

**BEFORE THE
PA PUBLIC UTILITY COMMISSION**

DEBORAH A. REDMAN,

Complainant

V.

FIRST ENERGY AND PENELEC,
CHARLES E. JONES, JR.
CEO, FirstEnergy Corp.
76 Main St.
Akron, OH 44308,

Respondent

No. C-2019-3013582

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**COMPLAINANT'S RESPONSE TO
RESPONDENT'S ANSWER**

Comes now Complainant Dr. Deborah A. Redman and responds to the

Respondent's Answer. In a nutshell, her response is this:

- I. Because the state of Pennsylvania has *designated wisteria as an invasive species that poses an "ecological threat" and must be controlled, i.e., killed and removed,¹ no other course of action but destruction of the wisteria is possible.* Laypersons, however, cannot destroy the plant, as it is on the power lines. It is therefore the responsibility of the power companies, i.e., First Energy and Penelec, to destroy the wisteria.

- II. No other course of action but granting Complainant her requests and relief is possible because no one has appeared for First Energy, the parent company of Penelec, thus signaling that First Energy has no objections to Complainant Redman's requests and they should, therefore, be granted in

¹ See the PA Department of Conservation and National Resources (DCNR) fact sheet "Invasive Species in Pennsylvania: Chinese and Japanese Wisteria," available in flier form from the state and as a PDF on the DCNR website. A copy is annexed as *Att. 1* for the convenience of the parties.

full.

- III. All attempts at seeking relief have been clearly prejudicial to Complainant and at odds with the legal framework, underscoring the need to transfer this Complaint to an unbiased group of residents in the Meadville/Erie area willing to hear it.
- IV. Complainant's requests for relief are valid, as relief is only appropriate if it deters similar actions by the power companies in the future and does not deter consumers from filing complaints.

So this is crystal clear, there is no choice but for the energy companies to destroy the wisteria on and around the power lines. Not to do so would subject the power companies and the Public Utility Commission (PUC) and any supporting groups to litigation.

A detailed summary of the arguments before the PUC appears below. The reader should note that the paragraphs below are numbered separately so they do not correspond to the parts of the PUC complaint form that Dr. Redman was made to use.

I. Because the state of Pennsylvania has *designated wisteria as an invasive species that poses an "ecological threat" and must be controlled – i.e., killed and removed, no other course of action but destruction of the wisteria is possible.* Laypersons, however, cannot destroy the plant, as it is on the power lines. It is therefore the responsibility of the power companies, i.e., First Energy and Penelec, to destroy the wisteria. _____

I-A There is no dispute that the Chinese wisteria on 414 Park Avenue in Meadville where Complainant Dr. Redman lives has invaded the property, including encroachment on the power lines under control of First Energy and Penelec, and that Chinese wisteria under Pennsylvania law is invasive, an ecological threat, and must, under the law, be destroyed.

1. Complainant Redman, *who is disabled and relies on an electric scooter to get around*, lives at *414 Park Avenue* in Meadville, PA (Crawford County). On the property

line with 404 Park Avenue (Dr. Redman's neighbor to the north, who joins in the substance of this complaint), Chinese wisteria has girdled the trees at the edge of both properties, is strangling them, and has attached itself to the nearby power lines. The plant is old and very large so it looks like a tree. It has spread everywhere on 414 Park Avenue, both above and below ground, and onto neighboring properties. Dr. Redman can see that at least 5 other properties are affected.

2. The state of Pennsylvania has designated wisteria as an invasive species. To alert the public, the PA Department of Conservation and National Resources (DCNR) has developed a fact sheet that *warns that wisteria is invasive, poses an "ecological threat," and must be controlled – i.e., killed and removed.* See *Att. I*, the DCNR fact sheet "Invasive Species in Pennsylvania: Chinese and Japanese Wisteria," available in flier form from the state and as a PDF on the DCNR website.²

3. Given that Pennsylvania law mandates the destruction of Chinese wisteria, the main plant, which is located on the border of 414 and 404 Park Avenue in Meadville and is strangling an old, now half-dead apple tree, along with all of its self-propagation must be destroyed. It needs to be eliminated as soon as possible before the wisteria does more damage, as it is creating:

- life-threatening conditions for Redman,
- costs to the power companies (First Energy and Penelec).

² Type in the search function "invasive plants" and/or "invasive plant fact sheets."

- degrading conditions for residents of and visitors to the property, and
- damage to the vegetation, houses, and other structures on and around 414 Park Avenue.

4. It cannot be emphasized enough how dangerous Chinese wisteria is. It threatens the entire town of Meadville. Due to its girdling-strangling effects, wisteria not only kills plant life, it destroys buildings. “Houses can be torn apart as wisteria vines creep through cracks and crevices.” McGee, Kimberley. “Why Don't You Plant Wisteria Close to Your House?” | Home Guides | SF Gate <https://homeguides.sfgate.com/don't-plant-wisteria-close-house-104847.html> 1/9. Accessed 11-27-2019. (A copy is attached as *Att. 2*.) It has displaced roofs, causing leaks, and clogged gutters.

