

Testimony in Support of SB 955.pdf

Uploaded by: Brenda Myers

Position: FAV

Testimony in Support of SB 955

Chair, Vice Chair, and Members of the Committee,

My name is Brenda Myers, and I am writing today to express my strong support for Senate Bill 955 (SB 955). This legislation is a crucial step toward protecting Maryland landowners from unjust eminent domain seizures and ensuring that our conservation lands, farms, and residential areas are shielded from disruptive and unnecessary energy infrastructure projects. If passed, SB 955 will safeguard property rights by prohibiting eminent domain for overhead transmission lines on conservation easements and ensuring fair compensation for landowners impacted by these projects.

SB 955 strengthens property rights protections and restricts eminent domain abuses by:

Prohibiting eminent domain for overhead transmission lines on land protected by conservation easements, including land in the Maryland Agricultural Land Preservation Foundation (MALPF) program. **Allowing property owners within 500 feet of a condemned property** to seek damages if their land value decreases due to transmission construction. **Ensuring that landowners who challenge condemnation receive reasonable attorney fees** if they prevail in court, leveling the playing field against powerful energy companies. **Requiring higher compensation standards** in eminent domain cases, preventing undervaluation of condemned land and ensuring fair market value for affected property owners.

The MPRP: A Case Study in Eminent Domain Overreach

The Maryland Piedmont Reliability Project, proposed by PJM Interconnection and energy developers, exemplifies why SB 955 is necessary. This transmission project would:

- **Seize private land for corporate interests**, permanently altering farms and rural communities.
- **Cut through conservation lands**, undermining Maryland's environmental commitments.
- **Devalue properties**, leaving homeowners and farmers with land that is harder to sell or use for its intended purpose.

Without SB 955, projects like the MPRP will continue to exploit eminent domain laws, displacing landowners and violating conservation agreements.

Protecting Private Property from Corporate Land Grabs

SB 955 prevents energy companies from using eminent domain to seize land that has been deliberately preserved for agricultural or environmental purposes. Without this protection, generational farmland and private homes could be taken for transmission projects that offer no direct benefit to local residents.

Defending Maryland's Conservation and Agricultural Lands

Maryland's conservation programs, including MALPF, exist to permanently safeguard farmland and forests. However, transmission developers have attempted to override these protections to push through industrial-scale projects. By explicitly banning eminent domain on these lands, SB 955 upholds the state's conservation commitments and prevents further encroachment.

Preventing Property Value Decline and Economic Loss

High-voltage transmission lines significantly reduce property values, making it difficult for affected landowners to sell or utilize their land. SB 955 allows homeowners to seek damages for property devaluation, ensuring that they are compensated fairly if transmission lines negatively impact their land.

Stopping Unchecked Expansion of Overhead Transmission Infrastructure

The MPRP is just one of many transmission projects on the horizon. With increasing pressure for regional transmission expansion, more overhead lines could be forced through rural and suburban areas. SB 955 establishes a legal precedent requiring that property rights and conservation efforts be respected rather than overridden for corporate gain.

Instead of constructing massive new transmission corridors through protected and private lands, Maryland should prioritize modern energy solutions such as: **Undergrounding power lines** to minimize land disruption and protect property values. **Grid-enhancing technologies** to improve efficiency on existing infrastructure without requiring new transmission lines. **Distributed energy generation**, such as solar and microgrids, to reduce dependence on long-distance transmission and build local energy resilience.

The passage of SB 955 is a pivotal opportunity to stop forced land seizures and establish a fairer, more responsible approach to energy infrastructure planning. Landowners, farmers, and communities must stand together to protect our rights and our land from unjust eminent domain practices.

I urge this committee to support SB 955 to ensure that Maryland prioritizes property rights, conservation, and smart energy planning over unnecessary and destructive transmission expansion.

Thank you for your time and consideration.

