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PUBLIC SERVICE COMMISSION

February 13, 2024

Chair C.T. Wilson
House Economic Matters Committee
231 House Office Building
Annapolis, MD 21401

RE: HB 682 – Information - Energy Generation Projects - Labor and Minority Business Enterprise Requirements

Dear Chair Wilson and Committee Members:

The proposed legislation requires the developer of a covered project, upon the approval of a certificate of public convenience and necessity (“CPCN”) for the construction of a certain generating station or qualified generator lead line or approval for the construction of a certain generating station, to meet certain labor standards and reporting requirements. The bill also establishes certain labor standards and certain certification, reporting, and record-keeping requirements related to the construction of a covered project. If enacted, the legislation requires the Public Service Commission (“PSC”) to condition certain approvals on compliance with the requirements of the State’s Minority Business Enterprise Program (“MBE”) and requires the Maryland Department of Labor to enforce the provisions within the Act. The PSC does not have expertise in the area of labor law.

Section 3-718 (A) states that a "covered project" means a generating station with a cumulative nameplate capacity of 1 MW or greater for which the Public Service Commission has approved a CPCN. It should be noted that generation projects that have a capacity of 2 MW or less are exempted from obtaining a CPCN through the Public Service Commission, and therefore would not be subject to the requirements of this bill.

Sincerely,

Frederick H. Hoover, Chair
Maryland Public Service Commission