Underground, its roots clog sewage pipes, causing toilets to clog and back up on the property, a problem Complainant is suffering from. *See* Gilmer, Maureen. “Five Landscape Mistakes: How to Avoid Expensive Problems Caused by Misplaced Plants.” LandscapingNetwork.com, <https://www.landscapingnetwork.com/plants/mistakes.html>. Accessed 11-27-2019. For the reader’s convenience, a copy is attached as *Att. 3*.

Wisteria even wreaks havoc on power lines. Its shoots entwine the lines, causing abrasion, especially in winds, that wears away the insulation on the lines. *Id.*

I-B Only the power companies (First Energy and Penelec) can remove the wisteria, as it is on the power lines, making removal too dangerous for laypersons.

5. Because the wisteria and trees it is strangling are on the power lines, someone from First Energy and/or Penelec must remove the wisteria and vegetation it is

killing. This is a commonsense safety measure.

I-C The power companies (First Energy/Penelec) irrationally refuse to remove the wisteria.

6. Over a year ago, in fall 2018, Dr. Redman asked First Energy/Penelec to remove the wisteria and in October 2018 it started removal, but was stopped by a downpour. The forester and agent from the power companies advised Dr. Redman to call in the spring and have them finish, but when she called in early 2019, *First Energy/Penelec Forester Nick Brooks* appeared on the property and refused even though he clearly understood the consequences for the power companies and for Redman and her neighbors. Clearly amused, Brooks advised Redman, who is mobility impaired, to climb the wisteria tree and take it down herself.

7. To get a clearer understanding of the situation, Dr. Redman contacted the *state forester for Crawford County, Mark Lewis*, who advised that the main wisteria plant, which is like a tree, be killed through the hack and squirt method. That means cutting a deep notch into the wisteria tree and injecting glyphosate (Roundup, an herbicide) into the notch. Once the wisteria dies, the wisteria tree and entwined vegetation can be removed. The advice of the Crawford County forester bolsters the irrationality of the decision of First Energy/Penelec Forester Brooks.

8. To get further clarification, Dr. Redman sought out a wide variety of printed materials on Chinese wisteria, including Pennsylvania DCNR fact sheet (*Att. I*). The literature on wisteria, including the DCNR fact sheet, make clear that the wisteria must be

destroyed and there are a number of reasons why a layperson should not attempt to down a large wisteria tree (not on electric lines), e.g., the tree could fall on the person, chemicals are dangerous.

II. No other course of action but granting Complainant her requests and relief is possible because no one has appeared for First Energy, the parent company of Penelec, thus signaling that First Energy has no objections to Complainant Redman's requests and they should, therefore, be granted in full. _____

9. First Energy has not appeared in this dispute, a signal it has no objections. As this complaint is fully grounded in the law (see section I above), Dr. Redman's requests must be granted.

III. All attempts at seeking relief have been clearly prejudicial to Complainant and at odds with the legal framework, underscoring the need to transfer this Complaint to an unbiased group of residents in the Meadville/Erie area willing to hear it.

III-A The Formal Complaints with the PUC, both essentially the same in substance on the wisteria and its need to be removed by the power companies, were handled prejudicially, underscoring the need to transfer this case to an unbiased body such as a willing group of residents from the Meadville/Erie area. _____

10. Given *Forester Brooks'* irrational response, Dr. Redman was forced to file a Formal Complaint with the Public Utility Commission. She specifically skipped an Informal Complaint.

11. Her First Formal Complaint is *dated 16 September 2019* and in the simplest terms raises these issues that are *life-threatening for Dr. Redman:*

- (a) It makes the home uninhabitable and greatly increases the risk of a fall, both life-threatening for Complainant. The wisteria roots appear

to have clogged the sewer lines so that both toilets in the house back up, at times so bad that it takes the entire day to open them up. Dr. Redman is mobility impaired and cannot keep going upstairs to the second-floor toilet, which works better given the long drop to the sewage pipes, because the downstairs toilet clogs chronically. She has a very limited ability to walk (about half an hour spread over a day), yet has to go upstairs to the second-floor toilet to defecate. Even toilet paper in the downstairs toilet causes serious clogging. It is so bad that at times she has to deposit used tissue in a waste paper basket and carry it upstairs. When the downstairs toilet clogs, it has taken as long as a day to unclog it and the additional hot water and Green Gobbler drain cleaner has cost her many hundreds of dollars (over \$300 to date). She is unable to frequently stand and use a plunger on the toilets, often for more than an hour, to free up the line, without becoming dizzy and ill (and unable to work effectively) for weeks.

