

Testimony in Opposition

House Bill HB1270

Natural Resources - Wildland Areas - Overhead Transmission Lines

Hearing: Economic Matters Committee

Date: March 6 at 1:00 PM.

A cross-filed Senate bill (SB0399) was heard on February 11.

New legislation for the express purpose of enabling an out-of-state transmission company, like NextEra, to take the cheapest path through Maryland's Wildlands has great impacts that are not limited to the Wildlands themselves. The proposed legislation will set into motion a series of unfortunate events that will have long-reaching impacts across the State of Maryland, including impacts to one of Maryland's most treasured national parks, as well as impacts to Maryland landowners as far east as Frederick and Montgomery Counties. MARL is nothing more than a high-voltage extension cord for the purpose of powering new data centers in Northern Virginia. There are no benefits to Maryland, or any of the other states it flies over on its way to bolstering Virginia's economic development.

I have been participating in regional grid planner PJM Interconnection's Transmission Expansion Advisory Committee meetings and have watched the planning and approval of the MARL project unfold over time. The legislature has not been presented with all the facts about MARL.

In February of 2023, PJM opened a competitive planning window for new transmission proposals to solve a need for 7,500 megawatts of new energy supply at data centers in Loudoun County, Virginia.



2022 RTEP Window 3 Purpose and Timeline

- **Purpose:**

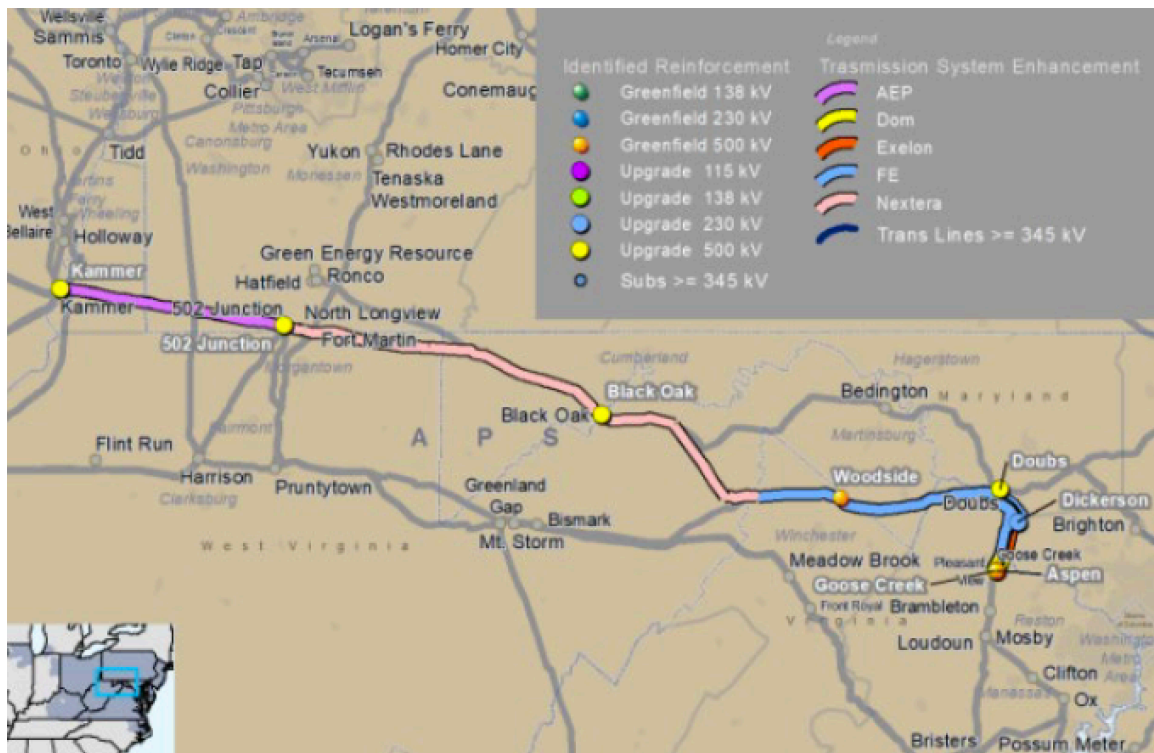
- Address reliability needs in the Dominion and APS zones primarily associated with Data Center Load forecasts (up to 7,500 MWs by 2027-28)
- Seeking robust and flexible solutions to address the reliability needs in those specific areas

