

HOUSE BILL 645

C5, L6

5lr2342
CF 5lr1303

By: **Delegate Guyton**

Introduced and read first time: January 23, 2025

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Transmission Line Siting – Comprehensive Plan, Recommendation, and**
3 **Reporting Requirements**

4 FOR the purpose of requiring each county and Baltimore City to update its comprehensive
5 plan to include an electric system planning element; requiring each electric company
6 serving a county or Baltimore City to report to that county or the City regarding the
7 electric company's compliance with certain provisions of the county's or City's electric
8 system planning element; requiring the Public Service Commission to consider
9 county and municipal government recommendations and certain applicant
10 considerations for an application for a certificate of public convenience and necessity
11 for the construction of certain overhead transmission lines; requiring each electric
12 company to submit a report on electricity demand to the Commission each year; and
13 generally relating to transmission line construction and siting in the State.

14 BY repealing and reenacting, without amendments,
15 Article – Land Use
16 Section 1–401(b)(1), 1–402(b), and 10–103(b)(9)
17 Annotated Code of Maryland
18 (2012 Volume and 2024 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – Land Use
21 Section 1–406(a) and 3–102(a)
22 Annotated Code of Maryland
23 (2012 Volume and 2024 Supplement)

24 BY adding to
25 Article – Land Use
26 Section 1–413 and 3–115
27 Annotated Code of Maryland
28 (2012 Volume and 2024 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
2 Article – Public Utilities
3 Section 7–207(e) and (f) and 7–802
4 Annotated Code of Maryland
5 (2020 Replacement Volume and 2024 Supplement)

6 BY adding to
7 Article – Public Utilities
8 Section 7–802.1
9 Annotated Code of Maryland
10 (2020 Replacement Volume and 2024 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That the Laws of Maryland read as follows:

13 **Article – Land Use**

14 1–401.

15 (b) The following provisions of this division apply to a charter county:

16 (1) this subtitle, including Parts II and III (Charter county
17 – Comprehensive plans);

18 1–402.

19 (b) A code county that chooses to exercise the powers relating to land use stated
20 in Title 10 of the Local Government Article shall be treated as a charter county for purposes
21 of § 1–401 of this subtitle.

22 1–406.

23 (a) (1) The planning commission for a charter county shall include in the
24 comprehensive or general plan the visions under § 1–201 of this title and the following
25 elements:

26 (i) a development regulations element;

27 (ii) a housing element;

28 (iii) a sensitive areas element;

29 (iv) a transportation element; [and]

30 (v) a water resources element; **AND**

1 (VI) AN ELECTRIC SYSTEM PLANNING ELEMENT.

2 (2) If current geological information is available, the plan shall include a
3 mineral resources element.

4 1-413.

5 (A) IN THIS SECTION, "ELECTRIC COMPANY" HAS THE MEANING STATED IN
6 § 1-101 OF THE PUBLIC UTILITIES ARTICLE.

7 (B) TO MINIMIZE THE IMPACT OF FUTURE TRANSMISSION LINE
8 DEVELOPMENT IN THE STATE, AN ELECTRIC SYSTEM PLANNING ELEMENT SHALL:

9 (1) DEVELOP OR IDENTIFY TRANSMISSION LINE CORRIDORS IN THE
10 COUNTY;

11 (2) DEVELOP A FUTURE SCENARIO PLAN FOR THE BUILDOUT OF
12 HIGH-ENERGY USE TRANSMISSION LINES IN THE COUNTY;

13 (3) ALIGN THE DEVELOPMENT OF TRANSMISSION LINE CORRIDORS
14 WITH:

15 (I) APPROVED AND PLANNED HIGH-ENERGY USE FACILITY
16 GROWTH;

17 (II) ELECTRICITY NEEDS; AND

18 (III) RELIABILITY CONCERNS;

19 (4) ESTABLISH AS A PRIORITY THE SITING OF HIGH-ENERGY USE
20 FACILITIES NEAR TRANSMISSION LINE CORRIDORS IDENTIFIED BY THE PLAN TO
21 MINIMIZE THE NEED FOR ADDITIONAL TRANSMISSION LINE INFRASTRUCTURE; AND

22 (5) SUPPORT:

23 (I) THE CO-LOCATION OF PROPOSED TRANSMISSION LINES
24 WITH EXISTING INFRASTRUCTURE;