- (b) Due to wisteria's strangling action on vegetation, dead branches, some very large, frequently come down. If they hit Dr. Redman or others on the property, the large branches would certainly harm them, possibly kill them. *See* the photo showing some of the large branches that have come down on the property (#5 in *Att. 6*).
- (c) The huge amount of debris from strangled vegetation causes a lot of cleanup time, challenging Dr. Redman because she is disabled and normally uses an electric scooter, but cannot use it in the yard and is forced to stand, walk, carry heavy branches and bags of debris – all of which she cannot do without becoming ill.

12. Complainant's First Formal Complaint (16 September) in the simplest terms raises these issues that *harm the power companies*:

- (a) The wisteria wears away the insulation on the lines, increasing costs for the power companies. It can also cause a spark and possibly fire. *See Att. 3*, the Gilmer article, the section on power line interference.
- (b) The wisteria grows so quickly it is a considerable cost for the power companies to come out multiple times each year to trim it away from the lines,

13. Complainant's First Formal Complaint (16 September) in the simplest terms raises these issues that *harm the owner of the property*:

- (a) The wisteria has already damaged the property. Both owner and Tenant Redman tried to clear the sewage lines to get the toilets to function. It did not work and continuing efforts will be in vain until the wisteria is completely removed. If the wisteria problem is not addressed quickly, it has the potential to cause worse destruction – to destroy the house and shed on the property.

14. Complainant's First Formal Complaint (16 September) in the simplest terms raises these issues that *harm Complainant's neighbors and the city of Meadville*:

- (a) The wisteria can be seen on the properties of 5 neighbors. It has all the destructive potential that exists on 414 Park Avenue. Dr. Redman's neighbor at 404 Park Avenue has expressed distress from damage caused by the wisteria tree and the fact that he cannot take it down due to the safety concerns.

15. Complainant's First Formal Complaint (16 September) also raises the issue that the wisteria on lines interrupts electric power and TV reception.

16. PUC Agent Ricky Wijaya responded to Dr. Redman's First Complaint.

Details are given in the next section, III-B.

17. It appeared that the PUC wanted Dr. Redman to use their Complaint Form, so a Second Formal Complaint, *dated October 9, 2019*, was filed using the 6-page PUC form. The Second Formal Complaint incorporated the First Formal Complaint and included new sections from the form such as the verification section and information on legal representation, prior utility contact, and protection from abuse.

18. Penelec Attorney Morris responded to the Second Complaint with an Answer

and New Matter of Penelec, dated November 6, 2019.

III-B Complainant's First Formal Complaint was not investigated. The PUC agent, Ricky Wijaya, simply determined what the power companies' position was and supported them.

19. *PUC Agent Wijaya's* response to Dr. Redman's Complaint (*Att. 4*) is the crudest form of circular reasoning (unsound reasoning) Dr. Redman has seen – that the power companies should always get PUC's support – and she has seen lots of circular reasoning as she teaches university students (and law students) how to recognize unsound reasoning and avoid it in their arguments.

20. Dr. Redman's letter to PUC dated 9 October 2019 contains a list of prejudicial responses by *PUC Agent Wijaya*. A sample of his prejudices are reproduced here:

- (a) Wijaya advances the view that the owner of 414 Park Street opposes having the wisteria removed, which is patently false. See owner Leveto's position in writing, *Att. 5*.
- (b) Wijaya makes up "facts" that are in polar opposition to the truth.
- (c) Wijaya claims the power lines are clear even though viewing the photos (*Att. 6*) or going out to the property clearly contradicts this. His view leads to the irrational situation where Penelec and PUC are on the side of damaging the lines and increasing costs for the power companies.

III-C Penelec Attorney Morris's Position in a Nutshell is Dr. Redman's complaints are "impertinent and scandalous," there is no service problem, and her complaints may only be heard by PUC.

21. Penelec Attorney Morris notes that Dr. Redman raised in her Complaint "*impertinent and scandalous allegations*" and then explains in a footnote she means

Redman's complaints that the power companies' actions could harm her and that the employees of the power companies are not "neutral, honest, or good-willed." Answer, p. 2. But these are not allegations. They are facts. The power companies are not good-willed and their actions do constitute a threat to Redman's life, especially because she is disabled, and to others on the property since healthy people would be seriously harmed if very large branches came down on them. *See* photo 5, *Att. 6*. As mentioned, Dr. Redman is harmed daily by having to take stairs to go to the upstairs bathroom because the downstairs bathroom clogs chronically. The same goes for standing to clear clogs in both toilets and for cleaning up the debris.

22. When Penelec Attorney Morris captioned her Answer, she excluded Defendants First Energy and its CEO, apparently a ploy to cut losses. But lawyers of defendants may not strike defendants as they please. (Presumably, she believes she will be viewed as the more enlightened representative because she is a lawyer. But Dr. Redman has advised federal judges on the merits of cases, is an expert on discrimination and its effects, and more.)

23. Penelec Attorney Morris *denies there is a service problem*. Answer, par. 4. But the photos in *Att. 6* are the proof, capturing the wisteria on lines and the debris and thus supporting Dr. Redman's conclusions.