Brenda Myers

Hampstead, Maryland

SB 955 Price.pdf

Uploaded by: Brysn Price

Position: FAV

Testimony in Support of SB 955

Presented by Bryan Price

Maryland State Senate Hearing on SB 955

Chair, Vice Chair, and Esteemed Members of the Committee,

Thank you for the opportunity to submit testimony in support of Senate Bill 955 (SB 955). My name is Bryan Price, and I am a Maryland resident committed to protecting property rights, conservation lands, and rural communities from the unjust and unnecessary expansion of overhead transmission lines. SB 955 is a critical measure that strengthens landowner protections, curbs eminent domain abuses, and ensures that large-scale energy transmission projects are not pursued at the expense of Maryland's farmers, homeowners, and environmental heritage.

The Maryland Piedmont Reliability Project (MPRP) has exemplified why stronger eminent domain protections are needed. Proposed by PJM Interconnection and energy developers, the MPRP threatens to seize private land for high-voltage transmission towers that would permanently alter Maryland's landscapes, devalue properties, and strip landowners of their rights. This project, like many transmission projects before it, relies on the ability to forcibly take land through eminent domain, often undervaluing properties in the process. SB 955 ensures that landowners do not have their properties seized for overhead transmission lines, especially on land protected by conservation easements, such as those enrolled in the Maryland Agricultural Land Preservation Foundation (MALPF) program.

For too long, Maryland's conservation and agricultural lands have been placed in the crosshairs of energy developers who view them as mere obstacles rather than the irreplaceable resources they are. Farmers who have spent generations cultivating their land and landowners who have committed to conservation programs should not be forced to defend their property against corporate overreach. SB 955 explicitly prevents transmission developers from targeting these protected lands, reinforcing the intent of conservation easements and ensuring that the lands set aside for future generations remain undisturbed.

The financial impact of large-scale transmission projects extends far beyond the land that is taken. The construction of high-voltage power lines dramatically reduces property values, making it difficult for homeowners to sell their land or use it for its intended purposes. SB 955 provides a necessary safeguard by allowing property owners within 500

feet of a condemned property to seek damages if transmission construction reduces their land value. Furthermore, landowners who challenge condemnation should not be left shouldering the financial burden of legal fees. This bill ensures that those who successfully defend their land in court receive reasonable attorney fees and that compensation standards in eminent domain cases reflect the true value of the land taken.

This issue is deeply personal for me. As someone who has spent months fighting against the MPRP, I have seen firsthand the stress, financial burden, and uncertainty that landowners endure when faced with eminent domain threats. My ancestors were among the original founders of Maryland—humble Quakers, Ark and Dove passengers, and Eastern Shore farmers who laid the groundwork for the agricultural traditions that persist today. Their commitment to responsible land stewardship helped shape Maryland's identity, and I consider it my responsibility to continue that fight by standing up for the rights of today's farmers and landowners.

Additionally, my early involvement in the Future Farmers of America (FFA) instilled in me the values of conservation, sustainability, and respect for agricultural communities. Farmers across Maryland have placed their trust in preservation programs to protect their land from industrial encroachment. If we allow transmission developers to override these protections, we will betray the very people who have dedicated their lives to feeding and sustaining our state. PSEG and other energy developers have already signaled plans to expand transmission projects across Maryland, including into the Eastern Shore, threatening even more farmland and rural communities. If we do not act now, more families will be forced into legal battles just to keep what is rightfully theirs. SB 955 sends a strong message that Maryland will not stand for corporate overreach and that our land, communities, and conservation commitments will not be sacrificed for unnecessary infrastructure.

Maryland has the opportunity to lead by example. Instead of prioritizing overhead transmission lines that destroy landscapes and disrupt communities, we should be investing in undergrounding power lines, grid-enhancing technologies, and distributed energy generation such as solar and microgrids. These modern solutions offer greater resilience, efficiency, and environmental benefits without the heavy-handed use of eminent domain.

The passage of SB 955 is about more than protecting land; it is about preserving Maryland's agricultural heritage, defending private property rights, and ensuring that energy expansion is done responsibly and equitably. I urge the committee to support SB 955 and stand with the farmers, conservationists, and homeowners who are fighting to protect their land and their future.

Thank you for your time and consideration.