25 (II) BUILDING UNDERGROUND TRANSMISSION LINES WITHIN
26 EXISTING OVERHEAD TRANSMISSION LINE RIGHTS-OF-WAY;

27 (III) BUILDING UNDERGROUND TRANSMISSION LINES INSTEAD
28 OF OVERHEAD TRANSMISSION LINES ALONG NEW ROUTES;

1 (IV) RECONDUCTORING AND LINE CAPACITY UPGRADES FOR
2 EXISTING TRANSMISSION LINES; AND

3 (V) INCORPORATING ELECTRIC DISTRIBUTION SYSTEM
4 ENHANCING TECHNOLOGIES INTO THE ELECTRIC DISTRIBUTION SYSTEM.

5 (C) A COUNTY SHALL CONSULT WITH THE PUBLIC SERVICE COMMISSION IN
6 DEVELOPING AN ELECTRIC SYSTEM PLANNING ELEMENT.

7 (D) ON OR BEFORE JANUARY 1, 2026, AND EACH YEAR THEREAFTER, EACH
8 ELECTRIC COMPANY PROVIDING SERVICE IN A COUNTY SHALL REPORT TO THAT
9 COUNTY ON THE ELECTRIC COMPANY'S EFFORTS TO COMPLY WITH SUBSECTION
10 (B)(5) OF THIS SECTION.

11 3-102.

12 (a) (1) The planning commission for a local jurisdiction shall include in the
13 comprehensive plan the following elements:

- 14 (i) a community facilities element;
- 15 (ii) an area of critical State concern element;
- 16 (iii) a goals and objectives element;
- 17 (iv) a housing element;
- 18 (v) a land use element;
- 19 (vi) a development regulations element;
- 20 (vii) a sensitive areas element;
- 21 (viii) a transportation element; and
- 22 (ix) a water resources element.

23 (2) If current geological information is available, the plan shall include a
24 mineral resources element.

25 (3) The plan for a municipal corporation that exercises zoning authority
26 shall include a municipal growth element.

27 (4) The plan for a county that is located on the tidal waters of the State
28 shall include a fisheries element.

1 **(5) THE PLAN FOR A COUNTY SHALL INCLUDE AN ELECTRIC SYSTEM**
2 **PLANNING ELEMENT.**

3 **3-115.**

4 **(A) IN THIS SECTION, “ELECTRIC COMPANY” HAS THE MEANING STATED IN**
5 **§ 1-101 OF THE PUBLIC UTILITIES ARTICLE.**

6 **(B) TO MINIMIZE THE IMPACT OF FUTURE TRANSMISSION LINE**
7 **DEVELOPMENT IN THE STATE, AN ELECTRIC SYSTEM PLANNING ELEMENT SHALL:**

8 **(1) DEVELOP OR IDENTIFY TRANSMISSION LINE CORRIDORS IN THE**
9 **COUNTY;**

10 **(2) DEVELOP A FUTURE SCENARIO PLAN FOR THE BUILDOUT OF**
11 **HIGH-ENERGY USE TRANSMISSION LINES IN THE COUNTY;**

12 **(3) ALIGN THE DEVELOPMENT OF TRANSMISSION LINE CORRIDORS**
13 **WITH:**

14 **(I) APPROVED AND PLANNED HIGH-ENERGY USE FACILITY**
15 **GROWTH;**

16 **(II) ELECTRICITY NEEDS; AND**

17 **(III) RELIABILITY CONCERNS;**

18 **(4) ESTABLISH AS A PRIORITY THE SITING OF HIGH-ENERGY USE**
19 **FACILITIES NEAR TRANSMISSION LINE CORRIDORS IDENTIFIED BY THE PLAN TO**
20 **MINIMIZE THE NEED FOR ADDITIONAL TRANSMISSION LINE INFRASTRUCTURE; AND**

21 **(5) SUPPORT:**

22 **(I) THE CO-LOCATION OF PROPOSED TRANSMISSION LINES**
23 **WITH EXISTING INFRASTRUCTURE;**

24 **(II) BUILDING UNDERGROUND TRANSMISSION LINES WITHIN**
25 **EXISTING OVERHEAD TRANSMISSION LINE RIGHTS-OF-WAY;**

26 **(III) BUILDING UNDERGROUND TRANSMISSION LINES INSTEAD**
27 **OF OVERHEAD TRANSMISSION LINES ALONG NEW ROUTES;**

1 (IV) RECONDUCTORING AND LINE CAPACITY UPGRADES FOR
2 EXISTING TRANSMISSION LINES; AND

3 (V) INCORPORATING ELECTRIC DISTRIBUTION SYSTEM
4 ENHANCING TECHNOLOGIES INTO THE ELECTRIC DISTRIBUTION SYSTEM.