24. The power companies have not taken cognizance of the fact that Complainant is disabled and the additional threats that poses. Penelec Attorney Morris *admitted in a*

lengthy conversation on Tuesday, 3 December 2019, that she does not know anything about the Americans with Disabilities Act (ADA). But the power companies are state entities and must comply with the ADA so they should have this knowledge.

25. Penelec Attorney Morris **claims this matter cannot be transferred to another body.** Answer, p. 4. But the Commission must have a mechanism to ensure the matter is assessed fairly if there has been a history of prejudicial and inappropriate behavior and it must comply with the Americans with Disabilities Act, which clearly allows for changes in procedure to accommodate a disabled participant in a proceeding.

IV. Complainant's requests for relief are valid, as relief is only appropriate if it deters similar actions by the power companies in the future and does not deter consumers from filing complaints. _____

26. Whereupon, Complainant Redman requests that the *Deciding Body* should rule promptly that:

- (1) ***FirstEngery/Penelec should destroy the trees/wisteria on 414 Park Avenue and all affected neighboring properties by late spring 2020.***

The power companies should kill and remove the main wisteria via the "hack and squirt method," kill and remove all the self-propagation, and remove all of the debris from the premises (including the debris it left in the earlier visit) **by end of 2019.**

- (2) ***The power companies must monitor the conditions.***

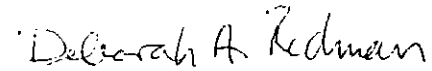
The power companies must call resident (814-853-3770) every non-winter month through 2020 to see if any of the wisteria has survived. If it has, the power companies must destroy it and remove debris and monitor for another year.

- (3) ***The power companies must provide monetary relief to the resident.***

Although Dr. Redman has been living on the property for 2 years and can easily

earn \$600,000 a year (as an economist, expert witness, and more) when not burdened with problems caused by wisteria and wrangling with the Electric Power Companies, she asks only for compensation for the time since she actively reported it, in other words, from September 2018 on. Through December 2019 that means \$50K x 16 months, or **\$800,000.**

Yours respectfully,



Deborah A. Redman
414 Park Ave.
Meadville, PA 16335
Tel: 814-853-3770

Wednesday, 11 December 2019 (put in U.S. mail)

Verification: I, Deborah A. Redman, hereby state that the facts set forth above are true and correct to the best of my knowledge, information, and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa C.S. §4904 (relating to unsworn falsification to authorities).

Date: 12-11-2019



Deborah A. Redman

Attachments:

- 1 PA Department of Conservation and National Resources (DCNR) fact sheet "Invasive Species in Pennsylvania: Chinese and Japanese Wisteria." (2 pp.)
- 2 Article by Kimberley McGee. "Why Don't You Plant Wisteria Close to Your House?" | Home Guides | SF Gate <https://homeguides.sfgate.com/don't-plant-wisteria-close-house-104847.html> 1/9. Accessed 11-27-2019. (2 pp.)
- 3 Article by Maureen Gilmer. "Five Landscape Mistakes: How to Avoid Expensive Problems Caused by Misplaced Plants." LandscapingNetwork.com, <https://www>.

landscapingnetwork.com/plants/mistakes.html. Accessed 11-27-2019. (4 pp.)

- 4 Ricky Wijaya's letter, dated 08-21-2019
- 5 Owner David Leveto's note confirming he wants the wisteria destroyed
- 6 A sample of photographs that show the wisteria and its effects (6 photos on 3 pages)

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of December 2019 I served a copy of this Complainant's Response to Respondent's Answer on Attorney Margaret A. Morris at Reger Rizzo Darnall, Cira Centre, 13th Fl., 2929 Arch St., Philadelphia, PA 19104 by putting a copy in the U.S. mail, postage prepaid.

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Deborah A. Redman

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Watch List Species

Invasive Plants in Pennsylvania

Chinese and Japanese Wisteria

Wisteria sinensis and *Wisteria floribunda*

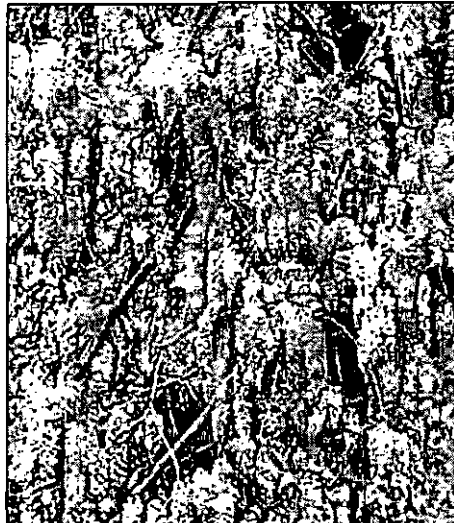


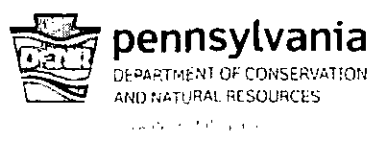
Photo: Chris Evans, River to River CWMA, www.invasive.org

Background:

Exotic wisterias are popular ornamental landscape plants that can escape from yards into natural areas. They were brought to the U.S. in the early 1800s.

