



Maryland

Energy Administration

TO: Chair Feldman, Vice Chair Kagan, and Members of the Education, Energy, and the Environment Committee

FROM: MEA

SUBJECT: SB 853 - Public Service Commission - Transmission Line Siting - Limitations

DATE: March 6, 2025

MEA Position: LETTER OF INFORMATION

This bill would prohibit the Public Service Commission (“PSC”) from authorizing the construction of an overhead transmission line outside of 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.

The PSC already considers alternative routes during the Certificate of Public Convenience and Necessity (“CPCN”) process. Under Maryland Code, Public Utilities § 7-207 at (f)(I)(2), for construction related to a new overhead transmission line, the PSC considers the alternative routes that the applicant considered, including the estimated capital and operating costs of each alternative route and a statement of the reason why the alternative route was rejected.

The legislation expands this requirement to require the alternative routes examined to include existing rights-of-way. However, the bill does not qualify the existing transmission rights-of-way. Interpreted broadly, this could mean an applicant would have to show why any existing transmission line route was not selected. According to the Maryland Department of Natural Resources, there are more than 2,000 miles of transmission lines operating in Maryland. An extensive review could exhaust state resources without yielding meaningful alternative routes.

Further, if the applicant does adequately demonstrate to the Commission that existing transmission rights-of-way are not sufficient for the proposed overhead transmission line, the Commission may authorize the widening of the existing rights-of-way by one quarter-mile. Although this solution is optional, it is premised on the only reason for rejection being insufficient width and not other factors such as residences or businesses adjacent to the existing rights-of-way that may be impacted.

MEA encourages the Committee to consider this testimony before rendering its report. For questions or additional information, please contact Landon Fahrig, Legislative Liaison, directly (landon.fahrig@maryland.gov, 410.931.1537).