

# **HB0640 and HB0645 FAVORABLE.pdf**

Uploaded by: Alice Chalmers

Position: FAV

**HB0640 and HB0645 FAVORABLE**

Alice Chalmers

14100 Falls Road

Cockeysville MD 21030

All open land whether natural resources (woodland, watersheds, wetlands) or agricultural land (preserved or not) is FINITE. Once it is constructed on, it will never return the value that it has provided to our state.

Agricultural land in particular is also “the production plant” of working farmers. Just because it isn’t a building doesn’t make it less of a critical production asset for these farmers and their livelihood.

Culturally we have to, as a small state, stop equating open land to “EASY TAKING” because developers can develop it at lower costs than redeveloping brownfield.

Top soil, the medium without which plants do not grow, takes hundreds of years per inch to reform and projections show that at this rate we could be depleting all of our top soil in the next 50 years.

For all the reasons above, in evaluating a large infrastructure project like transmission lines, we need to look at the best way to meet the goals, taking into account all available new technologies in energy production and storage, leveraging partnerships, and existing Rights of Ways (federal highways, abandoned industrial zones, unoptimized urban land).

We also need to honor the contracts that the State as agreed to on preserved land, with landowners that have forfeited their rights to build or have any commercial activity on their property, to see it be developed by foreign entities without a clear return of benefits to the Maryland community.

Thank you

## **HB 0645 Testimony .pdf**

Uploaded by: Brenda Myers

Position: FAV

HB0645 strengthens local control over transmission projects by requiring counties to integrate electric system planning into approval processes, ensuring alignment with land use goals. It prioritizes using existing infrastructure and corridors over new developments, reducing eminent domain seizures. The bill also promotes underground transmission lines to minimize aesthetic and environmental harm. Utilities must justify new infrastructure with demand-based reports, preventing unnecessary expansion. Additionally, it enhances transparency by holding utilities accountable for adhering to local planning policies. HB0645 supports property rights, farmland preservation, local decision-making, and responsible energy planning, making it a key measure to curb reckless transmission expansion. PJM is not looking out for Maryland ratepayers, we need legislation like HB0645 to protect Marylanders. The proposed MPRP threatens devastating irreparable damage to Maryland's environment, economy and agriculture industry. The data center proliferation in Northern Virginia shouldn't create new transmission line proliferation in our beautiful state. Please vote favorably for this bill.

Respectfully,  
Brenda Myers

## **HB0645 Price.pdf**

Uploaded by: Brysn Price

Position: FAV

February 28, 2025

Dear Members of the Maryland General Assembly,

I am writing to urge your strong support for HB0645, a bill that is essential to protecting Maryland landowners, local governments, and communities from unnecessary and disruptive transmission projects. Under current law, utilities and regional transmission organizations have the power to dictate where and how transmission lines are built, often with minimal local input, little regard for property rights, and questionable justifications for expansion. HB0645 changes that by ensuring that new projects are carefully planned, justified, and aligned with the needs of the communities they impact.

Maryland's current energy planning process gives too much power to transmission developers and too little to the communities that bear the burden of these projects. Right now, transmission lines can be routed through private property, farmland, and even residential neighborhoods with minimal accountability and oversight. HB0645 is a commonsense reform that ensures that new transmission projects are justified, necessary, and aligned with local priorities rather than simply rubber-stamped.

The need for HB0645 is best illustrated by what happened with the Maryland Piedmont Reliability Project. The politicians of Maryland were completely blindsided by this massive, high-voltage transmission project. Elected officials, including state lawmakers and local county leaders, were given little to no warning about its scope or impact. It was only after residents and community leaders raised the alarm that the full extent of the project became clear. Every county government affected by the project—Baltimore, Harford, and Carroll Counties—has come out in opposition. Yet under current law, their objections carry little weight, and transmission developers are not required to meaningfully engage with local officials before proposing a project of this magnitude. HB0645 corrects this failure by ensuring that counties play a formal role in transmission planning and decision-making.

Local governments should not have to fight after the fact to stop reckless and unnecessary projects. They should be involved from the very beginning, ensuring that new transmission infrastructure aligns with local land-use priorities, protects property values, and is justified by actual demand. HB0645 makes that possible.