Range:

Chinese wisteria is more widespread than the Japanese species, but both can be found throughout much of the east coast, particularly in the south. Chinese wisteria can be found as far north as New England.



Description:

Wisteria are long-lived, deciduous, woody climbing vines that may reach a height of 60 to 70 feet or more. Chinese wisteria vines are brown-gray in color with fine white hairs, while the Japanese wisteria vines are smooth and brown. Both can attain a diameter of 15 inches or more. The compound leaves alternate along the stem and have many leaflets (Japanese: up to 19, Chinese: up to 13). The flowers are showy, violet-blue in color and occur in long drooping clusters.

Habitat:

Wisteria prefers full sun, but established vines can grow and reproduce in partial shade. It is tolerant of a variety of soil types and moisture levels, but prefers loamy, well-drained soils. Infestations are commonly found along forest edges, roadsides and rights-of-way.



Photo: James Miller, USDA FS, www.invasive.org

Biology and Spread:

Most infestations of exotic wisterias appear to be the result of persistent vegetative spread of old plantings, although seed propagation is also possible. Four to six seeds are contained within each fuzzy, flat five-inch-long fruit.



Photo: James Miller & Ted Bodner, Southern Weed Science Society, www.invasive.org

Ecological Threat:

Because of the twining nature of these vines, they can outcompete trees and other vegetation for canopy space. A dense, nearly impenetrable thicket can result, inhibiting normal forest succession.

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How to Control this Species:

A combination of methods yields the best results.

Manual

For small infestations, hand-pull, getting the roots too. Bag and dispose of all plant parts. Any portion of the root remaining in the ground may re-sprout.

For vines in trees, cut the stem, pull out the rooted portion, and leave the vine in the tree. Do not attempt to pull it out as it could cause damage to the tree or fall and injure you.

Look-A-Likes:

American wisteria (*shown below*) has smaller flower clusters and smooth seed pods. The stems are brown to reddish-brown and smooth. The vines twine clockwise around a tree, whereas the exotics twine counter-clockwise.



Photo: James Miller & Ted Bodner, Southern Weed Science Society.

Chemical

For vines climbing up trees or buildings, cut the stem and apply a concentrated systemic herbicide like triclopyr or glyphosate to the cut surface of the rooted portion of the vine.

For large infestations, a foliar herbicide may be the best option, rather than manual or mechanical removal which could disturb too much soil. The ideal time to spray is when the plant has gone dormant in October or November.

Native Alternatives:

There is a native American wisteria (*Wisteria frutescens L. Poir.*) that grows from Virginia to Florida. It is not as common in the nursery trade as the exotics. Other native vine alternatives include trumpet creeper (*Campsis radicans*), trumpet honeysuckle (*Lonicera sempervirens*) and crossvine (*Bignonia capreolata*) - shown below.



Photo: James Miller & Ted Bodner, Southern Weed Science Society.
www.fatestryimages.org

References:

Plant Conservation Alliance's Least Wanted factsheets:
<http://www.nps.gov/plants/alien/fact/wist1.htm>

Invasive Exotic Plant Tutorial for Land Managers: <http://www.dcnr.state.pa.us/forestry/invasivetutorial/wisteria.htm>

For More Information:

To learn more about invasive plants in Pennsylvania and the northeast, here are some useful resources:

DCNR Invasive Species Site: <http://www.dcnr.state.pa.us/conservationscience/invasivespecies/index.htm>

Plant Invaders of Mid-Atlantic Natural Areas, National Park Service: <http://www.nps.gov/plants/alien/pubs/midatlantic/midatlantic.pdf>

McGee, Kimberley. "Why Don't You Plant Wisteria Close to Your House?" | Home Guides | SF Gate, <https://homeguides.sfgate.com/dont-plant-wisteria-close-house-104847.html> 1/9. Accessed 5-21-2019 and 11-28-2019.

The long, fragrant curtains of blossoms that adorn wisteria (*Wisteria* spp.) make it seem like a lovely addition to your garden. However, the super-fast growth habit of many wisteria varieties make the genus an unwelcome addition to land that's right by your house, or any other structure that you want to keep in one piece. Planting wisteria by your house isn't something you want to do because the vines of wisteria are aggressive growers that can cause substantial damage, even to houses.

