

HB0864/383220/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 864
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 25, after “date;” insert “requiring the Commission to establish a certain working group to study and make recommendations on extending certain program assistance to certain moderate-income households.”.

AMENDMENT NO. 2

On page 7, in lines 3, 12, and 21, in each instance, strike “SPECIFIED IN” and substitute “REQUIRED UNDER”; in line 6, after “GAS COMPANY” insert “OTHER THAN A GAS COMPANY SUBJECT TO § 4-207(A) OF THIS ARTICLE”; in line 14, after “COMMISSION,” insert “EACH GAS COMPANY SUBJECT TO § 4-207(A) OF THIS ARTICLE,”; and in line 15, after “UTILITY” insert a comma.

On page 8, in line 15, after “2025,” insert “AND ON OR BEFORE JANUARY 1 EVERY 3 YEARS, STARTING IN 2027,”; in line 17, after “COMPANY” insert “SUBJECT TO § 7-222(A) OF THIS SUBTITLE”; in line 19, before “COVERS” insert “STARTING IN 2027,”; in line 25, after “FOR” insert “2025 AND 2026, AND FOR”; in the same line, after “CYCLE” insert “STARTING IN 2027”; in line 27, after “GAS COMPANY” insert “SUBJECT TO § 7-222(A) OF THIS SUBTITLE”; in line 30, after “ELECTRICITY” insert “AND GAS, AND THE INTENSITIES OF THOSE EMISSIONS,”; in the same line, after “USING” insert “CURRENT”; and strike beginning with “OBTAINED” in line 30 down through “YEAR” in line 32 and substitute “AND PROJECTIONS FROM THE DEPARTMENT OF THE ENVIRONMENT”.

On page 9, strike in their entirety lines 1 through 9, inclusive, and substitute:

“(3) THE GREENHOUSE GAS EMISSIONS REDUCTION TARGETS ESTABLISHED UNDER THIS SUBSECTION SHALL BE MEASURED:

(I) IN METRIC TONS; AND

(II) RELATIVE TO THE GREENHOUSE GAS EMISSIONS ASSOCIATED WITH THE ELECTRIC COMPANY’S OR GAS COMPANY’S WEATHER-NORMALIZED GROSS RETAIL SALES AND LOSSES IN A BASELINE YEAR, AS DETERMINED BY THE COMMISSION.

(4) BY THE DATES SPECIFIED IN § 7-225(A) OF THIS SUBTITLE, THE COMMISSION SHALL ESTABLISH GREENHOUSE GAS EMISSIONS REDUCTION TARGETS FOR EACH ELECTRIC COMPANY PLAN THAT WILL ACHIEVE AT LEAST THE GREENHOUSE GAS EMISSIONS REDUCTION EQUIVALENT, MEASURED ON A LIFECYCLE BASIS USING THE EMISSION INTENSITIES UNDER PARAGRAPH (2) OF THIS SUBSECTION, OF THE FOLLOWING ANNUAL ELECTRICITY SAVINGS PERCENTAGES, CALCULATED AS A PERCENTAGE OF THE ELECTRIC COMPANY’S 2016 WEATHER-NORMALIZED GROSS RETAIL SALES AND ELECTRICITY LOSSES:

(I) 2.0% IN 2024;

(II) 2.25% EACH YEAR IN 2025 AND 2026; AND

(III) 2.5% EACH YEAR IN 2027 AND AFTER.

(5) ON OR BEFORE JANUARY 1, 2025, AND ON OR BEFORE JANUARY 1 EVERY 3 YEARS, STARTING IN 2027, THE COMMISSION SHALL ESTABLISH GREENHOUSE GAS EMISSIONS REDUCTION TARGETS FOR EACH GAS COMPANY PLAN THAT WILL ACHIEVE AT LEAST THE GREENHOUSE GAS EMISSIONS

REDUCTION EQUIVALENT, MEASURED ON A LIFECYCLE BASIS USING THE EMISSION INTENSITIES UNDER PARAGRAPH (2) OF THIS SUBSECTION, OF THE GAS SAVINGS TARGETS ESTABLISHED BY THE COMMISSION FOR THE 2021-2023 PROGRAM CYCLE.

(6) THE COMMISSION SHALL TAKE INTO CONSIDERATION THE MOST RECENT FINAL PLAN ADOPTED UNDER § 2-1205 OF THE ENVIRONMENT ARTICLE WHEN ESTABLISHING THE GREENHOUSE GAS EMISSIONS REDUCTION TARGETS UNDER THIS SUBSECTION.

