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112 West Street
Annapolis, MD 21401

Opposition– Senate Bill 699– Forest Conservation Act - Linear Projects – Alteration

Potomac Electric Power Company (Pepco) and Delmarva Power & Light Company (Delmarva Power) submit this letter of opposition on **Senate Bill 699– Forest Conservation Act - Linear Projects – Alteration**. Senate Bill 699 amends the definition of "linear project" under the Forest Conservation Act (FCA) to exclude new transmission or distribution lines constructed on or after October 1, 2025. This proposed change would significantly impact the ability to construct and maintain essential electric infrastructure necessary for ensuring reliability and meeting the growing energy demands of Maryland residents and businesses.

The FCA, established in 1991, plays a vital role in balancing land development with forest conservation. It provides a framework for integrating forest preservation into project planning while granting local jurisdictions flexibility in its application. However, Senate Bill 699 would introduce new obstacles for critical transmission and distribution projects, thereby undermining the ability to provide safe and reliable electricity service to Maryland customers. As energy demand continues to rise due to electrification and the transition to cleaner energy sources, it is crucial that utilities maintain the ability to construct and upgrade infrastructure efficiently.

Currently, linear projects that do not involve clearing more than 20,000 square feet of forest are exempt from FCA requirements, allowing utilities, including electric, gas, water, and telecommunications, to undertake necessary projects without undue regulatory burdens. Senate Bill 699 would remove this exemption for electric transmission and distribution projects, creating additional local permitting requirements that could delay or even halt vital system upgrades. The legislation also unfairly singles out electric utilities while exempting other industries, despite the fact that telecommunications and other infrastructure projects have similar environmental impacts. This inequitable approach places an unnecessary burden on electric utilities and jeopardizes the timely execution of projects essential for system reliability. For instance, transmission projects required to replace retiring generation facilities are critical to preventing service disruptions and ensuring that Maryland's grid remains resilient.

By imposing additional permitting hurdles, Senate Bill 699 could delay or prevent projects that are integral to meeting Maryland's clean energy and electrification goals. It is imperative that electric utilities retain the ability to efficiently build and maintain the infrastructure needed to support economic growth and environmental sustainability. For these reasons, Pepco and Delmarva Power respectfully request an unfavorable report on Senate Bill 699.

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