This bill provides critical protections for Maryland communities. It gives local governments a greater voice by requiring counties and Baltimore City to include electric system planning in their comprehensive land-use plans. This ensures that municipal and county priorities are considered before a transmission project is approved. Instead of allowing utilities to force projects through with little local input, HB0645 requires the Public Service Commission to weigh local recommendations before granting approval. It prevents

unnecessary land seizures and protects property rights by prioritizing the use of existing infrastructure and transmission corridors over the creation of new ones. Too often, landowners have their property threatened by transmission projects that could have been placed along existing rights-of-way but weren't, simply because it was easier for utilities to take new land than to modernize what they already have. HB0645 makes sure that utilities fully explore and justify all alternative routes before they carve up communities. It holds utilities accountable for their planning and decision-making by requiring them to report annually on their compliance with local electric system planning priorities. Utilities would also have to provide forecasted electricity demand and demonstrate a need for new transmission lines before projects are approved. This ensures that new transmission is built only when it is actually needed, not just because utilities want to expand their footprint or secure higher guaranteed returns on capital investments.

Without HB0645, Maryland will continue to face unchecked transmission expansion that harms property values, farmland, and local economies. I have seen firsthand what happens when a transmission project is allowed to move forward without real justification or oversight. When Delegate Mangione asked PSEG if they had fully explored the possibility of upgrading existing infrastructure rather than building new transmission lines, the company admitted they had not. Only after massive community outcry did they scramble to produce a study justifying their original position. This raises serious questions about the transparency, thoroughness, and sincerity of the process utilities use when making these decisions. HB0645 prevents this from happening again.

Maryland should not allow energy corporations to prioritize expediency over responsible planning, and we should not allow utilities to take private land when better alternatives exist. The passage of HB0645 ensures that transmission planning becomes a structured, transparent process—one where community voices matter, environmental concerns are addressed, and property rights are protected.

Maryland has the opportunity to lead the way in responsible energy planning by ensuring that transmission projects are built only when they are truly needed and only when local governments and communities have had a meaningful say in the process. Passing HB0645 means protecting property rights by stopping unnecessary land seizures. It means preserving farmland and open spaces from industrial encroachment. It ensures that municipalities have a voice in the approval process, preventing transmission developers from overriding local land-use plans. It limits the construction of new overhead transmission lines, ensuring that aesthetic and environmental concerns are taken into account. Finally, it guarantees that transmission projects are built based on actual energy demand forecasts, preventing unnecessary expansion that burdens communities.

For too long, utilities and transmission developers have been given a free pass to disrupt communities without accountability. HB0645 ensures that landowners, local governments, and the public have a seat at the table. We should all be partners in our state's energy future.

I urge the Maryland General Assembly to stand with landowners, municipalities, and responsible energy advocates by voting yes on HB0645.

Thank you,

Bryan Price



# **FAV\_HB0645\_StopMPRPInc.pdf**

Uploaded by: Joanne Frederick

Position: FAV



## WRITTEN TESTIMONY

**BILL NO.:** House Bill 645 – Transmission Line Siting – Comprehensive Plan, Recommendation, and Reporting Requirements

**COMMITTEE:** House Economic Matters Committee

**HEARING DATE:** February 20, 2025

**SPONSOR:** Delegate Guyton

**POSITION:** Favorable

On behalf of Stop MPRP, Inc. and the countless Marylanders fighting to protect our environment, farmland, and communities, I submit this testimony in **strong support** of House Bill 645. This essential legislation will ensure that counties and municipalities play a meaningful role in the siting and development of transmission lines, preventing the kind of catastrophic impact seen in the proposed Maryland Piedmont Reliability Project (MPRP).

### The MPRP's Catastrophic Environmental Impact

The data from the **Routing Study: Appendix F – Proposed Route Analysis Results** demonstrates that the MPRP would permanently scar our state's landscape and communities. According to this report:

- **394.2 acres of forested land** would be cleared, removing crucial carbon-sequestering ecosystems.
- **522.6 acres of cultivated cropland**—the backbone of Maryland's agricultural economy—would be taken out of production.
- **245.8 acres of conservation easement land** would be destroyed, violating the spirit of Maryland's conservation efforts.
- **224.6 acres of land protected under the Maryland Agricultural Land Preservation Foundation (MALPF)** would be permanently lost.
- **101 streams and waterbodies** would be crossed by the project's centerline, increasing risks of pollution, erosion, and habitat destruction.
- **139.6 acres of Tier II catchments with no remaining assimilative capacity** would be impacted, further straining Maryland's already fragile waterways.

