

**PENNSYLVANIA PUBLIC UTILITY COMMISSION  
HARRISBURG, PENNSYLVANIA 17120**

**Commission Review of Vegetation  
Management Practices**

**Public Meeting August 31, 2017  
2622073-CMR**

**STATEMENT OF COMMISSIONER JOHN F. COLEMAN, JR.**

I agree with convening a collaborative to explore vegetation management best practices, and look forward to reviewing the results of this process. I will give serious consideration to the results of this collaborative and any subsequent recommendations prepared by our staff.


However, I do not agree with some of the commentary offered in support of this Motion, and the scope of the proposed review.

I am not ready to conclude, at the beginning of this process, that our regulations are flawed or inadequate. These regulations were subject to a robust review and approval process, and enjoy the presumption of reasonableness as a matter of law. The issue that appears to be generating the most concern is the use of herbicides within rights of way. The regulation of herbicides may lie outside our jurisdiction, and it is well recognized that the Commission cannot resolve disputes involving the scope of easements established pursuant to private contracts. I do not believe it wise to criticize our regulations or raise expectations about matters we may be powerless to change without legislation.

Finally, I believe that the process we use to review and resolve disputes between utilities and customers is appropriate, and should be not part of this proceeding. The Commission's statutorily-prescribed complaint process has been and continues to be adequate to address challenges to vegetation management practices. Parties have the right to file a complaint and have a right to be heard on their complaint, which includes the right to an evidentiary hearing to resolve any disputes over material facts.

Accordingly, I will dissent from this Motion.

**Date: August 31, 2017**

  
**JOHN F. COLEMAN, JR.  
COMMISSIONER**