

Resolution No.: 18-47
Introduced: January 20, 2015
Adopted: January 27, 2015

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Councilmembers Berliner, Rice, Riemer, Hucker, Katz, Floreen, Elrich and Navarro

SUBJECT: Resolution to urge Maryland Public Service Commission to endorse Comment of M-NCPPC regarding power line right-of-way trails in considering the sale of Pepco to Exelon

Background

1. On April 30, 2014, it was announced that Exelon had agreed to purchase Pepco for \$6.83 billion.
2. This purchase is currently being reviewed by the Maryland Public Service Commission as Case number 9361.
3. Many residents in Montgomery County have expressed interest in the use of electric transmission rights-of-way for recreational uses.
4. In the testimony of its expert witness Eric Coffman, Montgomery County called for the merged entity to work with local government and community stakeholders to consider requests for use of infrastructure for recreation and community improvement purposes.
5. A consortium of outdoor organizations—Mid-Atlantic Off-Road Enthusiasts (MORE), Trail Riders of Today, Inc. (TROT), Potomac Bridle and Hiking Trail Association, Inc. (PBHTA), Equestrian Partners in Conservation, Inc. (EPIC), Potomac Appalachian Trail Club, Inc. (PATC), Montgomery County Road Runners Association, Inc. (MCRRA), the International Mountain Bicycling Association, Inc. (IMBA), the Maryland Horse Council, Inc. (MHC), and the American Hiking Society (AHS)—have intervened in the merger case to call for new trails to be constructed along electric transmission rights-of-way. In addition, Peggy Dennis, of the Montgomery County Civic Federation, and John Z. Wetmore have galvanized public support on this issue and raised awareness of successful right-of-way trails in other communities.

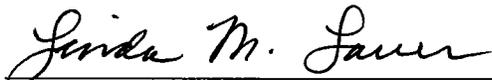
6. The Maryland-National Capital Park and Planning Commission, through Planning Board Chair Casey Anderson, has offered official comment requesting that the Public Service Commission consider, as condition of approval, granting trail public access to utility rights-of-way, cooperating with M-NCPPC to evaluate feasibility of recreational trail development along rights-of-way, allowing recreational use of paved and gravel utility access roads, working with M-NCPPC to identify appropriate locations for trail access and related trail parking, and considering including in Pepco's budget meaningful funding for construction, operation, and maintenance of trails along its rights-of-way.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

The Council urges that the Maryland Public Service Commission strongly consider the recreational use of trails on utility rights-of-way as a condition of approval of the sale of Pepco to Exelon.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council