This project prioritizes corporate interests over public welfare, disregards the voices of impacted communities, and sets a dangerous precedent for future transmission projects. **We must ensure that no other Marylanders suffer the same distress and destruction that this project has caused since its announcement in July 2024.**



## HB 645: A Common-Sense Reform

HB 645 introduces long-overdue accountability in transmission siting by:

- Requiring counties and Baltimore City to incorporate an **electric system planning element** into their comprehensive plans, ensuring that infrastructure planning aligns with local priorities.
- Mandating that electric companies report annually on their efforts to comply with these plans.
- **Requiring the Public Service Commission to consider county and municipal recommendations** when reviewing applications for overhead transmission lines, preventing projects from being imposed on unwilling communities.
- Encouraging responsible siting by prioritizing the **co-location of new transmission lines with existing infrastructure** and supporting underground alternatives.

### A Call for Action: Issue a Favorable Report

The MPRP has inflicted **months of uncertainty, stress, and financial burden** on Marylanders. **HB 645 is our opportunity to ensure that no other community is forced to bear the same hardships.** By strengthening local authority over transmission siting, this bill promotes a balanced approach to energy infrastructure—one that protects Maryland’s environment, economy, and communities.

I urge the committee to **issue a favorable report on HB 645** and stand with the residents who have fought tirelessly to preserve our state’s land, water, and rural heritage.

### Respectfully submitted,

Joanne Frederick

President

Stop MPRP, Inc.

[joanne.frederick@stopmprp.org](mailto:joanne.frederick@stopmprp.org)

443.789.1382

## **HB0645 - FAVORABLE testimony - MPatton.pdf**

Uploaded by: Mary Patton

Position: FAV

Mary Patton  
5772 Catoctin Vista Dr  
Mount Airy, MD  
February 7, 2025

Re: Testimony for HB0645 – Transmission Line Siting – Comprehensive Plan, Recommendation, and Reporting Requirements

Dear Delegate Guyton:

I am writing to express FAVORABLE support for HB0645. I am a community advocate, parent, and resident that has the potential to be impacted by the Maryland Piedmont Reliability Project. Bills such as HB0645 will help protect communities from similar projects by requiring more integrated and concerted planning at the local level.

This bill will go a long way in preventing unnecessary land seizures by prioritizing existing infrastructure over new development, pushing for underground transmission instead of overhead lines, and requiring electric companies to submit detailed reports to ensure that new transmission is actually needed. This bill also prioritizes the local property owner by helping to prevent the eyesore of unnecessary overhead transmission lines from impacting property values.

I ask you to support this bill and give local government more control in the electric system planning process.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Patton". The signature is fluid and cursive, with the first name "Mary" being more prominent than the last name "Patton".

Mary Patton

## **HB 645 Amendment.pdf**

Uploaded by: Michele Guyton

Position: FAV



**HB0645/713420/1**

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

17 FEB 25  
14:13:31

BY: Delegate Guyton

(To be offered in the Economic Matters Committee)

AMENDMENTS TO HOUSE BILL 645

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Transmission**” and substitute “**Public Utilities – Transmission**”; in the same line, after “**Siting**” insert “**and Electricity Demand**”; in the same line, strike “**Comprehensive Plan, Recommendation,**” and substitute “**Limitations**”; strike beginning with “requiring” in line 4 down through “lines” in line 11 and substitute “prohibiting the Public Service Commission from authorizing, and a person from undertaking, the construction of an overhead transmission line under certain circumstances”; in line 13, after “to” insert “overhead”; and in the same line, strike “line construction and siting in the State” and substitute “lines and electricity demand”.

On pages 1 and 2, strike in their entirety the lines beginning with line 14 on page 1 through line 5 on page 2, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 7–207(b)(1)(i)

Annotated Code of Maryland

(2020 Replacement Volume and 2024 Supplement)”.

On page 2, in line 8, after “Section” insert “7–207(h) and”; and after line 10, insert:

“BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7–207(h) and 7–802

Annotated Code of Maryland

(2020 Replacement Volume and 20204 Supplement)".

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 13 on page 2 through line 14 on page 6, inclusive.

On page 6, after line 16, insert:

"(b) (1) (i) Unless a certificate of public convenience and necessity for the construction is first obtained from the Commission, a person may not begin construction in the State of:

1. a generating station; or
2. a qualified generator lead line.

(H) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE COMMISSION MAY NOT AUTHORIZE, AND A PERSON MAY NOT UNDERTAKE, THE CONSTRUCTION OF AN OVERHEAD TRANSMISSION LINE THAT DOES NOT UTILIZE AN EXISTING TRANSMISSION LINE RIGHT-OF-WAY UNLESS THE APPLICANT ADEQUATELY DEMONSTRATES TO THE COMMISSION THAT EXISTING TRANSMISSION LINE RIGHTS-OF-WAY ARE NOT SUFFICIENT FOR THE PROPOSED OVERHEAD TRANSMISSION LINE.

