



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

March 6<sup>th</sup>, 2025

The Maryland State Senate Education, Energy, and the Environment Committee  
The Honorable Brian J. Feldman  
2 West Miller Senate Building  
Annapolis, Maryland 21401

**Re: Senate Bill 952: *Certificate of Public Convenience and Necessity - Overhead Transmission Lines - Grid Enhancing Technologies***

Dear Chairman Feldman and Members of the Committee,

As the members of this Committee are well aware, last Winter, PJM Interconnection signed a \$424 million contract with PSEG, a utility based in central New Jersey, to construct a 70 mile 500kv electricity transmission line from northeast Baltimore County to a small town located on the Maryland shore of the Potomac River in southern Frederick County. PSEG stands to realize very significant profits on account of the contract. This contract was signed despite the fact that there had been no opportunity at all for citizens or elected officials in Maryland to comment on the advisability of such a transmission line. So the contract that has precipitated all of the considerable controversy was signed on Day 1. All of the anguish and agony that it precipitated occurred after the deal was done, and after PSEG was legally committed to execute its contract.

When word about the proposed transmission line hit the street, the residents of impacted communities in Baltimore, Carroll and Frederick Counties erupted in anger. Nothing remotely approaching this has happened during my eleven years in public life. To illustrate the magnitude of the fury, last summer during the week immediately preceding Labor Day, the last week of the summer and the first week of the new school year, a very hard week to persuade people to leave their homes during the evening, I attended two public meetings in my Legislative District. The first occurred on Wednesday night at the Hereford High School. The huge high school auditorium was packed with angry citizens, and for hours they vented at the impassive PSEG representatives. I say impassive because PSEG had its \$424 million contract in hand and was merely going through the pretense of listening to the sobs and shouts of the attendees. It had no interest in considering alternatives to the transmission line that its contract called for it to build. The following evening, there was a far greater turnout at the Carroll County Agricultural Center in Westminster. Well over 1,000 citizens spent the evening expressing their fury at the plan for the transmission line. So many speakers appealed for alternatives to the proposed transmission line, but PSEG is uninterested in considering alternatives.

This bill, SB952 requires that such alternatives be analyzed and seriously considered before any such transmission line is approved.

Under current Maryland law, unless a certificate of public convenience and necessity for the construction is first obtained from the Public Service Commission, an organization may not begin construction of an overhead transmission line that is designed to carry a voltage in excess of 69,000 volts or exercise a right of condemnation in order to proceed with the construction. However, a person that has received a certificate of public convenience and necessity from the Public Service Commission for the construction of an overhead transmission line may acquire by condemnation, in accordance with Title 12 of the Real Property Article, any property or right necessary for the construction or maintenance of the transmission line.

The Public Service Commission must take final action on a certificate of public convenience and necessity application only after due consideration of various factors specified by statute. For example, it is required to consider the recommendations of the governing body of each county or municipality in which any portion of the project is proposed to be located. It must consider the effect of the project on various aspects of the State infrastructure, economy, and environment.

Senate Bill 952 adds to this list the additional requirements that, before taking final action on a certificate of public convenience and necessity for the construction of an overhead transmission line, the Public Service Commission must give due consideration to the use of “grid enhancing technologies” (known in the industry as “GETS”) as an alternative to construction of the transmission line. These technologies include infrastructure, hardware, or software that increases the capacity, efficiency, reliability, or resilience of new or existing transmission lines as well as high-performance conductors and storage used as transmission. There are other grid enhancing technologies, including sensors, dynamic line ratings, advanced power flow control devices and analytic tools that can increase line capacity and throughput based on real-time conditions. None of these alternatives were ever considered in this case because, once again, on Day 1, PSEG was tendered a \$424 million contract to construct the proposed brand new transmission line.

Another alternative to the 70 mile swath of destruction that would occur if the proposed transmission line were to receive approval to move forward would be to construct transmission lines paralleling highways. A 2022 81-page Minnesota study found that underground transmission in existing transportation rights of way (known as “longitudinal siting”) can be built at a cost comparable, on a capacity basis, to above ground transmission. Four states have laws on the book prioritizing transmission longitudinal siting with existing highway rights of way. This alternative also seems to have not been considered in this case.

In addition, under SB952, the PSC will be required to consider alternative routings, technologies or modifications to one or more existing electrical distribution systems in the State that could avoid the need for the transmission lines. Let me proffer one possible alternative routing that should be considered in the case of the proposed new transmission line. For the first half of the new line’s route, the line either runs immediately next to or within a short distance of an existing long-distance transmission line not owned by PSEG. The existing line is an old line which uses old technology. PSEG has no right to enter the right of way of the existing line or to touch its

transmission infrastructure. But the existing line could be upgraded (the operative term is “reconductored”) by its owner using modern technology in order to greatly increase its carrying capacity of electricity. In some cases, the carrying capacity of old lines can be doubled through reconductoring. BG&E is at work doing precisely this form of upgrading to various of its lines under a contract with PJM. From the halfway point along the route of the proposed new line, the existing line heads up into Pennsylvania, but just a short distance away from where that change in direction occurs is an existing substation in Union Bridge from which other existing lines travel west to Thurmont and then due south past the City of Frederick to Point of Rocks. These lines could also be reconductored in order to greatly increase their carrying capacity. Under this alternative, therefore, the only new line construction that would be needed would be along a short stretch in northern Carroll County. In this way, 90% of the disruption to Maryland property owners could be avoided.

SB952 also provides that an applicant for a certificate of public convenience and necessity for the construction of an overhead transmission line must include all of this information in its application in order to assist the PSC in its review. Notably, even though PSEG has already filed its application for the controversial 70-mile new transmission line, this bill would nonetheless require the PSC to consider all of the GETS factors as well as the possible alternative routings before it makes any decision about issuing a certificate of public convenience and necessity. Therefore, if this bill is passed, it will apply to PSEG’s current application as well as all future applications for new overhead transmission lines.

Finally, Delegate Charkoudian filed a very similar bill in the House of Delegates. That would be HB829. HB829 is so close in concept and drafting to this bill that I have had an amendment prepared that would totally replace this bill with the language in Delegate Charkoudian’s bill. I hold no pride of authorship of the language in SB952, and if it would facilitate the enactment of this legislation, I would be pleased if the Committee decided to adopt the amendment, completely substitute Delegate Charkoudian’s language for my language and then were to pass the bill in that form.

Those with considerable expertise in the energy space have told me that the current proposed transmission line is just the tip of the iceberg and that more such proposed transmission lines are just around the corner. The enactment of SB952 will help to ensure that Maryland is implementing the most cost-effective and efficient means of providing sufficient power to meet our growing demands.

I appreciate the Committee’s consideration of Senate Bill 952 and will be happy to answer any questions the Committee may have.