

## **SECTION 3 OF THE VILLAGE OF CHEVY CHASE**

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February 13, 2023

**RE: In support of H.B. 459**

To: Chair, Economic Matters

Delegate C.T. Wilson and Members of the Committee:

Section 3 of the Village of Chevy Chase is a very small community, just 1/10<sup>th</sup> of a square mile, about 800 citizens in Montgomery County. I am the Village Manager and have been asked to present our views in support of passage of H.B. 459.

As a community, we have been working since 2009 to acquire proper lighting for our streets after the State Legislature made it legal for counties and municipalities to do so in 2007. Unfortunately, the law did not create a path to enable us to do so and we met with much resistance from Pepco. The Public Service Commission has been supportive of our efforts this past year to get Pepco to alter its positions and we are still trying to work with them but this enabling legislation would go far to resolving many of the disputes we have had with Pepco and better define the PSC's role in resolving problems.

The lighting in our Village was designed for a community with far fewer homes than we now have. We hired a municipal lighting designer to analyze our lighting and redesign their layout so that our streets would be safer and we wouldn't have dangerous dark spots. At that time, we had Mercury vapor lighting. Without specific notice to us, rather a press release issued a year earlier, Pepco came into our community and replaced all the mercury vapor lights with high pressure sodium vapor lighting—something we did NOT want, and do not want. That was fourteen years ago. Since that time, induction streetlights (which we wanted) are no longer being manufactured in favor of LED lighting, which while energy efficient, has an unpleasant glare.

In 2009, we approached Pepco with the idea that we wanted to purchase our own lighting and maintain the lights ourselves. At the moment, about a third of our bill goes to maintenance fees and we pay for lighting we do not want or like. While Pepco has been responsive in replacing lights when they go out, other maintenance is minimal at best. Some of the brackets holding up our lights are rusted, improperly attached and easily more than 40 years old. The offerings Pepco now has do not protect the night sky, do not provide dimming which would lower costs and be less harmful to wildlife. They are not in keeping with the decorative, community enhancing choices we would like to acquire.

We would like to come to an agreement with Pepco without drama and without unfair pricing. Without this bill, we are handicapped. We need your help to make it possible for both the counties and municipalities to negotiate in good faith equitable arrangements to replace outdated lighting with lighting of our choice for our residents. Pepco is acting as if municipal or County ownership is a "slippery slope" for them despite the fact that revenues from all the

streetlights in their distribution area represent a small fraction of their total revenue. We ask that you pass this thoughtful enabling legislation to make it easier for us to achieve our goal of providing better more energy efficient street lighting for our residents.