(2) IF THE COMMISSION DETERMINES THAT AN EXISTING TRANSMISSION LINE RIGHT-OF-WAY IS NOT SUFFICIENT FOR A PROPOSED OVERHEAD TRANSMISSION LINE, THE COMMISSION MAY AUTHORIZE CONSTRUCTION OF A NEW OVERHEAD TRANSMISSION LINE WITHIN 0.25 MILES OF AN EXISTING OVERHEAD TRANSMISSION LINE.



[(h)] (I) (1) A county or municipal corporation has the authority to approve or deny any local permit required under a certificate of public convenience and necessity issued under this section.

(2) A county or municipal corporation shall approve or deny any local permits required under a certificate of public convenience and necessity issued under this section:

(i) within a reasonable time; and

(ii) to the extent local laws are not preempted by State law, in accordance with local laws.

(3) A county or municipal corporation may not condition the approval of a local permit required under a certificate of public convenience and necessity issued under this section on receipt of any of the following approvals for any aspect of a generating station, an overhead transmission line, or a qualified lead line proposed to be constructed under the certificate:

(i) a conditional use approval;

(ii) a special exception approval; or

(iii) a floating zone approval.”.

On pages 6 through 9, strike in their entirety the lines beginning with line 17 on page 6 through line 21 on page 8, inclusive.

## **HB 645 Favorable Guyton.pdf**

Uploaded by: Michele Guyton

Position: FAV

**MICHELE GUYTON**  
*Legislative District 42B*  
Baltimore County

Environment and Transportation  
Committee



The Maryland House of Delegates  
6 Bladen Street, Room 304  
Annapolis, Maryland 21401  
410-841-3793 · 301-858-3793  
800-492-7122 Ext. 3793  
[Michele.Guyton@house.state.md.us](mailto:Michele.Guyton@house.state.md.us)

**THE MARYLAND HOUSE OF DELEGATES**  
**ANNAPOLIS, MARYLAND 21401**

**Favorable HB645**

**Transmission Line Siting – Comprehensive Plan Recommendation and Reporting Requirements**

Dear Chair Wilson, Vice Chair Crosby and Members of the Economic Matters Committee,

Thank you for your consideration of HB645 with included amendment to conform with changes to the senate crossfile SB 853 introduced by Senator Lewis Young.

HB 645 is introduced to help create guardrails on current and future transmission line projects.

As amended, this bill limits the construction of new transmission lines to 0.25 miles of the existing right of way if the Public Service Commission determines that utilization of existing transmission lines is not sufficient for a proposed project.

I respectfully ask for a favorable report on HB 645 to ensure Marylanders' property is protected and to ensure reporting about the placement of transmission lines.

Sincerely,

A handwritten signature in cursive script that reads "Delegate Michele Guyton".

Delegate Michele Guyton D42B

## **HB0645\_FAV\_ScenicAmerica.pdf**

Uploaded by: Tziporah Feldman

Position: FAV



February 18, 2025

Economic Matters Committee  
House Office Building, Room 231  
6 Bladen St.  
Annapolis, MD 21401

To the Maryland House Economic Matters Committee:

On behalf of Scenic America, the nation's only 501(c)(3) nonprofit organization dedicated to preserving and protecting our country's scenic beauty, I am writing to express our strong support for Maryland House Bill 0645, which strengthens local planning and reporting requirements for transmission line siting. This bill represents an important step toward ensuring that the planning of electric systems balances infrastructure needs with protecting Maryland's scenic, historical, and environmental resources.

Scenic America advocates for policies that preserve scenic beauty and prevent visual blight not only for economic growth, but also to uphold the right of all individuals to live, work, and play in a visually appealing environment. Scenic America therefore endorses the undergrounding of overhead transmission wires and energy infrastructure for its ability to increase resiliency in the face of extreme weather and reliably deliver power equally across communities while preserving landscapes and community character. Scenic America applauds Delegate Guyton's introduction of House Bill 0645 to modernize Maryland's electrical infrastructure by promoting alternatives to new overhead transmission lines.

This bill is particularly relevant given the opposition from countless communities and citizens to the Piedmont Reliability Project. The proposed transmission lines will run through Frederick, Carroll, and Baltimore Counties. These three counties have expressed vehement opposition to the construction of the transmission line. Baltimore County recently announced a petition to intervene in the Public Service Commission's consideration of the project. The three counties share concerns about intrusion into environmentally sensitive areas, property owner rights, and permitting authority. Frederick County is concerned with protecting farmlands that are businesses and homes for its residents. The respective county governments have urged residents to stay up to date with the project's review process and to submit concerns about the Piedmont Reliability Project.

