



HEARING NOTES

Resolution: 23-0179R

Informational Hearing – Gas Regulator Installation Location

Committee: Health, Environment, and Technology
Chaired by: Danielle McCray

Hearing Date: July 12, 2023
Time (Beginning): 5:05 PM
Time (Ending): 7:25 PM
Location: Du Burns Council Chamber / Webex Virtual Hearing
Total Attendance: Approximately 90 people
Committee Members in Attendance:
Danielle McCray John Bullock Mark Conway
Phylicia Porter James Torrence

Bill Synopsis in the file? [X] YES [ ] NO [ ] N/A
Attendance sheet in the file? [X] YES [ ] NO [ ] N/A
Agency reports read? [X] YES [ ] NO [ ] N/A
Hearing televised or audio-digitally recorded? [X] YES [ ] NO [ ] N/A
Certification of advertising/posting notices in the file? [ ] YES [ ] NO [X] N/A
Evidence of notification to property owners? [ ] YES [ ] NO [X] N/A
Final vote taken at this hearing? [ ] YES [X] NO [ ] N/A
Motioned by:
Seconded by:
Final Vote:

Major Speakers

(This is not an attendance record.)

- Kevin Nelson, BGE Representative
Sean Corman, BGE Representative
Eric Holcomb, Executive Director - Commission for Historical and Architectural Preservation
Corren Johnson, Director - Department of Transportation
Jeff Hochstetler, Baltimore City Law Department

---

## Major Issues Discussed

1. Chairwoman McCray called the hearing to order and introduced the council members in attendance.
2. Councilman Stokes gave opening remarks. He addressed confusion over the safety concerns of BGE gas regulators being outside homes of city residents.
3. The committee heard public testimony. Public testimony included concerns over various issues regarding the installation of BGE gas regulators outside residents' homes. Aesthetic and preservation concerns, public and traffic safety concerns, were all voiced in opposition to the installation of these gas regulators.
4. Eric Holcomb, Executive Director of CHAP, gave an overview of the report from the commission. He noted that they agreed to hold a special hearing to feature testimony from BGE, the Public Service Commission, and other pertinent parties and will present information on what other large cities are doing in similar situations. He also noted that CHAP agrees that these regulators are unsightly but stated that safety concerns may necessitate the installation. Corren Johnson, Director of the Department of Transportation, noted that DOT issued a permit to BGE on April 11, 2022, covering work within the public right-of-way.
5. Representatives from BGE discussed the installation of external gas regulators:
  - a) BGE representatives spoke and addressed safety, legal, and historic preservation concerns related to the installation of gas regulators.
  - b) BGE explained their process of submitting requests to the PSC for evaluating exemption requirements and coordination in specific cases.
  - c) BGE highlighted their efforts to engage and communicate with customers during projects.
  - d) The public can provide comments during the upcoming PSC hearing on outdoor regulators through the administrative process.
6. Council members asked the following questions:
  - a) Does the Mayor's Office or any other agency have any plans to participate or give comments and feedback during the upcoming hearing regarding this issue? It is the city's role to support this process, and any information that can be provided to facilitate the process will be granted.
  - b) There is a moratorium during the winter when BGE cannot turn off a resident's gas. With that being the case, how can you turn off service during these periods because a customer elects not to participate in this program? There are time frames where this utility can and cannot be cut off. But this policy has been put in place by the Public Service Commission. While the moratorium is aimed at revenue and non-payments, this focused on the project work, and turn off only happens after several notices.
  - c) (To BGE) how do you weigh exemption requirements? BGE would submit a request to the PSC to evaluate the situation. There has not been a need to do this since there has not been a case to warrant such an exemption.
  - d) Can you explain the differences in safety in instances where interior installations have been completed? There are means to install regulators inside a customer's home; however, if something were to go wrong, there are possible negative factors, such as the regulator venting into the interior space of the building. Installing outside allows the gas to dissipate in case something goes wrong with the regulator.

- e) Can the installation of these regulators have an impact on rates? Is it BGE's intention for this to impact a customer's rates? Yes, the cost is passed on to customers. It is not practical to do maintenance and repair without these services being funded.
  - f) Does the Law Department believe that CHAP has the legal authority to deny the installation of an external gas regulator? The Law Department representative declined to answer with respect to attorney-client privilege. He urged that they would continue to assist CHAP's requests, in accordance with state safety regulation laws.
  - g) Councilman Costello asked for a direct response to his question and asked to be briefed later this week. The Law Department representative agreed to the briefing.
  - h) How will this infrastructure investment in fossil fuels be in alignment with the state's climate goals? BGE has published a "Path to Clean" which provides insight on how this transition can happen without immediately cutting gas. Shifting to solely electric will cost a significant amount of money and infrastructure.
  - i) Who gave additional authorization for BGE to be able to install regulators beyond multi-family homes and new constructions? As a utility, BGE was already given authorization by the PSC. BGE did not need direct approval to mandate external gas regulators.
  - j) Whenever a gas service regulator is located or relocated outside, it must be installed away from any area where it may be damaged by vehicle traffic or external factors. How have you addressed these circumstances? Where we require protection from vehicle collisions is wherever equipment is installed within 3 feet of a drivable surface. If there is an instance where the equipment is installed within this zone, then bollards are required to be installed.
7. A special hearing was agreed upon by CHAP with an emphasis on scheduling it by mid-August.

### Further Study

**Was further study requested?**

Yes    No

**If yes, describe.**

1. The Committee will schedule additional hearings on the resolution in the future.
2. The Commission for Historical and Architectural preservation will hold a public hearing (expected in mid-August) to hear testimony and discuss the installation of exterior gas regulators.
3. The Law Department will brief council members on whether CHAP has the legal authority to deny the installation of gas regulators.
4. DOT will provide a report on the number of permits issued to BGE for gas regulator installation between April 2022 and April 2023.
5. DOT and BGE will develop a process to flag permits related to gas regulator installation and notify council members to keep the City Council informed of pending work.
6. BGE will provide data on the number of complaints related to gas service disruptions.
7. The Law Department will provide clarification on the liability for injuries resulting from the gas regulators.

---

**Committee Vote:**

D. McCray: .....  
J. Bullock: .....  
M. Conway: .....  
R. Dorsey: .....  
P. Porter: .....  
J. Torrence: .....  
I. Schleifer: .....

---

Deontre Hayes, Committee Staff

Date: July 12, 2023

Cc: Bill File  
OCS Chrono File