just and reasonable rates. Counties and municipalities determine streetlighting placement by selecting exactly where they want fixtures located. Streetlights use very little energy, but to help reduce their carbon footprint further, communities can choose to have their generation provided by renewable resource providers. As for maintenance, the current Maryland tariff states that Potomac Edison will replace burned-out lamps and maintain the equipment during regular daytime working hours as soon as practicable, following notification by the customer. Communities need to consider the serious safety and liability issues when working around high voltage energized facilities. In addition, legislation is not needed for better illumination. Potomac Edison offers a menu of streetlighting options. If the customer wants more illumination, they simply select a light with more lumens.

SB 376 is not in alignment with Potomac Edison's duty to provide street lighting solutions that ensure the safety of residents and the general public. The issues contemplated by this legislation are already subject to Maryland Public Service Commission oversight, and any community with issues can get them resolved through their process.

For the above reasons, Potomac Edison respectfully request an **Unfavorable** vote on Senate Bill 376.



**SB 376\_JStanek\_Info.pdf**

Uploaded by: Jason Stanek

Position: INFO

COMMISSIONERS

STATE OF MARYLAND

JASON M. STANEK  
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MINDY L. HERMAN



## PUBLIC SERVICE COMMISSION

February 15, 2022

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

### **RE: SB 376 – INFORMATION – County and Municipal Street Lighting Investment Act**

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

Senate Bill 376 specifies the conditions under which a local government may acquire street lighting equipment from an electric utility and requires utilities to submit relevant tariffs to the Commission. The Commission would be required to resolve resulting disputes. We appreciate the ongoing dialogue with the sponsor and believe that proposed amendments address the implementation issues outlined below.

First, SB 376 defines fair market value based on the equipment cost less accumulated depreciation and excludes up front customer contributions, which could result in customers overpaying. Second, SB 376 raises engineering and safety concerns. The “streetlight service point” should be part of the streetlight equipment definition because this is where ownership transitions from the utility to the customer and therefore determines which state and federal safety codes apply. Furthermore, a circuit disconnect must be installed in a streetlight by the utility as “make-ready” work to facilitate the purchase and safe transfer of street lighting assets to the county or municipality. SB 376 should address make-ready work, which would also include any necessary modifications or rearrangements to the utility system to ensure the safety and reliability of the system.

If disputes arise between the utility and the county or municipality over the fair market value of the equipment and/or the scope of any make-ready work required, the Commission has existing complaint procedures under § 3-102 of the Public Utilities Article, which include filings, hearings, and potential appeals. The distinct dispute resolution process outlined in SB 376, as introduced, is unnecessary; it will not be possible to afford the parties due process and issue a decision within 75 days. No other formal complaint process at the Commission has a 75-day deadline.

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

Website: [www.psc.state.md.us](http://www.psc.state.md.us)

Finally, SB 376 requires electric utilities to submit to the Commission a customer-owned street lighting tariff and requires the Commission to issue a decision within 75 days. No other type of tariff has a 75-day deadline for review and approval. Moreover, the stated period is unrealistic for resolving disputes arising from the new tariff in a manner that ensures fairness and process to the parties. As explained above, the Commission's existing dispute resolution process and PUA § 3-102 should be used rather than creating a new and distinct process for streetlight acquisitions.

The sponsor's proposed amendments to SB 376 resolve the Commission's concerns outlined above. If the Committee issues a favorable report on SB 376, we urge the adoption of the amendments, which address several critical issues. Please contact Lisa Smith, Director of Legislative Affairs, at 410-336-6288, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason M. Stanek". The signature is fluid and cursive, with the first name "Jason" and last name "Stanek" clearly legible.

Jason M. Stanek  
Chairman