5 (C) A COUNTY SHALL CONSULT WITH THE PUBLIC SERVICE COMMISSION IN
6 DEVELOPING AN ELECTRIC SYSTEM PLANNING ELEMENT.

7 (D) ON OR BEFORE JANUARY 1, 2026, AND EACH YEAR THEREAFTER, EACH
8 ELECTRIC COMPANY PROVIDING SERVICE TO A COUNTY SHALL REPORT TO THAT
9 COUNTY ON THE ELECTRIC COMPANY'S EFFORTS TO COMPLY WITH SUBSECTION
10 (B)(5) OF THIS SECTION.

11 10–103.

12 (b) The following provisions of this division apply to Baltimore City:

13 (9) Title 1, Subtitle 4, Parts II and III (Home Rule Counties –
14 Comprehensive Plans; Implementation);

15 **Article – Public Utilities**

16 7–207.

17 (e) The Commission shall take final action on an application for a certificate of
18 public convenience and necessity only after due consideration of:

19 (1) (I) the recommendation of the governing body of each county or
20 municipal corporation in which any portion of the construction of the generating station[,
21 overhead transmission line,] or qualified generator lead line is proposed to be located; OR

22 (II) FOR CONSTRUCTION RELATED TO A NEW OVERHEAD
23 TRANSMISSION LINE, THE RECOMMENDATION OF EACH COUNTY OR MUNICIPAL
24 CORPORATION IN WHICH ANY PORTION OF THE CONSTRUCTION OF THE OVERHEAD
25 TRANSMISSION LINE IS PROPOSED TO BE LOCATED, INCLUDING A
26 RECOMMENDATION OF THE COUNTY OR MUNICIPAL CORPORATION AS TO WHETHER
27 EXISTING INFRASTRUCTURE, RIGHTS-OF-WAY, OR TRANSMISSION LINE CORRIDORS
28 CAN BE USED TO ACCOMPLISH THE APPLICANT'S GOAL RATHER THAN
29 CONSTRUCTING A NEW OVERHEAD TRANSMISSION LINE;

30 (2) the effect of the generating station, overhead transmission line, or
31 qualified generator lead line on:

32 (i) the stability and reliability of the electric system;

1 (ii) economics;

2 (iii) esthetics;

3 (iv) historic sites;

4 (v) aviation safety as determined by the Maryland Aviation
5 Administration and the administrator of the Federal Aviation Administration;

6 (vi) when applicable, air quality and water pollution; and

7 (vii) the availability of means for the required timely disposal of
8 wastes produced by any generating station;

9 (3) the effect of climate change on the generating station, overhead
10 transmission line, or qualified generator lead line based on the best available scientific
11 information recognized by the Intergovernmental Panel on Climate Change; and

12 (4) for a generating station:

13 (i) the consistency of the application with the comprehensive plan
14 and zoning of each county or municipal corporation where any portion of the generating
15 station is proposed to be located;

16 (ii) the efforts to resolve any issues presented by a county or
17 municipal corporation where any portion of the generating station is proposed to be located;

18 (iii) the impact of the generating station on the quantity of annual
19 and long-term statewide greenhouse gas emissions, measured in the manner specified in §
20 2-1202 of the Environment Article and based on the best available scientific information
21 recognized by the Intergovernmental Panel on Climate Change; and

22 (iv) the consistency of the application with the State's climate
23 commitments for reducing statewide greenhouse gas emissions, including those specified
24 in Title 2, Subtitle 12 of the Environment Article.

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

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

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

31 (ii) for construction related to a new overhead transmission line[.]:

1 1. the alternative routes that the applicant considered,
2 including the estimated capital and operating costs of each alternative route and a
3 statement of the reason why the alternative route was rejected; AND

4 2. **ANY EXISTING INFRASTRUCTURE, RIGHTS-OF-WAY,
5 OR TRANSMISSION LINE CORRIDORS THE APPLICANT CONSIDERED, INCLUDING THE
6 ESTIMATED CAPITAL AND OPERATING COSTS OF USING EACH EXISTING ROUTE AND
7 A STATEMENT DETAILING THE REASONS WHY THE EXISTING ROUTE WAS REJECTED;**

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

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

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

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

18 (i) an existing brownfields site;

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

20 (iii) a site where a tower structure or components of a tower structure
21 used to support an overhead transmission line exist.