Sincerely,

Bryan Price

21221 York Road

Parkton, MD 21120

Bryan.s.price@gmail.com

410.302.8074

SB0955_Overhead_Transmission_Lines_Eminent_Domain_

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0955

Overhead Transmission Lines - Eminent Domain

Bill Sponsor: Senator Brooks

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: **FAVORABLE**

I am submitting this testimony in strong support of SB0955 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

Our members respect the need of the utilities in the state to build more transmission lines to service a growing data center expansion in the state. One of the techniques being used to acquire the land for the transmission line build is to buy property near the property the utility needs and diminishing the value of the property they want to seize by starting to build overhead transmission lines. Then, the utility initiates condemnation proceedings to get the adjoining property.

This practice is harming not only farmers in rural areas but also causing land in conservation areas to be used for transmission lines. This bill would prevent this practice by prohibiting the condemnation of private property on a conservation easement by diminishing it due to the purchase of other property within 500 feet of the owner's property that was then used for the construction of overhead transmission lines.

We strongly support this bill and recommend a **FAVORABLE** report in committee.

SB 955.pdf

Uploaded by: CHERYL EBAUGH

Position: FAV

Please pass SB 955 to protect Maryland landowners and ensure that our elected officials and leaders of our beautiful state of Maryland are doing their due diligence to promote responsible transmission development and ensure fair energy policies.

Thank you,

Cheryl Ebaugh

SB 955 Amendment.pdf

Uploaded by: Christopher West

Position: FAV



SB0955/513522/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

03 MAR 25
13:43:28

BY: Senator West
(To be offered in the Education, Energy, and the Environment
Committee)

AMENDMENTS TO SENATE BILL 955
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “fees” insert “and expert witness expenses”.

AMENDMENT NO. 2

On page 5, in line 21, strike “ASSESSED” and substitute “**FAIR MARKET**”; in the same line, after “PROPERTY” insert “, **AS DETERMINED BY THE TRIAL COURT IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION,**”; in lines 21 and 22, strike “APPRAISED VALUE PLACED ON THE PROPERTY BY THE CONDEMNING AUTHORITY” and substitute “**VALUE ALLEGED BY THE PLAINTIFF IN THE CONDEMNATION PROCEEDING**”; and in line 23, after “FEE” insert “**AND REASONABLE EXPERT WITNESS EXPENSES**”.

On page 6, in line 1, strike “ASSESSED” and substitute “**FAIR MARKET**”; in line 2, after “PROPERTY” insert “, **AS DETERMINED BY THE TRIAL COURT IN ACCORDANCE WITH § 12-105 OF THIS SUBTITLE,**”; in lines 2 and 3, strike “APPRAISED VALUE PLACED ON THE PROPERTY BY THE CONDEMNING AUTHORITY” and substitute “**VALUE ALLEGED BY THE PLAINTIFF IN THE CONDEMNATION PROCEEDING**”; and in line 3, after “FEE” insert “**AND REASONABLE EXPERT WITNESS EXPENSES**”.

SB955 FAV.pdf

Uploaded by: Christopher West

Position: FAV



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

March 6th, 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 955: *Overhead Transmission Lines - Eminent Domain*

Dear Chairman Feldman and Members of the Committee,

In my testimony on SB952, I described the anguish and fury being expressed by thousands of Maryland families about the proposed 70-mile electrical transmission line. I specifically described the scenes at two public meetings that occurred last summer during the week immediately preceding Labor Day. Many more public meetings have been held in connection with the proposed transmission line, and it would be hard to overstate what happened at these meetings. Screaming, yelling, incipient physical altercations. These folks are facing the destruction of their lives and livelihoods, and to say they are upset would be the understatement of the year.

SB955 is designed to in some small measure ameliorate the damage that will be inflicted on the affected property owners if the PSC should decide to approve the pending application of PSEG for a certificate of convenience and necessity.

Before I describe the three components of SB955, permit me to explain why the fury of the residents along the 70-mile length of the proposed transmission line is specially pronounced.

As of last November, Loudoun County, Virginia, which lies just on the south side of the Potomac River from the proposed terminus of the new transmission line in Point of Rocks, Maryland was home to about 200 data centers, more than any other community on earth. That represents over a 230% increase in data centers in Loudoun County in the past five years. And in the pipeline are so many more data centers that by the time they are completed, the number of data centers in Loudoun County will have doubled to over 400 data centers. As a consequence, Loudoun County currently hosts 65% of the world's internet traffic.

