

SB0399/363225/1

BY: Education, Energy, and the Environment Committee

AMENDMENTS TO SENATE BILL 399
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “line;” insert “requiring the Public Service Commission to require an applicant for a certificate of public convenience and necessity for the construction of a certain overhead transmission line to provide wildland impact mitigation guarantees;”; and after line 16, insert:

“BY repealing and reenacting, with amendments,
Article - Public Utilities
Section 7–207(f)
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)”.

AMENDMENT NO. 2

On page 9, after line 27, insert:

“Article – Public Utilities

7–207.

(f) For the construction of an overhead transmission line, in addition to the considerations listed in subsection (e) of this section, the Commission shall:

(1) take final action on an application for a certificate of public convenience and necessity only after due consideration of:

(i) the need to meet existing and future demand for electric service; and

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(ii) for construction related to a new overhead transmission line, the alternative routes that the applicant considered, including the estimated capital and operating costs of each alternative route and a statement of the reason why the alternative route was rejected;

(2) require as an ongoing condition of the certificate of public convenience and necessity that an applicant comply with:

(i) all relevant agreements with PJM Interconnection, L.L.C., or its successors, related to the ongoing operation and maintenance of the overhead transmission line; and

(ii) all obligations imposed by the North America Electric Reliability Council and the Federal Energy Regulatory Commission related to the ongoing operation and maintenance of the overhead transmission line; [and]

(3) require the applicant to identify whether the overhead transmission line is proposed to be constructed on:

(i) an existing brownfields site;

(ii) property that is subject to an existing easement; or

(iii) a site where a tower structure or components of a tower structure used to support an overhead transmission line exist; AND

(4) FOR THE CONSTRUCTION OF AN OVERHEAD TRANSMISSION LINE IN AN AREA SPECIFIED IN § 5-1203(B)(2)(II), (Y)(2), OR (KK)(1)(II) OF THE NATURAL RESOURCES ARTICLE, REQUIRE THAT AN APPLICANT PROVIDE WILDLAND IMPACT MITIGATION GUARANTEES, INCLUDING WORKING WITH THE

**DEPARTMENT OF NATURAL RESOURCES TO ADD ADDITIONAL WILDLAND
ACREAGE.”.**

AMENDMENT NO. 3

On page 9, after line 31, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) This Act shall be abrogated and of no further force and effect if the Public Service Commission:

(1) approves a certificate of public convenience and necessity, in accordance with § 7–207 of the Public Utilities Article, for an alternative NextEra Energy Transmission MidAtlantic, Inc., transmission line that is part of the Mid–Atlantic Resiliency Link project that does not pass through the Big Savage Mountain Wildland, the Bear Pen Wildland, or the Dan’s Mountain Wildland; or

(2) denies a certificate of public convenience and necessity for a NextEra Energy Transmission MidAtlantic, Inc., transmission line that is part of the Mid–Atlantic Resiliency Link project.

(b) The Commission shall notify the Department of Legislative Services within 5 days after a determination under subsection (a) of this section has been made.”;

and in line 32, strike “3.” and substitute “4.”.