Particularly, in the case of Baltimore County, a case for scenic conservation and protection was identified when PSEG found that the project would have significant impact on easements from the Baltimore County Agricultural Land Preservation Program, including forest buffers and conservation easements. These lands were written in a deed agreement to protect features of the

land for its farmland, natural resources, and scenic views. However, with the Piedmont Reliability Project's proposed overhead line, visual blight would be introduced into these conservation areas, interrupting the land's natural state and beauty. In the case of the Piedmont Reliability Project, undergrounding provides a practical solution to address community concerns, protect sensitive areas, and respect property rights while addressing the growing energy needs of the state.

Despite the common belief that transmission lines are too expensive to underground, undergrounding transmission lines can prove to be a cost-effective method for electrical infrastructure. Although upfront costs may be higher than those of overhead line construction, underground lines require less maintenance and are more resilient through weather events, reducing long-term costs. Underground transmission lines likewise offer long-term savings through reduced vegetation management, lower operations and maintenance expenses, and increased resilience to climate disasters and wildfires.

From a construction standpoint, undergrounding within rights-of-way (ROWs) provides a key economic advantage by speeding up permitting, therefore reducing project timelines and costs. Additionally, because these areas are already considered environmentally disturbed areas, undergrounding in the ROW makes these projects exempt from arduous environmental assessments—reducing time, resources, and costs. Lastly, undergrounding in the ROW does not require the implementation of eminent domain, leading to less public opposition—an issue that has defined the current state of the Piedmont Reliability Project. Together, utilizing the ROW approach quickens permitting while minimizing legal battles and community backlash.

Overhead wires also have economic consequences for Maryland's citizens that are not accounted for in typical regulatory proceedings. Power outages can cost up to \$110,000 for businesses and lead to costly business downtime and lost GDP. Because underground wires experience less outages, businesses would experience far less economic downtime. According to calculated median reliability improvements, nationwide undergrounding could save \$17.1 billion every year in lost economic activity. Undergrounding wires also increases nearby property values by 5-20 percent because it removes the ugly appearance of power lines.

To better protect Maryland's scenic, historical, and environmentally sensitive areas, we recommend that the bill's language be strengthened to explicitly prioritize undergrounding as the preferred method for new transmission projects. Specifically, undergrounding should be the default approach along existing rights-of-way and in areas where visual impact, environmental preservation, and community concerns are key considerations. Likewise, the bill should include specific language that instructs the PSC to consider the implicit costs of overhead wires (e.g., vegetation management, overhead maintenance, natural disasters, and time required for permit) when considering overhead versus undergrounding.

While Scenic America generally opposes any overhead transmission line, we are aware that undergrounding all lines is impractical. We therefore encourage the prioritization of lines that go through sensitive areas, including public lands, historic sites, communities, and scenic areas. In cases in which undergrounding is not feasible, other methods should be considered to minimize visual impacts such as reconductoring, co-location with existing transmission lines, or avoiding

scenically sensitive areas. By adopting these strategies, Maryland can modernize its infrastructure while preserving its unique and treasured landscapes for generations to come.

Thank you for your commitment to protecting Maryland's scenic beauty and ensuring a reliable and resilient energy infrastructure. Please do not hesitate to contact me at [mark.falzone@scenic.org](mailto:mark.falzone@scenic.org) if I can provide further information or assistance.

Sincerely,



Mark Falzone  
President, Scenic America

# **HB0645-ECM\_MACo\_SWA.pdf**

Uploaded by: Dominic Butchko

Position: FWA





## House Bill 645

### *Transmission Line Siting - Comprehensive Plan, Recommendation, and Reporting Requirements*

MACo Position: **SUPPORT**  
**WITH AMENDMENTS**

To: Economic Matters Committee

Date: February 20, 2025

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** HB 645 **WITH AMENDMENTS**.

As drafted, this bill would create an impossible unfunded mandate for counties. MACo has worked with the sponsor on friendly amendments which address the sponsor's intent and avoid overburdening county planning offices.

The 2025 Maryland General Assembly is facing a historic number of complex generational challenges. One of the loudest issues to arise has been Maryland opposition to the Piedmont Reliability Project. The Project, which crosses Baltimore, Carroll, and Frederick Counties, effectively creates an "extension cord" across some of our state's prime agricultural lands, providing Pennsylvania-generated energy to Virginia-based data centers, with little direct benefit to Marylanders. As the General Assembly debates how to address this and other energy challenges, one of the biggest underlying issues will be how to prioritize now competing state priorities (i.e., energy demands and environmental goals).