22 7–802.

23 (A) On or before December 1, 2024, and each December 1 thereafter, the
24 Commission shall submit a report, in accordance with § 2–1257 of the State Government
25 Article, to the General Assembly with information regarding the current status of projects
26 designed to promote the goals identified in this section, including information on planning
27 processes and implementation that promote, as specific goals, the following:

28 (1) measures to decrease greenhouse gas emissions incident to electric
29 distribution, including high levels of distributed energy resources and electric vehicles;

30 (2) giving priority to vulnerable communities in the development of
31 distributed energy resources and electric vehicle infrastructure;

32 (3) energy efficiency;

- 1 (4) meeting anticipated increases in load;
- 2 (5) incorporation of energy storage technology as appropriate and prudent
3 to:
- 4 (i) support efficiency and reliability of the electric system; and
- 5 (ii) provide additional capacity to accommodate increased
6 distributed renewable electricity generation in connection with electric transmission and
7 distribution system modernization;
- 8 (6) efficient management of load variability;
- 9 (7) electric system resiliency and reliability;
- 10 (8) bidirectional power flows;
- 11 (9) demand response and other nonwire and noncapital alternatives;
- 12 (10) increased use of distributed energy resources, including electric
13 vehicles;
- 14 (11) transparent stakeholder participation in ongoing electric system
15 planning processes; and
- 16 (12) any other issues the Commission considers appropriate.

17 **(B) BEGINNING DECEMBER 1, 2025, THE COMMISSION SHALL INCLUDE THE**
18 **INFORMATION RECEIVED FROM THE ELECTRIC COMPANY REPORTS SUBMITTED TO**
19 **THE COMMISSION UNDER § 7-802.1 OF THIS SUBTITLE IN THE REPORT REQUIRED**
20 **UNDER SUBSECTION (A) OF THIS SECTION.**

21 **7-802.1.**

22 **ON OR BEFORE OCTOBER 1, 2025, AND EACH OCTOBER 1 THEREAFTER, EACH**
23 **ELECTRIC COMPANY SHALL SUBMIT A REPORT TO THE COMMISSION ON HOW THE**
24 **ELECTRIC COMPANY IS ADDRESSING GROWING ELECTRICITY DEMAND AND**
25 **PROJECTS RELATED TO MEETING THAT DEMAND, INCLUDING:**

- 26 **(1) THE ELECTRIC COMPANY'S FORECASTED LOAD GROWTH;**
- 27 **(2) THE ELECTRIC COMPANY'S ASSESSMENT OF WHAT RESOURCES**
28 **ARE AVAILABLE TO THE ELECTRIC COMPANY TO MEET THE FORECASTED LOAD;**

1 **(3) THE AREAS FROM WHICH THE ELECTRIC COMPANY ANTICIPATES**
2 **THE EXPECTED INCREASED DEMAND TO COME, INCLUDING THE AMOUNT OF**
3 **INCREASED DEMAND EXPECTED IN THOSE AREAS;**

4 **(4) THE ELECTRIC COMPANY'S PLANS TO MEET GROWING**
5 **ELECTRICITY DEMAND;**

6 **(5) ANTICIPATED IMPACTS OF FEDERAL AND STATE REGULATIONS**
7 **ON ELECTRICITY DEMAND AND FORECASTED LOAD;**

8 **(6) THE ELECTRIC COMPANY'S USE OF DEMAND RESPONSE**
9 **PRACTICES;**

10 **(7) A COMPREHENSIVE EVALUATION OF ANY INITIATIVES THE**
11 **ELECTRIC COMPANY IS TAKING TO CONNECT TIER 1 RENEWABLE SOURCES AT THE**
12 **DISTRIBUTION LEVEL TO REDUCE STRESS ON THE ELECTRIC DISTRIBUTION**
13 **SYSTEM; AND**

14 **(8) A LIST OF PROJECTS THE ELECTRIC COMPANY IS WORKING ON**
15 **THAT REQUIRE APPROVAL BY PJM INTERCONNECTION, L.L.C.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
17 1, 2025.