



**Senate Bill 474 - Certificate of Public Convenience and
Necessity and Related Approvals - Definition of Generating Stations (Critical
Infrastructure Streamlining Act of 2024)**

Position: OPPOSED

Date: February 22, 2024

Contact: Anna Mudd, Potomac Conservancy

Dear Mr. Chairman and Members of the Committee,

Potomac Conservancy is strongly opposed to House Bill 579, which removes important public engagement and regulatory review processes for the sake of expediting back-up generators for facilities designated as “critical infrastructure.”

As proposed, House Bill 579 would result in exempting data center diesel backup generators and other potential impacts from being reviewed by the Maryland Public Service Commission for a Certificate of Public Convenience and Necessity (CPCN). 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. Potomac Conservancy is concerned by this 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.

The CPCN process is a well-established and clear process that allows for appropriate public involvement and should be retained for this new industry. **Potomac Conservancy respectfully requests an UNFAVORABLE report from this Committee on House Bill 579.**

Sincerely,

Anna Mudd
Senior Policy Director
Potomac Conservancy