Since the 1960s, counties and the State have invested hundreds of millions of dollars into conservation, and to date, counties have actively limited development in these preserved areas. The intent of HB 645 is to respond to the Piedmont Project by limiting new transmission lines to areas where there are currently existing infrastructure and rights-of-way. MACo amendments conform HB 645 with SB 853, which accomplishes the same underlying intent without overburdening already incredibly limited county resources. As transmission infrastructure upgrades may uniquely be accomplished by upgrading existing lines or using existing land, counties join the sponsor in wanting to protect Maryland communities and the finite number of sensitive lands.

As amended, this is commonsense legislation which seeks to address conflicts between Maryland's growing demand for energy and billions invested into other pro-climate policies to date. For this reason, MACo urges the Committee to give HB 645 a **FAVORABLE WITH AMENDMENTS** report. MACo's suggested amendments are included on the following page.

## MACo Suggested Amendments for HB 645

### Amendment #1

On pages 2 through 6, strike in their entirety the lines beginning with page 2, line 13, down through page 6, line 15, inclusive.

### Amendment #2

On pages 6 through 8 strike in their entirety the lines beginning with page 6, line 17, down through page 8, line 21, inclusive, and substitute:

**“(H) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE COMMISSION MAY NOT AUTHORIZE, AND A PERSON MAY NOT UNDERTAKE, THE CONSTRUCTION OF AN OVERHEAD TRANSMISSION LINE THAT DOES NOT UTILIZE AN EXISTING TRANSMISSION LINE RIGHT-OF-WAY UNLESS THE APPLICANT ADEQUATELY DEMONSTRATES TO THE COMMISSION THAT EXISTING TRANSMISSION LINE RIGHTS-OF-WAY ARE NOT SUFFICIENT FOR THE PROPOSED OVERHEAD TRANSMISSION LINE.**

**(2) IF THE COMMISSION DETERMINES THAT AN EXISTING TRANSMISSION LINE RIGHT-OF-WAY IS NOT SUFFICIENT FOR A PROPOSED OVERHEAD TRANSMISSION LINE, THE COMMISSION MAY AUTHORIZE CONSTRUCTION OF A NEW OVERHEAD TRANSMISSION LINE WITHIN 0.25 MILES OF AN EXISTING OVERHEAD TRANSMISSION LINE.”.**

### Amendment #3

On pages 8 through 10, strike in their entirety the lines beginning with page 8, line 22, down through page 10, line 17, inclusive.

# **BGE\_HB645\_OPP.pdf**

Uploaded by: Dytonia Reed

Position: UNF

Oppose  
Economic Matters  
2/20/2025

## **House Bill 645 - Transmission Line Siting - Comprehensive Plan, Recommendation, and Reporting Requirements**

Baltimore Gas and Electric Company (BGE) opposes *House Bill 645 – Transmission Line Siting - Comprehensive Plan, Recommendation, and Reporting Requirements*. House Bill 645 requires local jurisdictions to update their comprehensive plans to include an electric system planning element and prescribes that electric utilities submit an annual report to each county in their service territory outlining their compliance of the respective electric system planning element. The bill also expands the recommendations the Public Service Commission (“Commission”) must consider prior to taking final action on an application for a Certificate of Public Convenience and Necessity (“CPCN”). Lastly, House Bill 645 requires electric companies to consider constructing underground, rather than traditional overhead, transmission lines.

As a utility providing electricity to 1.3 million customers and natural gas to more than 700,000 customers in Central Maryland, BGE is concerned this legislation would create additional financial and operational burdens that economically disadvantage Maryland ratepayers and impede progress in addressing regional resource adequacy challenges in the State.

BGE opposes this legislation for several reasons. First, House Bill 645 mandates electric utilities to submit new annual filings with local jurisdictions regarding efforts to comply with the newly created electric system planning element in local comprehensive plans. This requirement introduces an unnecessary administrative burden on electric utilities and creates ambiguity about the Commission’s preeminent role in energy planning and the siting of energy infrastructure that impacts the entire State in terms of reliability, costs, and impacts to residents.

