



February 15, 2024

112 West Street
Annapolis, MD 21401

**Letter of Information – Senate Bill 401- Department of Transportation and Maryland
Transportation Authority - Utilities Installation - Data Submission**

Potomac Electric Power Company (Pepco) and Delmarva Power & Light Company (Delmarva Power) submit this letter of information on **Senate Bill 401- Department of Transportation and Maryland Transportation Authority - Utilities Installation - Data Submission**. Senate Bill 401 requires utility owners to submit to the Maryland Department of Transportation (MDOT) and Maryland Transit Authority (MTA) the location and type of services installed or relocated within 60 days of the completion of the installation or relocation of a project. The legislation requires the location information provided to MDOT and MTA be georeferenced in a digital format. If the 60 days is not met, MDOT or MTA can require the removal of facilities, infrastructure or appurtenances for which the location or service type was not properly submitted and deny the issuance of any future permits requested by the utility owner.

Based on the conversations with MDOT and SHA, it is our understanding that the intent of the legislation is to provide agencies with a better record as to where critical infrastructure is and specific changes that have been made. Pepco and Delmarva Power support the adoption of an electronic submission process, but are concerned about the georeferenced format, as it provides exact locations and other sensitive information, which may be provided to an unsecured system. There are heightened requirements under specific federal cybersecurity and homeland security statutes concerning Critical Energy Infrastructure Information (CEII) that must be kept secure that utilities comply with. Finally, Pepco and Delmarva Power believe MDOT and SHA already have access to the information they are requesting based on the information readily accessible in a permit application.

Pepco and Delmarva Power are committed to working with the bill sponsors, MDOT and SHA to come up with a resolution that provides MDOT with the information they are requesting, but does not threaten the security of our critical infrastructure.

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