Each data center uses as much electricity as a small city. That means that Loudoun County is glomming up unimaginably massive amounts of electricity. Although the local utility in Loudoun County, Dominion Energy, is required by Virginia law to provide power to every customer it serves, it has failed in its assigned task. The Loudoun County data centers desperately need a vast amount of power, but Dominion can't provide it to them.

That's where the proposed 70-mile transmission line across Maryland comes in. The proposed new transmission line would take electricity generated at the Peach Bottom Nuclear Power Plant just over the Pennsylvania line and transmit it from the northeast corner of Baltimore County across northern Baltimore County into northern Carroll County and then southwest across Carroll County into eastern Frederick County, terminating in Point of Rocks on the Potomac River. Why Point of Rocks? Well, there is an existing transmission line starting at Point of Rocks which crosses the Potomac River and then goes directly to the heart of Loudoun County where all those data centers are located. PSEG claims that Maryland will benefit from the proposed new line, but note that the proposed line does not go to a part of Maryland where electricity is in demand. The line doesn't go to or anywhere near Baltimore City, central Maryland or the Washington, D. C. area counties. Rather, it goes to a tiny town named Point of Rocks which just happens to be at the end of a transmission line going directly to the center of the Loudoun County data center complex. So none of the electricity delivered to Point of Rocks by the proposed new line will be used in Maryland. It will all be delivered to Loudoun County, Virginia. The new transmission line will therefore be the equivalent of a 70-mile extension cord, delivering electricity from Pennsylvania to Point of Rocks and then into Loudoun County, Virginia.

All of the benefits of the proposed new transmission line will occur in Virginia. The vast data center complex being developed in Loudoun County, Virginia will generate innumerable jobs and collateral economic development, but in Virginia, not in Maryland. These employees will pay Virginia income taxes and property taxes. The data center owners are anticipated to pay \$895 million in real and personal property taxes to Loudoun County in FY2025, a county in which the entire operating budget in FY2025 is anticipated to be only \$949 million. So local tax rates will be very low in Loudoun County while the economy of Loudoun County will grow robustly. By contrast, Maryland will suffer all of the deleterious consequences associated with the new transmission line and will derive no benefits from it at all.

That is why the residents of Maryland whose property will be taken away from them if the transmission line is approved are so upset. It would be one thing if the new line were delivering electricity that they need and that would improve their standard of living. But the new line will only bring them misery and destroy their lives while enhancing the economy of Loudoun County, a place where the local utility is defying Virginia law and not generating the electricity needed to run the data centers. Our Maryland residents correctly apprehend that they are being sold down the river by PJM and PSEG in order to make the residents of another state prosperous. They are most profoundly upset.

Senate Bill 955 is intended to help them out and to help out all those in the future whose homes and properties are in the path of transmission lines as yet unannounced. It has three components.

First, much of the land that will be the subject of eminent domain has been voluntarily placed into permanent conservation easements and preservation easements by its owners in order to assure that it will remain forever protected against development. These owners movingly foresee that the proposed transmission line will result in the clear cutting of forests, the destruction of ground cover and the elimination of wildlife. The Chesapeake Legal Alliance and Blue Water

Baltimore have issued a letter stating that the line will impact nearly 100 rivers and streams, 30 riparian wetlands and 70 other federally identified wetlands. To lose these vital permanently protected lands would be heart rending, and the perverse fact is that our eminent domain laws actually encourage PSEG to route the new transmission line through these protected lands because they have no development value and consequently can be acquired cheaply, far more cheaply than nearby land that could be developed.

SB955 prohibits a developer of a new electrical transmission line from exercising a right of condemnation to acquire property encumbered by a conservation easement. In this case, PSEG would have to route its proposed transmission line around these lands of paramount environmental importance.