The current CPCN process, which typically takes 12 to 18 months to complete, already mandates that the Commission consider the recommendations of local governing bodies regarding the construction of overhead transmission lines. House Bill 645 introduces additional administrative requirements that are redundant and will likely result in increased costs for ratepayers and potential delays in the siting of new transmission lines, which are essential for addressing resource adequacy challenges in the State. The Maryland Supreme Court has determined that the Commission has the primary authority, as compared to local jurisdictions, to determine the routing of overhead transmission lines. In their decision, the Court identified important policy reasons why the General Assembly had given the primary authority to the Commission in this area, including that the Commission is the only entity with a statewide perspective and statewide responsibilities regarding energy policy and decision-making. The Commission is not to disregard local concerns and, in fact, under current law, is required to give local concerns "due consideration." The Commission must balance this consideration with what is in the best interest of the State as a whole. One of the primary reasons for the enactment of the CPCN process was to create one process for the consideration of the siting and permitting of energy infrastructure projects that are necessary and important to the State.

BGE, headquartered in Baltimore, is Maryland’s largest gas and electric utility, delivering power to more than 1.3 million electric customers and more than 700,000 natural gas customers in central Maryland. The company’s approximately 3,400 employees are committed to the safe and reliable delivery of gas and electricity, as well as enhanced energy management, conservation, environmental stewardship and community assistance. BGE is a subsidiary of Exelon Corporation (NYSE: EXC), the nation’s largest energy delivery company.

**Charles Washington | Brittany Jones | Guy Andes | Dytonia Reed | 410.269.5281**

Furthermore, any restrictions on constructing new transmission lines within a certain distance of existing transmission corridors would undermine the necessary flexibility for utilities and the Commission to evaluate all potential routes. This flexibility is crucial for identifying optimal routes that best serve the public interest by balancing costs, impacts on natural resources, socioeconomic factors, and addressing reliability and economic issues.

Lastly, provisions requiring the consideration of undergrounding transmission lines are impractical. Undergrounding transmission lines is significantly more challenging than undergrounding distribution lines due to technological and financial constraints. The cost to construct underground transmission lines is 5 to 10 times more than overhead transmission lines.

BGE remains committed to supporting Maryland's energy transition and supports policies that keep affordability, resiliency, and reliability a priority. House Bill 645 will cause higher energy bills for Maryland residents and reduced reliability and safety of the electrical grid due to project delays or cancellations caused by increased administrative processes and burdens. For these reasons, BGE requests an unfavorable report.

## **HB645- Oppose- PHI.pdf**

Uploaded by: Poetri Deal

Position: UNF

February 20, 2025

112 West Street  
Annapolis, MD 21401

**Oppose – House Bill 645 – Transmission Line Siting – Comprehensive Plan, Recommendation, and Reporting Requirements**

Potomac Electric Power Company (Pepco) and Delmarva Power & Light Company (Delmarva Power) respectfully oppose **House Bill 645 – Transmission Line Siting - Comprehensive Plan, Recommendation, and Reporting Requirements**. House Bill 645 requires each county and Baltimore City to update its comprehensive plan to include an electric system planning element for purposes of minimizing the impact of future transmission line development in the State. The bill also requires each electric company serving a county or Baltimore City to report to that county or the City regarding the electric company's compliance with certain provisions of the county's or City's electric system planning element and requires each electric company to submit a report on electricity demand each year.

The bill requires the planning commission for a charter county to include an electric system planning element in its comprehensive or general plan. Electric system planning is a complex process that requires personnel trained in system planning to use industry practices and their engineering judgment to determine the distribution system investments that are required to continue to provide customers the safe and reliable service that they expect and deserve. This bill would limit the utilities' ability to use their expertise and professional judgement to continue to plan the system in a way that allows them to provide safe and reliable service for their customers. The limitations in this bill have the potential to raise the cost to customers because the utilities may be restricted from constructing transmission lines in the way that provides the most value to the customers. Moreover, imposing planning criteria on utilities may limit their ability to optimize the grid for electrification and integration of DER as flexibility provides more room for innovation that benefits the customers.

Additionally, some of the provisions in the legislation are duplicative of certain utility planning and reporting requirements that already exist in law. For example, utilities are already required to report on long-term plans annually to the Public Service Commission (PSC). The Ten-Year Plan, which is a compilation of information pertaining to the long-range plans of Maryland's electric companies—is submitted annually by the Commission to the Secretary of the Department of Natural Resources in compliance with §7-201 of the Public Utilities Article. The report also includes discussion of selected developments that may affect these long-range plans. Also, provisions in the bill that require consideration of the use of existing transmission line right of way rather than new lines, already exists in the CPCN law, under PUA §7-209.