(7) FOR 2025 AND 2026:

(I) THE COMMISSION SHALL, AFTER MAKING APPROPRIATE FINDINGS, DETERMINE WHETHER EXISTING ELECTRIC COMPANY AND GAS COMPANY PLANS MUST BE MODIFIED TO COMPLY WITH § 7-225(D) OF THIS SUBTITLE; AND

(II) ELECTRIC COMPANIES AND GAS COMPANIES:

1. SHALL PROVIDE INFORMATION AS REQUIRED BY THE COMMISSION TO ASSIST IN MAKING THE DETERMINATION UNDER ITEM (I) OF THIS PARAGRAPH; AND

2. ARE ONLY REQUIRED TO FILE NEW PLANS IN ACCORDANCE WITH THIS SECTION IF DIRECTED BY THE COMMISSION.”;

and in line 25, after “PROGRAMS” insert “, WHICH MAY INCLUDE DEPLOYMENT OF ENERGY STORAGE FACILITIES”.

AMENDMENT NO. 3

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On page 9, in line 27, after “AND” insert “ON OR BEFORE JANUARY 1”; in the same line, strike “THEREAFTER” and substitute “, STARTING IN 2027”; and in line 28, strike “LOW- AND MODERATE-INCOME” and substitute “LOW-INCOME”.

On page 10, after line 4, insert:

“(3) (I) WHEN ESTABLISHING GREENHOUSE GAS EMISSIONS REDUCTION TARGETS UNDER THIS SUBSECTION, THE COMMISSION SHALL MEASURE THE GREENHOUSE GAS EMISSIONS FROM ELECTRICITY USING CURRENT DATA AND PROJECTIONS FROM THE DEPARTMENT OF THE ENVIRONMENT.

“(II) THE GREENHOUSE GAS EMISSIONS REDUCTION TARGETS ESTABLISHED UNDER THIS SUBSECTION SHALL BE MEASURED IN METRIC TONS.”;

in line 5, strike “(3)” and substitute “(4)”; after line 8, insert:

“(5) THE TARGET GREENHOUSE GAS SAVINGS SHALL BE ACHIEVED BASED ON THE 3-YEAR AVERAGE OF THE DEPARTMENT’S PLAN SUBMITTED IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION.

(6) FOR 2025 AND 2026:

(I) THE COMMISSION SHALL, AFTER MAKING APPROPRIATE FINDINGS, DETERMINE WHETHER THE DEPARTMENT’S EXISTING 2024-2026 PLAN MUST BE MODIFIED TO COMPLY WITH:

1. THE TARGETS ESTABLISHED IN THIS SUBSECTION;
AND

2. § 7-225(D) OF THIS SUBTITLE; AND

(II) THE DEPARTMENT:

1. SHALL PROVIDE INFORMATION AS REQUIRED BY THE COMMISSION TO ASSIST IN MAKING THE DETERMINATION IN ITEM (I) OF THIS PARAGRAPH; AND

2. IS ONLY REQUIRED TO FILE NEW PLANS IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION AND § 7-225 OF THIS SUBTITLE IF DIRECTED BY THE COMMISSION.”;

in line 11, after “GREENHOUSE” insert “GAS”; in line 12, strike “LOW- AND MODERATE-INCOME” and substitute “LOW-INCOME”; in line 13, strike “2020” and substitute “2016”; in line 24, strike “ON OR BEFORE SEPTEMBER 1” and substitute “IF DIRECTED BY THE COMMISSION IN 2024, AND ON OR BEFORE SEPTEMBER 1”; in the same line, strike “BEGINNING” and substitute “STARTING”; and in the same line, strike “2024” and substitute “2026”.

AMENDMENT NO. 4

On page 14, strike beginning with “FULLY” in line 3 down through “STATEWIDE” in line 4 and substitute “DETERMINES THE”; in line 5, strike “TARGET DETERMINED” and substitute “TARGETS REQUIRED”; in lines 6 and 7, strike “SPECIFIED IN” and substitute “REQUIRED UNDER”; in line 8, strike “ON OR BEFORE JULY 1” and substitute “IF DIRECTED BY THE COMMISSION IN 2024, AND ON OR BEFORE JULY 1”; in lines 8, 19, 29, and 35, in each instance, strike “BEGINNING” and substitute “STARTING”; in lines 8 and 30, in each instance, strike “2024” and substitute “2026”; in lines 9 and 30, in each instance, after “GAS COMPANY” insert “SUBJECT TO § 7-222(A) OF THIS SUBTITLE”; in line 11, after “DEPARTMENT” insert a comma; in line