Second, while Maryland law currently provides for compensation to a property owner whose land is the subject of an eminent domain proceeding, it offers no protection at all for adjacent property owners whose land is adversely impacted by the new use of the acquired land. In this case, how about a next door neighbor whose home is just 50 feet away from the property line of the land being acquired and who will literally be living in the shadow of a giant steel tower bearing cables conducting massive amounts of electricity across the landscape? Imagine the depreciation in the value of that neighboring property once that tower looms over the house and the children are forced to play their games in the shadow of the industrial tower?

SB955 provides that an owner of land located within 500 feet of the property taken by eminent domain for an overhead transmission line will be able to bring an action against the party exercising eminent domain to recover the diminished value of the nearby property. This seems only fair and right.

Third and finally, let me pose to you a hypothetical. The land subject to eminent domain is reliably appraised as being worth \$100,000. But PSEG knows that if the landowner goes to court, the attorneys fees and expert witness fees that he or she will incur will be at least \$25,000, more if there are appeals. So PSEG will be able to offer the landowner an \$80,000 settlement, knowing that the \$80,000 amount would be more than the landowner would end up with after paying the attorneys fees and witness fees. So the land is worth \$100,000, but the land owner either ends up with 80,000 or less if the landowner goes to court. That's just not right.

Therefore, the third component of SB955 provides that in the case of an eminent domain action due to the construction of an overhead transmission line, if the final ruling in a condemnation proceeding is that the fair market value of the property is greater than the party bringing the eminent domain action had alleged in the condemnation proceeding that the property was worth, the defendant will not only recover the fair market value of the property as determined by the court but in addition will be awarded reasonable attorneys fees and reasonable expert witness fees.

I appreciate the Committee's consideration of Senate Bill 955 and will be happy to answer any questions the Committee may have.

SB955.pdf

Uploaded by: David Burrier

Position: FAV

SB955

I would strongly urge this Committee to support SB955. I am writing as a farm owner whose land is in an agricultural preservation district in Frederick County, to protect it from future development and remain an agriculture production farm forever. Currently, we are unable to build a house or any commercial enterprise, including solar on our land. Using eminent domain to build anything, including an overhead powerline breaks our preservation agreement. Also, to make matters worse, this would make all preservation contracts worthless because a commercial enterprise can override the intent of Agricultural Preservation. Please support SB955 to keep our agriculture districts intact, and keep agriculture strong and viable in Maryland for the future.

SB955 - McFarland Testimony.pdf

Uploaded by: Elizabeth (Betsy) McFarland

Position: FAV

Elizabeth (“Betsy”) and Michael McFarland
2501 Monocacy Bottom Road
Adamstown, MD 21710
240-447-8616
betsymcfarland@gmail.com
mike@moxiecreations.com

March 4, 2025

Testimony in support of SB955 - Overhead Transmission Lines - Eminent Domain

To: Education, Energy, and the Environment Committee
From: Elizabeth (“Betsy”) and Michael McFarland

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

We are residents of Adamstown, Maryland, and we write to express our strong **support for SB955 - Overhead Transmission Lines - Eminent Domain**. This bill seeks to strengthen property rights protections and restrict eminent domain abuses.

As long-time Maryland residents and homeowners in Frederick County, our property lies directly in the path of the proposed Maryland Piedmont Reliability Project (MPRP), which is currently before the Maryland Public Service Commission. PSEG has made it clear—through their filings and public statements—that they intend to use eminent domain to seize our land. To protect our property from being unjustly taken and destroyed, we have filed a petition to intervene at the Maryland PSC.

While our land is not currently under a conservation easement, it is located within the Sugarloaf Treasured Landscape Area and Carroll Manor Rural Legacy Area—both designated for their ecological and historical significance. Our property is also classified as a FEMA Flood Zone A, Forest Interior Dwelling Species (FIDS) habitat, and a Targeted Ecological Area (TEA).

Allowing eminent domain to be used against conservation easements and environmentally sensitive lands is not only unjust but also counterproductive to Maryland’s long-standing environmental and conservation goals.

We urge your support for SB955 to ensure that Maryland’s natural landscapes, private property rights, and conservation efforts are protected from unnecessary and irreversible destruction.
Thank you for your time and consideration.