- **Window Opened; February 24th 2023 / Closed May 31st 2023**

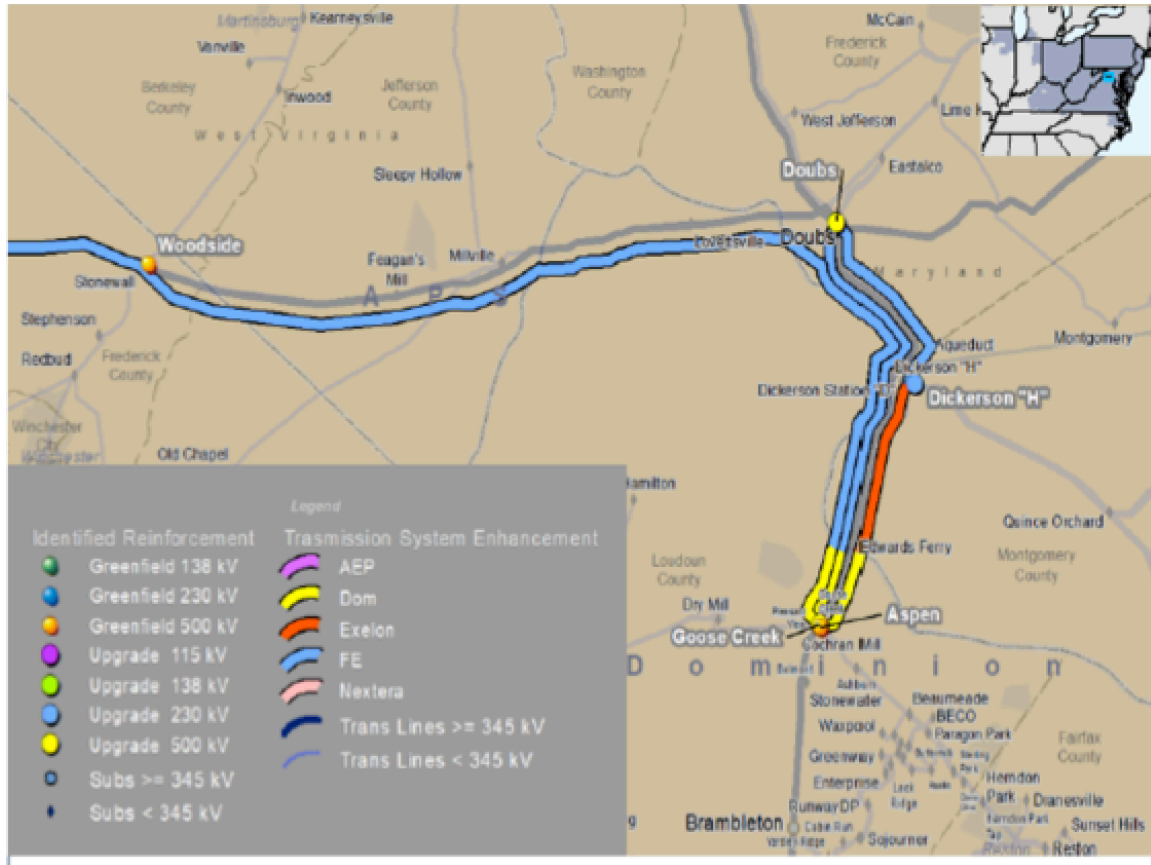
- PJM posted preliminary planning basecases on January 31st 2023
- 90 Day Window – Extended from April 25th to May 31st 2023

PJM selected NextEra’s MidAtlantic Resiliency Link (MARL) project because it was the cheapest project that met the need. The MARL project offered several cost containment and financial metrics not offered by other projects. NextEra’s MARL has a very tight cost cap that the company cannot exceed without losing money.

However, MARL proposed rebuilding existing transmission lines owned by another utility, FirstEnergy (Potomac Edison parent company), for a portion of its route and therefore PJM reassigned the eastern portion of MARL to FirstEnergy. Both segments of MARL must be built in order to meet PJM’s need. MARL does not end in Frederick County, Virginia, but proceeds east through Virginia and West Virginia’s eastern panhandle before landing at the Doubs substation in Frederick County, Maryland. From Doubs, MARL will continue south on a path parallel to the Potomac River and the C&O Canal National Historical Park in Frederick and Montgomery Counties before crossing the Potomac River back into Virginia at Edwards Ferry. The entire project map looks like this:

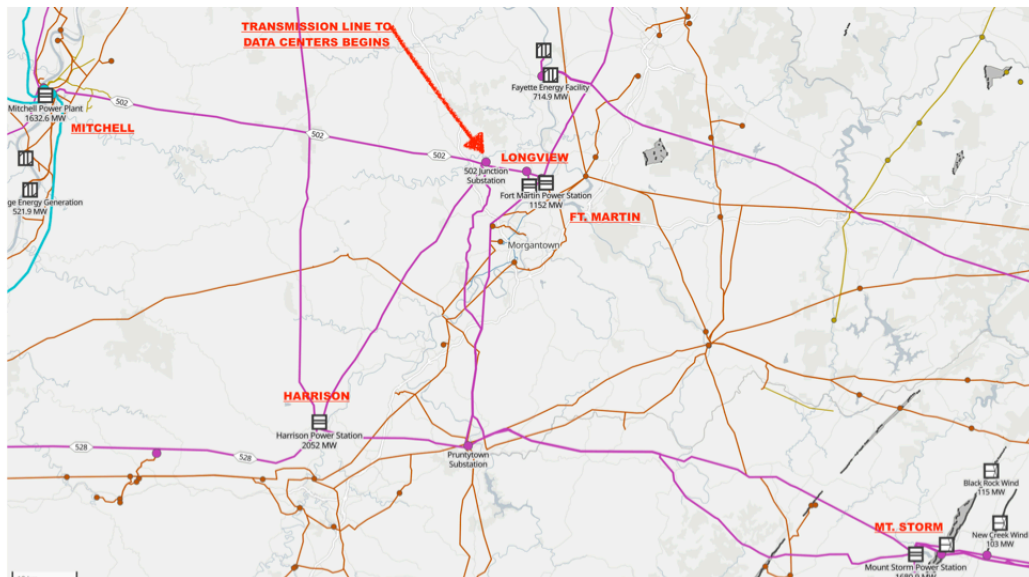


This is a zoomed in map of MARL's impact to Frederick and Montgomery Counties:



The 7,500 megawatts of new electricity for Virginia's data centers comes from coal-fired power plants in northern West Virginia that connect with MARL's western terminus at the 502 Junction substation in Greene County, Pennsylvania. The below map of the electric transmission system shows how feeder lines from these existing power plants converge at 502 Junction.

MITCHELL, LONGVIEW, FT. MARTIN, HARRISON AND MT. STORM COAL-FIRED POWER PLANTS ALL CONNECT WITH THE 502 JUNCTION SUBSTATION WHERE THE NEW TRANSMISSION LINE BEGINS - OVER 7,000 MW OF GENERATION POTENTIAL!



The increased generation of electricity from coal-fired power plants in West Virginia will have a devastating impact on Western Maryland's Wildlands (and the rest of the state) as the pollution drifts eastward. Several of these plants were slated for retirement by 2030, but after PJM approved MARL, their retirement dates have been extended until 2045.

The legislative proposal to enable the building of MARL by gutting current protections for Maryland's Wildlands has been mired in secrecy. The current law that protects the Wildlands allows the Governor to make exceptions, but only after public notice and consultation. Instead of allowing the public to engage on this issue, HB1270 thwarts the designated process for considering new transmission lines, and shuts the public out of the discussion.

The public has not yet been allowed to see any maps of MARL's proposed route, and without transparency on the available alternatives, it is impossible to determine if a path through the Wildlands is the best possible alternative. All alternative routes should be on the table before a decision is made. Ultimately, the decision of whether MARL and its route is acceptable falls on the Maryland Public Service Commission, not the legislature.

If there is a routing issue that necessitates choosing between a route through the Wildlands or a route elsewhere, only the PSC has the authority to make that determination. HB1270 jumps the gun to allow a route through the Wildlands before a proper consideration of routes by the PSC is allowed to take place.

Western Maryland contains some of the most beautiful, unspoiled land in our region, and that is because Maryland has worked very hard to protect it through the years. It is unfathomable that the legislature would be so quick to allow it to be ruined by an out-of-state company who wants to make a quick buck constructing a transmission superhighway for the benefit of a neighboring state's economic development. NextEra did little to no investigation into the proposed route it selected for MARL before making its proposal to PJM, and took no consideration of Maryland's Wildlands. A recent report by Developers Advocating Transmission Advancements (DATA) revealed that "[i]n the stakeholder process associated with Window Three, NextEra acknowledged that they had simply used Google Maps to identify a possible corridor [for MARL]. No rigorous siting analysis had been done..."¹ Don't let NextEra's failure to fully vet its proposal before submitting it to PJM cause the destruction of protected land in Maryland. At the end of the day, NextEra's executives in Florida can't see if from their house, but Maryland will be on the front lines to feel its impacts for decades.

Please keep Maryland's Wildlands wild. Don't replace our real world with a virtual one. I urge you to oppose this legislation.

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¹ Recent Experience With Competitive Transmission Projects and Solicitations, DATA: Developers Advocating Transmission Advancements, February 2025, available at: https://www.modernizethegrid.com/wp-content/uploads/2025/02/DATA-Whitepaper-2024_2-5-25_vF_edit.pdf