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16, strike “**§ 7-223(A)**” and substitute “**§ 7-223(B)**”; in lines 19 and 35, in each instance, strike “**2027**” and substitute “**2026**”; in line 20, after “**COMPANY**” insert “**SUBJECT TO § 7-222(A) OF THIS SUBTITLE**”; in line 24, strike the first comma and substitute “**AND**”; strike beginning with the second comma in line 24 down through “**DEPARTMENT**” in line 25 and substitute “**SUBJECT TO § 7-222(A) OF THIS SUBTITLE**”; in line 29, strike “**ON OR BEFORE SEPTEMBER 1**” and substitute “**IF DIRECTED BY THE COMMISSION IN 2024, AND ON OR BEFORE SEPTEMBER 1**”; and in line 32, after “**DEPARTMENT**” insert a comma.

AMENDMENT NO. 5

On page 15, in line 18, after “**INCLUDE**” insert “:

1.”;

in line 21, after “**SERVICES**” insert “:

2. A DESCRIPTION OF THE STEPS PROPOSED TO ENSURE INSULATION MATERIALS MEET THE REQUIREMENTS UNDER § 7-224 OF THIS SUBTITLE; AND

3. A PROPOSED AVERAGE LIFETIME MEASURE THRESHOLD THAT:

A. ENCOURAGES THE DELIVERY OF INSULATION AND WEATHERIZATION MEASURES; AND

B. IS DEVELOPED THROUGH A STAKEHOLDER ENGAGEMENT PROCESS.

(III) A PLAN OF AN ELECTRIC COMPANY SHALL INCLUDE THE PROVISION OR PROCUREMENT OF PROGRAMS AND SERVICES FOR RESIDENTIAL BENEFICIAL ELECTRIFICATION”;

and in lines 25 and 26, strike “§ 7-223(B) OF THIS SUBTITLE AND SPECIFIED IN § 7-224(A)(2)” and substitute “**§§ 7-223(B) AND 7-224(A)(2)**”.

On page 16, in lines 24 and 25, strike “§ 7-223(B) OF THIS SUBTITLE, AND SPECIFIED IN § 7-224(A)(2)” and substitute “**§§ 7-223(B) AND 7-224(A)(2)**”.

On page 17, in lines 21 and 27, in each instance, strike “SPECIFIED IN” and substitute “**REQUIRED UNDER**”.

AMENDMENT NO. 6

On page 13, in lines 11 and 12 and 14, strike “LOW- AND MODERATE-INCOME” and substitute “**LOW-INCOME**”.

On page 15, strike beginning with “COMMUNITIES” in line 16 down through “MODERATE-INCOME” in line 17; and in line 19, strike “LOW- OR MODERATE-INCOME” and substitute “**LOW-INCOME**”.

On page 18, strike beginning with the comma in line 20 down through the comma in line 21.

On page 20, after line 13, insert:

SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) The Public Service Commission shall establish a working group on the EmPOWER Maryland Program and moderate-income households.

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(b) The purpose of the working group is to study and make recommendations to the Public Service Commission and the General Assembly on coordination of activities and benefits under the EmPOWER Maryland Program between utility companies subject to this Act and the Department of Housing and Community Development so that moderate-income households may obtain the most efficient and cost-effective assistance under the Program.

(c) The study and recommendations shall include:

(1) development of a practical definition of “moderate-income” for use in assessing the scope of available activities, potentially beneficial extensions of activities, and associated costs under the EmPOWER Maryland Program;

(2) an assessment of existing utility-based activities funded by the Program and available to moderate-income households;

(3) proposals for extending utility-based activities and coordinating those activities with corresponding activities of the Department of Housing and Community Development with respect to low-income households under the Program;

(4) an assessment of benefits and costs associated with extending and expanding activities under item (3) of this subsection;

(5) identification of areas of potential overlap between utility-based and Department-based activities that may be harmonized to avoid duplicating efforts and promote more efficient means to provide assistance to moderate-income households; and

(6) identification and development of regulatory and legislative changes needed to implement recommended coordination, extension, and expansion of Program activities to benefit moderate-income households.

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(d) On or before July 1, 2025, the Commission shall report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly on the results of the working group study and recommendations.”;

and in lines 14 and 20, strike “6.” and “7.”, respectively, and substitute “7.” and “8.”, respectively.