Sincerely,
Betsy and Michael McFarland

Written Testimony - SB 955 4935-0703-0307 v.pdf

Uploaded by: Harris Eisenstein

Position: FAV

March 4, 2025

Education, Energy, and the Environment Committee
West Miller Senate Building, Room 2
Annapolis, Maryland 21401

*Re: Testimony in support of –
SB 955 Overhead Transmission Lines – Eminent Domain*

Dear Members of the Education, Energy, and the Environment Committee:

My name is Harris Eisenstein. I am a Maryland attorney, and my practice focuses on eminent domain and related litigation. I strongly support SB 955.

Over the past fifteen years, I have represented Maryland citizens and businesses facing the harsh reality of the government taking their private property by eminent domain. This governmental power is rooted in the Fifth Amendment to the United States Constitution, which reads in relevant part: “nor shall private property be taken for public purpose, without just compensation.”

While Maryland condemnors must pay “just compensation,” Maryland law does not allow condemnees to recover a truly *just* amount for the life-altering experience of losing their property rights. SB 955 is an important step in the right direction.

Currently, a condemnee is entitled to recover the value of the land and improvements taken by eminent domain plus any diminution in value to whatever property remains post-take. Md. Code Ann., Real Prop. §§ 12-104, 12-105. A condemnee cannot recover legal and expert fees incurred defending an eminent domain proceeding except in rare instances. This is true even though a condemnor’s initial offer often falls short of just compensation. These below-market offers force my clients to invest resources for attorneys to develop, in collaboration with experts, the true value of the property taken. The result: while the condemnor may increase its just compensation package, the net received by my clients is reduced by whatever sums they must lay out for attorneys and experts. This is unjust.

SB 955 addresses this inequity, particularly for those in Baltimore, Carroll, and Federick Counties at risk of losing property rights to a planned 70-mile power line project known as the Maryland Piedmont Reliability Project (“MPRP”). If the sponsors of the MPRP secure the power of eminent domain – a question now before the Maryland Public Service Commission – they will forcibly install high-voltage, above-ground power lines across Maryland.

The State’s energy supply is at an inflection point and future utility projects like the MPRP are all but inevitable. SB 955 will protect citizens in the path of utility projects by

Education, Energy, and the Environment Committee

March 4, 2025

Page 2

allowing them to recover the market value of the land taken *plus* all legal, expert, and related fees they incur. In my opinion, every condemnee should have the right to recoup their legal expenses irrespective of who condemns their land or why. That broader, necessary protection for Marylanders must wait another day.

Thank you for your consideration.

Very truly yours,

A handwritten signature in blue ink, appearing to read "H. Eisenstein", with a long horizontal flourish extending to the right.

Harris W. Eisenstein

Agricultural easement protection 3-4-25.pdf

Uploaded by: jennifer teeter

Position: FAV

Jennifer Teeter and Frank Baylor
1805 Uniontown Road
Westminster, MD 21158
Cell: 443-340-2070
e-mail: jennyteeter@comcast.net

March 4, 2025

Re: Bills before the MD State Legislature prohibiting use of land in Agricultural Preservation Easement Programs for construction of Transmission Lines: HB0631, HB1396, SB0737, SB0955

Dear Committee Representatives:

My husband and I reside at the above address along a scenic byway in Carroll County amid farms in Agricultural Preservation Easements. The farmer next door farms a portion of our property and is directly impacted by the MPRP proposed towers and power lines complicating his farming operation that has been in the family for generations. To quote from the State of Maryland tourism web site, "top quality farm soil benefitting the #1 industry in the State of Maryland, Agriculture, is a finite resource". It should not be squandered for erecting power line towers and endangering those who work in the industry. Preserved farmland in easement for perpetuity means farming is the highest and best use of the land, period. Contiguous blocks of open farmland allow farmers to share resources such as aerial spraying and seeding costs which are impossible with high voltage power lines in the way. Breaching the trust of these easement programs puts the entire concept at risk, wasting millions invested in the program and working against county and state master plan goals for preservation of the industry. Alternatives to greenfield projects crossing preserved farmland exist and can improve the safety and reliability of our outdated electrical grid. Greenfield transmission projects generate the maximum financial benefit to the vendor at the greatest cost to the public.