Know Your Type

The wisteria genus has 10 species, with numerous cultivars; however, the Ohio University Extension notes that only two species are usually planted in gardens. Japanese wisteria (*Wisteria floribunda*), which grows in U.S. Department of Agriculture plant hardiness zones 4 to 9, has drooping white, blue, violet, or lavender bloom clusters that can reach over 3 feet in length. Chinese wisteria (*Wisteria sinensis*), hardy in USDA zones 5 to 8, has 1-foot-long flower clusters in blue, white or purple, with a mix of blue and white being very common. There is also American wisteria (*Wisteria frutescens*), growing in USDA zones 6 to 9, which has smaller clusters of white or purple blooms. Wisteria is usually considered a vine, though the Old Farmer's Almanac calls it both a shrub and a vine.

Steady Destruction

Wisteria is such a fast and strong grower that its vines can destroy the structures on which the plant is growing. Tree trunks can sustain serious damage -- and thinner trunks under 10 inches in diameter can actually die -- from the girdling effects of wisteria growing around the trunk. Houses can be torn apart as wisteria vines creep through cracks and crevices. In an article for the U.K.'s Independent newspaper in 2007, writer Emma Townshend recounted how she'd found that the wisteria she'd planted against her house had grown underneath the roof tiles, displacing enough material to cause a roof leak. The Ohio State University Extension says wisteria vines can also clog gutters.

Invasive Status

Chinese and Japanese wisteria are both considered invasive in many parts of the country. They grow so fast that they quickly take over areas, pushing out native plants. They'll also use other plants as substitute trellises, eventually killing the other plants. The Old Farmer's Almanac warns that wisteria can grow as much as 10 feet in one year. Wisteria

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plants escape cultivation easily, and you must keep a constant eye on the vines' growth. The Center for Aquatic and Invasive Plants at the University of Florida notes that pieces that you've cut off the plant can take root and form new plants. Fine Gardening advises American wisteria does not send out suckers, and the Lady Bird Johnson Wildflower Center says it's not as destructive toward buildings as Japanese and Chinese wisteria. However, you should double-check with your area's extension office to see if American wisteria is considered invasive in your area.

Remote Locations

If wisteria isn't considered invasive in your area, you can plant it away from structures, but keep an eye on its growth. Inspect all structures that host wisteria regularly to ensure the vines have not tried to squeeze their way in between parts of the structure. If you find wisteria is choking out other plants, like trees, the Ohio State University Extension says to cut the girdling vine back to the soil line and remove the portions of the vine that have wrapped themselves around the other plant.

SFGATE HOME GUIDES

5/21/2019 Why Don't You Plant Wisteria Close to Your House? | Home Guides | SF Gate
<https://homeguides.sfgate.com/dont-plant-wisteria-close-house-104847.html> 3/9



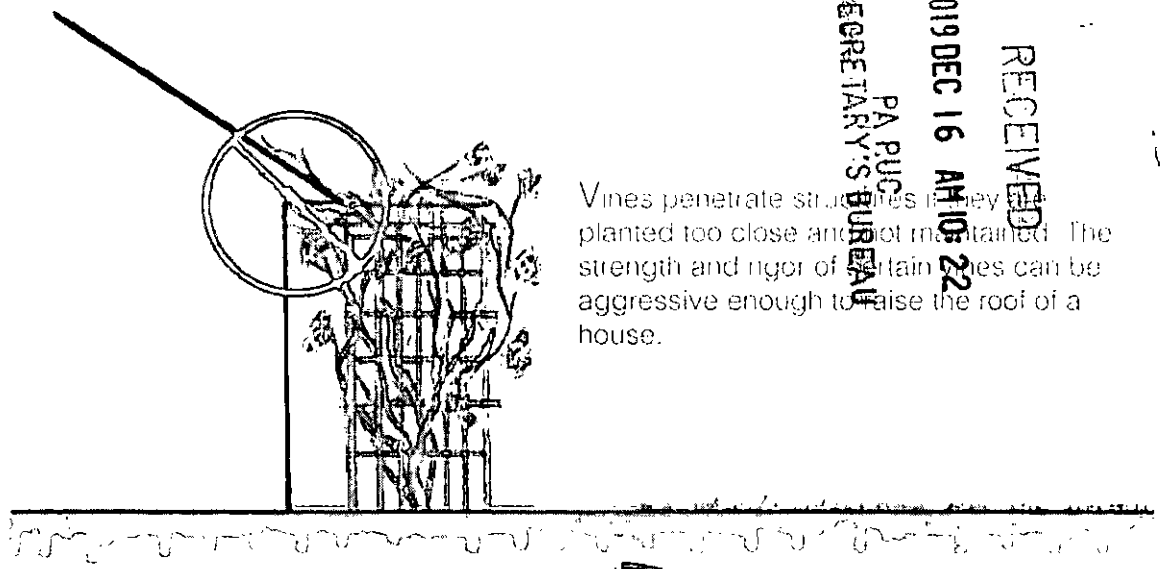
AH. 3

FIVE LANDSCAPE PLANTING MISTAKES

How to avoid expensive problems caused by misplaced plants

By Maureen Gilmer

Swipe to view slides



Vines penetrate structures if they are planted too close and not maintained. The strength and vigor of certain vines can be aggressive enough to raise the roof of a house.

