



Contact: Adam Dubitsky
Maryland State Director
202-247-0130
adubitsky@landandlibertycoalition.com

***REVISED** – The uploaded version of this testimony incorrectly stated the year Maryland’s RPS was created. This version corrects that date and makes several non-material edits to improve flow.*

February 13, 2025

Hon. Benjamin Brooks
Chair
Maryland Senate Education, Energy, and the Environment Committee
303 James Senate Office Building
11 Bladen Street
Annapolis, MD 21401

RE: Favorable report on SB316 “The Abundant Affordable Clean Energy Act of 2025”

Dear Chairman Brooks and Members of the Committee:

On behalf of the Land & Liberty Coalition of Maryland, of which I serve as State Director, I am writing to convey our support for SB316, the “Abundant Affordable Clean Energy Act.”

With chapters in 12 states, the Land & Liberty Coalition is a project of the 501c3 Conservative Energy Network. Unique among the various advocates for clean energy, we are a decidedly free-market right-leaning organization. In fact, we believe that national security and economic prosperity requires abundant, affordable energy.

Maryland is facing both an energy crisis and a budget crisis. We believe the AACE Act is the best way forward to address the former and prevent SEIF funds from being siphoned into the General Fund.

The energy price crisis that is squeezing Maryland’s families and employers of all sizes comes down to simple economics: Too little electric supply, plus unprecedented demand, flowing through an outdated grid. This crisis is *not* due to winter weather and we hope no one in this committee deludes themselves that Spring will be the end of it. Maryland needs more energy generated in-state, and we need it as fast as possible.

Today, the most abundant and affordable source of new energy also happens to be the cleanest. New utility scale ground-mounted solar has the single lowest cost of energy and it



is the fastest to deploy.¹ Nothing else – neither gas, coal, nuclear, nor rooftop or community solar - comes close.² And this is true even without subsidies, and it is true in all regions of the nation regardless of how much annual sunlight they receive.

This wasn't the case two decades ago when Maryland began its ambitious Renewable Portfolio Standard (RPS). Today's generation of solar panels, for example, are about 60 percent cheaper and 40 percent more efficient than they were just 15 years ago.

Power generation and transmission technology are constantly evolving and respectfully, we would suggest that it is also time for many of Maryland's elected representatives of both parties and at all levels of government to update their talking points and policies when it comes to securing our energy future.

Our progressive friends who have long championed renewable energy must recognize that the current RPS legislation and thinking about the transition to cleaner energy is not working. Despite revisions to the RPS, Maryland remains years and hundreds of megawatts behind schedule in meeting the state's mandated goal of 50 percent of all retail sales of electricity coming from renewable sources by 2030. Moving the goal posts again with an even more ambitious target of 100 percent renewable energy by 2035 seems even more far-fetched unless the RPS is replaced. The AACE Act provides a market-based solution to this.

Likewise, our fellow conservative, some of whom remain renewable energy skeptics, would benefit from a fresh look at cleaner energy technology, its costs, and its benefits for smaller agricultural communities. Clean energy is fully compatible with agriculture and our rural heritage. Today, dark red states across America are not only national leaders in clean energy but also global ones. While you may not hear governors in Texas, Iowa, Kansas, Nebraska and others boast about their climate leadership, they take great pride in how solar and wind projects on private land are helping to power American Energy Independence.

Maryland's Renewable Portfolio Standard is badly broken and needs an overhaul not only to meet clean energy goals but control skyrocketing energy costs and upgrade our grid. **While the RPS is not entirely to blame for the growing energy price crisis, it is certainly standing in the way of its solution.**

Currently, it's cheaper for utilities to pay penalties in the form of Alternative Compliance Payments, or ACPs, than it is to buy renewable energy credits or RECs. In 2023, utilities paid a record \$300 million in ACPs – a cost ultimately borne by ratepayers – into the Maryland Strategic Energy Investment Fund, or SEIF, which according to the Maryland Energy Administration, is for “consumer energy costs, global climate change concerns, job creation, energy resilience, economic development, business retention, and energy freedom.”³

In addition to Maryland's urgent need for affordable energy generated in-state, there is also a multi-billion-dollar budget deficit that must be addressed. And as we know, during a budget

¹ <https://www.pv-magazine.com/2023/12/08/solar-lcoe-now-29-lower-than-any-fuel-fossil-option-says-ey/>

² <https://www.iea.org/data-and-statistics/charts/lcoe-and-value-adjusted-lcoe-for-solar-pv-plus-battery-storage-coal-and-natural-gas-in-selected-regions-in-the-stated-policies-scenario-2022-2030>

³ [https://energy.maryland.gov/Pages/Strategic-Energy-Investment-Fund-\(SEIF\)-.aspx](https://energy.maryland.gov/Pages/Strategic-Energy-Investment-Fund-(SEIF)-.aspx)



crisis, the *SEIF* is not *safe*. In fact, the FY2026 budget calls for \$150,000,000 in funds intended for low-income residents to be siphoned out of the SEIF and into the general fund.

Along with this state-caused deficit, there will likely be a significant reduction in funds from Washington which will mean rural counties will also face funding shortfalls. Local renewable energy projects, such as those that the AACE Act would help fund will bring much needed revenue to local communities.

As long as these funds are housed within an executive branch agency there will be the temptation and opportunity to use the SEIF as a budget balancing debit card.

The AACE Act reduces the reliance on ACPs and would permanently safeguard these rate-payer-derived funds within an account controlled by the Maryland Public Service Commission. The PSC, using a market-based approach would allocate funds for qualified in-state clean energy projects; this would address the power shortage driving high prices, reduce the need to import electricity from other PJM states via additional transmission corridors, employ Marylanders and benefit ratepayers and taxpayers for decades to come.

We also support the AACE Act's efforts to support the development of utility-scale energy storage systems, an important adjunct to low-cost solar power. For all its benefits – fast, affordable, reliable – the sun doesn't shine at night. By helping to create a robust battery storage infrastructure, we will be able to store power when it's cheapest and use it when we need it most.

The AACE Act also recognizes that nuclear power must be a part of our clean energy future and supports the recertification of Calvert Cliffs.

In closing, the AACE Act is a much-needed market-based approach to increasing our home-grown energy supply, bringing opportunity and revenue to landowners and their communities, and ensuring that ratepayer and taxpayer dollars are being used as effectively as possible.

I thank the Committee for this opportunity to summarize our support for SB316 and look forward to working with the members and their staff on this and other matters.

Sincerely,

Adam Dubitsky,
State Director
M: (202)247-0130
E: adubitsky@landandlibertycoalition.com

