



Senate Bill 474

Certificate of Public Convenience and Necessity and Related Approvals – Definition of Generating Station (Critical Infrastructure Streamlining Act of 2024)

MACo Position: **SUPPORT**

To: Education, Energy, and the Environment
Committee

Date: February 22, 2024

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** SB 474. The bill ensures that certain emergency generating stations do not need the full Certificate of Public Convenience and Necessity (CPCN) approval.

SB 474 will wisely enable special-use energy facilities intended for only occasional use, rather than full-time generation, to be considered in that fair context. Under this bill, Maryland retains the close examination of energy generators whose use is central to the electric grid and overall power availability, but does not hold that same standard to limited use facilities employed merely as back-up sources to ensure continuous power for a sensitive facility. In a modern, and increasingly technology-driven economy, this distinction is important for Maryland's own growth strategies.

The ability to provide back-up generating capacity is essential in ensuring that certain critical infrastructure remains fully operational in emergencies. Unlike other forms of power generation, back-up generating stations are not used as a primary and long-term source of electricity, but simply as a stop gap measure when primary sources unexpectedly become unavailable. Several major Maryland industries require back-up generating stations, including hospitals, universities, laboratories, data centers, etc. By clarifying back-up generating stations are exempt from the CPCN process, the State will be removing unnecessary roadblocks to both public safety and economic development.

SB 474 is a commonsense bill as it creates a modified consideration of back-up or emergency facilities that do not properly fit into the full-time energy generation landscape, by their inherently limited intended use. Accordingly, MACo urges the Committee to issue a **FAVORABLE** report for SB 474.