Vines that produce slender runners can penetrate gaps in a structure. As they grow thicker, they can cause severe damage.

In a residential landscape, there will be mistakes. Some of these are related to construction and appear immediately, but others don't present themselves until many years later. The majority of these are related to plants which can become problems as they mature. An innocent little sapling can indeed become a destructive monster ten years later. Such mistakes can be enormous and very expensive to resolve. Landscape architects fear the potential law suits they cause. So to free yourself from the most costly repairs and even the prospect of litigation, avoid the following five bad planting ideas.

1. Vines penetrate structure

There is nothing more beautiful than a front porch dripping with long lavender wisteria blossoms in spring. But one home engulfed with this vine literally had its roof raised by the pressure. This is one of the vines that produces slender runners that are adept at penetrating the tiniest slots and gaps in a structure. Runners gradually grow thicker over time, and harden into woody branches. A thin runner that penetrates a gap in your eaves will increase in diameter with each new season. When it exceeds the allowances of the space this plant is strong enough to pull nails out of lumber raising up a roof joist a few millimeters every year.

This example doesn't mean you can't enjoy wisteria, it just means that you must be attentive to its adventurous growth and cut it back enough each year to reveal any penetration. The same applies to English ivy which also reaches large diameter with time. If you are not willing or able to give your vines this kind of attention, then it's best not to plant them.

Pro Tip: *Vines allowed to grow up tree trunks into the canopy can kill their host. Those that climb telephone poles can be very expensive to remove. A good rule of thumb is "Never allow your vines to grow beyond the reach of your ladder.*

Possible Problem Plants

Problematic large vines: Wisteria, English Ivy, Honeysuckle, Trumpet Vine, Grapes

Trees with problem roots: Maple, Poplar, Willow, Locust, Fig

2. Underground utility invasion

When the toilet won't flush and the kitchen drain clogs up, chances are you have roots in the sewer line. This problem can arise from trees and shrubs planted on or next to water lines, sewer, septic tanks and leach fields. While all trees are water seekers, there are two groups that are the biggest offenders: water lovers such as willow and drought tolerant species such as locust. Willows and their kin produce a vast network of fine roots designed to hold banks of rivers, and these are the most able to penetrate the tiny gaps in underground pipes. Drought tolerant species evolved large and aggressive root systems able to travel a great distance and to surprising depths to reach water in their arid homelands. Both groups are excellent water sensors and always root directly toward any regular source.

It's always wise to know exactly where all your underground utilities lie on site. This includes underground electric, phone and cable because these must be accessible for future service. If there is a large shrub or tree growing on top of the line, replacement or repair is next to impossible without damaging or even killing the plant. Keep woody plants well away from all utilities to save you plumbing problems and replacement dilemmas when things go awry in the future.

Pro Tip: *Trees considered fast growing often produce aggressive roots to feed all that new growth.*

3. Power line interference

Most power companies advertise their mantra: Don't Plant Under Power Lines. They must budget tremendous amounts of money each year to have old established trees pruned back due to interference. If they don't prune them, there is always a threat that

your trees may cause damages that could end up costing you plenty. Also be fully aware of utility easements on your property which are provided in the event that overhead lines are one day underground. Trees on or at this easement will be destroyed should this change occur.

Abrasion is one of the key causes of damage to power lines, which is caused when wind moves tree branches back and forth where contacting the wires. This gradually wears away the insulating cover to eventually expose twigs to the bare copper wire. This can cause a short that can blow up a transformer or start a fire. The primary offenders are palm trees with dead fronds that contact the wires or poles. Even the slightest spark can lodge in the dry tinder of a palm and set it on fire.

If overhead utilities exist on your site, make sure your planting is well away from the lines. This requires a knowledge of how large a tree will be at maturity to ensure there is enough clearance. Otherwise you will suffer the tragic practical pruning of trees that leaves them flat topped or the canopy cut in half to allow lines to travel through unencumbered.

4. Set back from masonry

Anywhere you have paving, foundations, curbs and other forms of masonry, consider how close the trees are to these elements. Masonry tends to trap moisture in the soils beneath a concrete slab, for instance. Trees located near that slab will try to root there to access the cool damp conditions in the heat of summer. Year after year they continue tapping into this resource, and like vines, grow larger in diameter. The result is inevitably pressure upon the masonry, no matter what kind it is, and soon it will crack or buckle under the pressure.

Not only do you want to set the tree or large shrub back from the masonry, be sure to select a tree that bears a well-behaved root system. City street tree lists are often the best source of species screened for local adaptability and a lack of aggressive rooting. If there's no way to avoid placing a tree near masonry, install a root barrier product to separate roots from masonry underground. This device works with newly planted container root ball, preventing it from branching out horizontally so growth is forced downward, to reach deeper soil moisture.

