



SB 474: Critical Infrastructure Streamlining Act

Position: OPPOSE

Date: February 22, 2024

Contact: Steve Black, Sugarloaf Alliance

Our organizations request an **UNFAVORABLE** report of SB 474: Critical Infrastructure Streamlining Act, from the Education, Energy, and Environment Committee.

As proposed, SB 474 would result in exempting data center diesel backup from being reviewed by the Maryland Public Service Commission for a Certificate of Public Convenience and Necessity (CPCN). As Maryland shifts to clean energy to achieve its urgent climate goals, it would be a major step in the wrong direction to exempt large numbers of diesel generators that can produce amounts of electricity and pollution equivalent to many regional power plants.

When the Maryland Public Service Commission denied an exemption to a data center development last year, they did so based on its climate implications and air pollution from over 160 3-megawatt diesel generators required to run continuously, should there be loss of power due to weather or other events.

We are concerned by the bill's sweeping exemptions. As written, all backup diesel generators, of **any size**, in **any quantity**, **anywhere** in Maryland would be exempt from the CPCN process. The technical expertise and judicial role of the Public Service Commission would have no influence in these potentially massive generator projects.

We also worry about the precedent that could be set by exempting from the CPCN process power plant-sized complexes of diesel generators without opportunity for substantive public involvement. This is a significant concern, as for example, just at the Quantum Loophole site in Adamstown, over 1000 generators are expected to provide a total of 2.4 gigawatts of energy. That is enough energy to power 600,000 new homes, roughly two times the number of housing units in Baltimore.

The Public Service Commission, through the CPCN process, is also tasked with addressing Environmental Justice and Energy Equity issues. Under the terms of SB 474 the PSC would no longer use its regulatory authority to ensure that siting decisions do not disproportionately impact the environment of certain communities in light of the community's race, color, national origin, or income status.

The CPCN process is a well-established and clear process that allows for appropriate public involvement in projects of the size proposed by the data centers and should be retained for this new industry. We respectfully request an **UNFAVORABLE** report from this Committee on SB 474.

Respectfully submitted,

Karen Metchis
Ask the Climate Question (ACQ)

Caroline Taylor
Executive Director
Montgomery Countryside Alliance

Elizabeth Bauer
Board Chair
Envision Frederick County

Susan Hanson
Friends of Rural Roads

Anna Mudd
Senior Policy Director
Potomac Conservancy

Sonia Demiray
Founder
Climate Communications Coalition

Matt Stegman
MD Staff Attorney
Chesapeake Bay Foundation

Steven Findlay
President
Sugarloaf Citizens Association

Karen Cannon
Executive Director
Mobilize Frederick

Edward Stierli
Mid-Atlantic Senior Regional Director
National Parks Conservation Association

Evan Isaacson
Senior Attorney, Director of Research
Chesapeake Legal Alliance

Dan Smith
President
Friends of Lower Beaverdam Creek

David Lillard
Executive director
Catoctin Land Trust

Judith Stribling
Policy Coordinator
Friends of the Nantioke River

Steve Black
President
Sugarloaf Alliance

Denisse Guitarra
MD Conservation Advocate
Nature Forward

Robin Broder
Deputy Director
Waterkeepers Chesapeake

Dave Arndt
Co-Chair
Maryland Legislative Coalition Climate
Justice Wing

Liz Lamb
Community Farming Program Manager
The 6th Branch

Matthew Heim
Executive Director
Lower Shore Land Trust

Stu Simon
Co-Chair Advocacy
Montgomery County Faith Alliance for
Climate Solution