Finally, the PSC has the expertise and statutory obligation under PUA §7-207 to determine the routing of overhead transmission lines. The PSC has a state-wide perspective and state-wide responsibilities with regard to energy policy and decision making, a perspective necessary to make certain that transmission siting through multiple utility territories and throughout the various counties in MD is cohesive. Under current law, the PSC is required to give local concerns due consideration, however final action rests with the PSC. The authority over siting transmission lines should continue to rest with the PSC.

Pepco and Delmarva Power respectfully request an unfavorable report on House Bill 645 and look forward to continuing conversations with the bill sponsor and all stakeholders involved.

Pepco Holdings, the parent company of Pepco, an electric utility serving Washington, D.C., and suburban Maryland; Delmarva Power, an electric and gas utility serving Delaware and portions of the Delmarva Peninsula; and Atlantic City Electric, an electric utility serving southern New Jersey. Anthony and his team are responsible for guiding the company's delivery of reliable and excellent service to more than two million customers in the Mid-Atlantic. Pepco Holdings is a subsidiary of Exelon Corporation, one of the nation's leading energy services companies.

# **FirstEnergy - UNFAV HB0645 - Transmission Line Sit**

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**OPPOSE – House Bill 0645**

**HB0645 – *Transmission Line Siting - Comprehensive Plan, Recommendation, and Reporting Requirements***  
**Economic Matters Committee**  
**Thursday, February 20, 2025**

Potomac Edison, a subsidiary of FirstEnergy Corp., serves approximately 285,000 customers in all or parts of seven Maryland counties (Allegany, Carroll, Frederick, Garrett, Howard, Montgomery, and Washington). FirstEnergy is dedicated to safety, reliability, and operational excellence. Its ten electric distribution companies form one of the nation's largest investor-owned electric systems, serving customers in Ohio, Pennsylvania, New Jersey, New York, West Virginia, and Maryland.

**Unfavorable**

Potomac Edison / FirstEnergy opposes House Bill 0645 - *Transmission Line Siting - Comprehensive Plan, Recommendation, and Reporting Requirements*. While we support efforts to enhance Maryland's electric grid and facilitate responsible energy infrastructure planning, we have significant concerns regarding the cost implications, regulatory overreach, and practical feasibility of the provisions outlined in this legislation.

**FirstEnergy requests an Unfavorable report on HB-0645 for the following reasons.**

**Undergrounding Costs and Ratepayer Impact**

The undergrounding of transmission lines can provide aesthetic and reliability benefits in some cases; however, it is significantly more expensive than overhead transmission—often by a factor of ten. These increased costs would be passed on to ratepayers, many of whom may not support the higher utility bills required to fund such projects. Additionally, undergrounding can create operational challenges, including extended outage restoration times due to more complex repair processes.

**Property Rights and Transmission Corridor Planning**

HB-645 appears to allow Maryland counties to define transmission corridors that may already be occupied by a utility. While co-location within existing rights-of-way (ROW) may sound like an efficient use of space, it is not always technically or legally feasible. Federal law establishes that if utility shareholders own existing ROW, the state cannot mandate the use of those corridors for additional infrastructure without constituting a “regulatory taking.” This bill risks overstepping state authority and creating legal conflicts over property rights.

**State Authority and Cost Allocation in Transmission Planning**

Transmission system planning is a highly coordinated process that normally involves multiple states and stakeholders, including PJM Interconnection, state agencies, and utilities. Because of this, the state's authority in transmission planning is limited, and any expansion of that authority would come with clear commitments to cover the associated costs. The “state agreement approach” is a recognized method by which states can participate in planning, provided they are willing to assume fiscal responsibility for their policy-driven decisions. HB-645 raises concerns about cost shifts and potential interstate rate implications.

### Burdensome and Redundant Reporting Requirements

The bill imposes an onerous annual reporting requirement that would mandate utilities to disclose projects requiring PJM approval. However, it is critical to recognize that certain projects - particularly those proposed under PJM's competitive solicitation processes - should not be included in this reporting. If this bill were to pass, we would recommend an amendment to require only the disclosure of projects that have already been approved by PJM. Additionally, the cumulative effect of HB-645's new reporting mandates would create an unnecessary administrative burden, diverting resources from critical infrastructure planning and operational activities.

While we support policies that enhance transparency and efficiency in Maryland's electric grid planning, this bill introduces several challenges that could lead to increased costs, regulatory conflicts, and impractical reporting obligations. We welcome the opportunity to collaborate with legislators and stakeholders to find balanced solutions that protect both the reliability of Maryland's electric grid and the interests of our ratepayers.

**Potomac Edison / FirstEnergy respectfully request an Unfavorable report on House Bill 0645.**