5. Property line disputes

Large trees, shrubs and vines on property lines are the bane of city public works and the money makers for lawyers and tree trimmers. The potential size of a large tree at maturity is enough to negatively influence conditions in your neighbors' yards. It may shed litter, produce hazardous branches, send roots under the fence to invade the lawn and present a dozen other common problems that crop up on property lines. And if you neighbor has a swimming pool, consider this doubly important.

To preserve your next door relationship and avoid litigation, keep shade trees well inside your lot. Avoid invasive vines on perimeter fences and walls because inevitably they'll find conditions more to their liking next door. If your neighbor is not a lover of

plants, this results in serious conflicts. Where there is a situation of liability present, such as a dangerous overhanging limb that could fall on a person or vehicle in the next storm, the cost to remove it can become a bone of contention since this can require a cherry picker or other special equipment if access is limited. If you fail to correct this and someone is hurt, you may find yourself in court accused of negligence.

Getting plant selection and placement right from the beginning will help you avoid major headaches and costly repairs. Vines and trees with aggressive roots are examples of plants that can mature into problems. You can avoid planting mistakes by knowing the growth habits of the plants you select, as well as their mature size. Don't be afraid to ask your designer about this especially when it comes to plants that will be growing near your homes eaves, underground utilities, power lines, masonry work, or property lines.

Do you love learning about plants? Then you will enjoy [Garden Design magazine](#)—the quarterly magazine for design-conscious readers!

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PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

Att. 4

IN REPLY PLEASE
REFER TO OUR FILE

Date: 8/21/2019

Case #: 3709810

RECEIVED
2019 DEC 16 AM 10:22
PA PUC
SECRETARY'S BUREAU

Deborah Redman
414 Park Ave.
Meadville PA 16335

Dear Deborah Redman,

On 6/13/2019, you contacted the Public Utility Commission's Bureau of Consumer Services and filed an informal complaint against PENELEC. You stated that the Company came out in October 2018 to take down the Wisteria tree and vines but did not complete the job. You stated that now the Company notified you that they will not remove the tree. You stated that the Wisteria leaves and vines effect the quality of service and clogged the sewage line. You were seeking the PUC assistance to get the trees removed and get a financial compensation for the lack of response from the Company. We contacted the Company in an effort to resolve your complaint.

The Company reported that in October 2018, a company personnel trimmed the vines away from the service line. The Company reported that you contacted the Company stated that they removed some parts of a tree from the wires but still bits of the tree wrapped around the wire and would like them to be removed. The representative provided information to their Forestry department to investigate.

The Company reported that on 4/16/2019, the Forestry Department spoke to you and explained that the Company would not be trimming at the location and the service line to your house is clear. The Company reported that on 4/17/2019, the Forestry Department left a message for the property owner of the property explaining after an inspection of the line, the service lines are clear, and no bushes would be cut as requested by the tenant. On 6/4/2019, the Forestry Department spoke to you again and explained that the vines in dispute had been cut when circuit was trimmed, and no work is needed. The Company reported that on 6/17/2019, the Meadville Line Department removed the remaining dead and dried up wisteria wrapped around the triplex. The Company reported that the service is clear, no further tree work needs to be completed at the site and the property owner is satisfied.

The PUC is not a compensatory agency and as we discussed on 8/19/2019, the Company does not have to remove the trees. I advised you that you have the rights to a formal complaint and explain to you the formal complaint process.

Please note, at the informal level, the Bureau of Consumer Services has limited authority to resolve your service issue, and we have closed your informal complaint. However, you do have the right to file a formal complaint where your service issue may be further addressed. You do not need a lawyer to file a formal complaint if you have a residential service account. The formal complaint process involves a legal proceeding before a PUC Administrative Law Judge (ALJ), similar to a trial.

This means that you and the utility must present facts on the issues raised in your complaint to the ALJ. You must participate in a hearing, respond to questions from the utility, and prove why the judge should uphold your position.

If you have questions concerning this information, please call 1-800-692-7380 ext. 1821. If you would like formal complaint forms, visit our website at www.puc.pa.gov or call 717-772-7777.

Sincerely,

Ricky Wijaya
Investigator

AH. 5

FROM: David J. Leveto
1100 South Street
Saegertown, PA 16433

To Whom It May Concern:

I am the owner of the property at 414 Park Avenue, Meadville, PA 16335.

This is to let you know that I do not oppose removing the trees/wisteria treelike vines that are on the power lines. Quite the contrary, I want Penelec to remove them since the wisteria is destroying the property but cannot be removed by a layperson because they are on the power lines.

Sincerely,



David J. Leveto

RECEIVED
2019 DEC 16 AM 10:22
PA PUC
SECRETARY'S BUREAU

Att. 6

RECEIVED
2019 DEC 16 AM 10:23
PA PUC
SECRETARY'S BUREAU

photo 1



photo
2



photo
3



photo
4



photo 5



photo 6