

Letter of Information
Education, Energy, and
Environment
Budget and Taxation
3/7/2024

Senate Bill 1082- Solar Energy and Energy Storage - Development and State Procurement

Baltimore Gas and Electric Company (BGE) submits this letter *Senate Bill 1082*. *Senate Bill 1082* requires each electric company to submit on or before July 1, 2025, Critical Energy Infrastructure Information (CEII) and other potentially sensitive information to the Maryland Energy Administration's Solar Technical Assistance Program (Solar TAP) to assist in the siting and development of solar generation. This legislation also establishes a Utility-Scale Solar Design and Siting Advisory Commission to make recommendations related to solar development.

BGE welcomes the opportunity to help the state achieve its energy and decarbonization goals. We provide various mapping tools on our websites to assist with the siting and development of renewable projects that would not endanger any of our safety sensitive critical infrastructure information.

The most concerning element of *Senate Bill 1082* is the requirement, under §9-2016, for utilities to submit CEII and other sensitive information to TAP to develop a database for analyzing the land needed to meet the State's solar commitment goals. More specifically, the legislation requires electric utilities to submit information on:

- The location of each transmission and distribution circuit used by the electric company.
- The number of substation transformers owned by the electric company.
- the kilovolt–ampere rating of each substation transformer owned by the electric company.
- The line equipment for each conductor owned by the electric company.
- The conductor ratings for each conductor owned by the electric company.
- Current and queued generation on circuits and transformers owned by the electric company, to be updated quarterly.

BGE, headquartered in Baltimore, is Maryland's largest gas and electric utility, delivering power to more than 1.3 million electric customers and more than 700,000 natural gas customers in central Maryland. The company's approximately 3,400 employees are committed to the safe and reliable delivery of gas and electricity, as well as enhanced energy management, conservation, environmental stewardship and community assistance. BGE is a subsidiary of Exelon Corporation (NYSE: EXC), the nation's largest energy delivery company.

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- the loads of each circuit and substation owned by the electric company, including peak and minimum daytime load.
- The status of construction for new lines and substations owned by the electric company; and
- The average costs to upgrade substations and circuits owned by the electric company.

Although BGE supports the goal to increase the deployment of solar throughout the State, we believe that this legislation would unnecessarily expose Maryland utilities to increased cybersecurity and physical risks especially to our electric infrastructure and critical customers (i.e., airports, military facilities, hospitals, schools, water treatment facilities). There is already a risk of a coordinated attack due to the amount of publicly available information on critical infrastructure. This was evident in the December 2022 plot to attach multiple BGE substations by two domestic violent extremists. In addition, threat actor access to publicly available information, including critical electrical infrastructure information, is of concern, as is the likelihood that the information will be used to enhance their tactics and targeting abilities. *Senate Bill 1082* fails to include information protection provisions, and restrictions for use or protection from Public Information Act requests. It is prudent that BGE and other electric companies be able to control the dissemination of our proprietary data and information to protect our customers, assets, and stakeholders.

The current TAP program provides technical assistance with solar siting surveys and conducting preliminary development of solar projects. This information assists government entities in making decisions concerning the location, use (to include resiliency options), and budgeting of solar energy projects. While this is a valuable resource for State and local government entities who do not otherwise have expertise to evaluate the potential of solar siting and development, the additional safety sensitive critical infrastructure information being asked to be shared by the electric companies with TAP is a concern. The siting and development of a solar project is very project specific, and it is the developer of the project that would work one on one with the electric company to determine the information outlined in this legislation. BGE has concerns that even with providing this information there will be a lack of standardization resulting in limited value or potentially incorrect conclusions. More importantly, the information provided may not fully inform siting studies as the way in which different utilities manage their planning and operational limits varies. For BGE planning standards there are specific transformer capacity requirements needed that would not be captured in the requested data set.

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The legislation, as written, fails to include protections against accidental or deliberate disclosure of the utility infrastructure data provided to the Department. More importantly, there are heightened requirements under specific federal FERC/NERC cybersecurity and homeland security statutes and regulations concerning CEII that utilities comply with that the state and local governments currently are unable to and cannot meet. Therefore, there are fewer safeguards against attacks.

Lastly, this legislation establishes the Utility-Scale Solar Design and Siting Advisory Commission, which BGE would wish to be an official member. This would afford electric companies with the opportunity to participate and provide insight into solar development as we continue to prepare the grid for the clean energy transition.

BGE is concerned that if enacted, *Senate Bill 1082* would jeopardize our ability to protect our system critical information. We will continue working with the sponsor to align efforts to ensure a protective program is in place to continue providing our customer with safe, and reliable energy.

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