

Department of Legislative Services  
Maryland General Assembly  
2013 Session

FISCAL AND POLICY NOTE

House Bill 1238 (Delegate Hucker)  
Economic Matters

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Utility Companies - Removal of Lines from Utility Poles

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This bill requires electric companies and telephone companies to coordinate when planning to remove lines attached to their utility poles under specified circumstances. The Public Service Commission (PSC) may adopt regulations or issue orders to develop a process for the coordination of the removal of all lines from a utility pole.

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Fiscal Summary

**State Effect:** PSC can implement the bill with existing budgeted resources.

**Local Effect:** Minimal.

**Small Business Effect:** None.

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Analysis

**Bill Summary:** The bill applies to an electric company or a telephone company that plans to remove lines from a pole that (1) the company owns; (2) is used by another authorized company to attach lines; and (3) the company plans to remove or replace. The electric or telephone company must coordinate with the other applicable companies on the timing of the removal of all lines attached to a pole so that all lines are removed within 60 days after the first lines are removed from the pole.

**Current Law:** “Electric company” means a person who physically transmits or distributes electricity in the State to a retail electric customer. “Telephone company” means a public service company (utility) that owns telephone lines to receive, transmit, or communicate telephone or teletype communications, or leases, licenses, or sells telephone or teletype communications. It does not include a cellular telephone company.

PSC regulations require electric infrastructure to be constructed, installed, maintained, and operated in accordance with accepted good engineering practice in the electric industry to assure, as far as reasonably possible, continuity of service, uniformity in the quality of service furnished, and the safety of persons and property. Each electric company must adopt written operation and maintenance procedures for its electric plant in order to determine the necessity for replacement and repair.

PSC regulations require each telephone company to furnish and maintain adequate plant, equipment, and facilities to provide satisfactory transmission of communications between customers in its service area. A telephone company must adopt a program of periodic tests, inspections, and other preventive maintenance activity to provide safe, adequate, and reliable service.

**Background:** Utility poles often support both electric and telephone lines, which may be owned by either an electric company or a telephone company. The bill addresses an issue that arises when one company removes lines attached to utility poles without adequate coordination with other applicable entities, which may lead to duplicative electric or telephone infrastructure.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 853 (Senator Ramirez) - Finance.

**Information Source(s):** Public Service Commission, Department of Legislative Services

**Fiscal Note History:** First Reader - March 8, 2013  
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