We love and care deeply about the future of this state. People will look back on this and say we didn't fully appreciate how finite our green spaces and farmland are, how important they are to our rural economy (ag and tourism) and our mental health. High voltage power lines and towers will leave a massive scar across our state's most beautiful countryside, crossing many designated scenic byways. This has added to the stress of our farming community that already deals with elements outside their control.

Many of these farmers take no salary for years at a time to build their business. Giving up something to benefit the good of the whole is a concept they are living proof of, many have placed land in Ag Preservation programs for "perpetuity" for that very reason. They work hard every day to grow our food and feed for livestock. We must protect what remains of the unspoiled natural landscape and number one industry in this beautiful state we are proud to call home.

Thank you for approving this important bill. Please contact us if you have questions.

Very sincerely,

Jennifer Teeter and Frank Baylor

FAV_SB0955_StopMPRPInc.pdf

Uploaded by: Joanne Frederick

Position: FAV



WRITTEN TESTIMONY

BILL NO.: Senate Bill 955 – Overhead Transmission Lines - Eminent Domain

COMMITTEE: Senate Education, Energy, and the Environment Committee

HEARING DATE: March 6, 2025

SPONSORS: Senators West

POSITION: Favorable

I respectfully submit this testimony in **strong support** of **Senate Bill 955**, which **prohibits the use of eminent domain for overhead transmission lines on land encumbered by conservation easements** and provides **essential protections for property owners** who suffer economic losses due to transmission projects. This bill is necessary to **safeguard Maryland's rural communities, farmland, and property rights from the reckless expansion of transmission infrastructure, particularly projects like the Maryland Piedmont Reliability Project (MPRP).**

The MPRP: A Billion-Dollar Boondoggle at Maryland's Expense

The proposed **Maryland Piedmont Reliability Project (MPRP)** is a prime example of why SB 955 is urgently needed. This project has an estimated **construction cost of \$424 million**, but its **guaranteed annual revenue for developers is an astronomical \$550 million per year**. This staggering profit will be extracted **at the expense of Maryland's landowners and communities**, all while providing **no direct benefit** to Maryland ratepayers. Instead, the energy transmitted would primarily **serve the growing fleet of data centers in Virginia**, reinforcing an inequitable system where **Maryland bears the burden while another state reaps the rewards**.

SB 955 ensures that **private landowners, farmers, and rural communities are not forced to surrender their land** to projects like the MPRP that offer no local benefits and devastate property values, farmland, and environmental resources.

Eminent Domain Should Not Be Used to Seize Protected Farmland

Maryland has invested heavily in **land conservation** through programs like the **Maryland Agricultural Land Preservation Foundation (MALPF)**, the **Rural Legacy Program**, and the **Maryland Environmental Trust**. These programs were designed to **permanently protect farmland, forests, and rural landscapes**—not to serve as placeholders for corporate energy transmission corridors.

Under the MPRP proposal:



- **245.8 acres of conservation easements would be condemned** for transmission infrastructure, including **224.6 acres protected under MALPF**.
- **1,801.7 acres of conserved land** would be directly impacted by construction activities.
- **303 access roads would be constructed, destroying an additional 140 acres** to accommodate **heavy equipment** for transmission line construction, further fragmenting farmland and disrupting local ecosystems.

SB 955 prevents the abuse of eminent domain in these areas, ensuring that **land set aside for conservation and agriculture remains protected, rather than being handed over to energy developers for profit-driven projects.**

Protecting Property Owners from Economic Harm

Beyond the direct land seizure, transmission lines and associated access roads have a **devastating effect on nearby property values**. Studies show that **homes and farms located near high-voltage transmission lines can lose up to 40% of their value**, creating **economic hardship for families and communities**.

Additionally, the destruction caused by **303 access roads**, which will consume **140 acres for construction staging and heavy equipment**, will leave behind permanent damage, including:

- **Soil compaction and erosion**, making farmland less productive.
- **Increased runoff and water contamination** in surrounding agricultural and residential areas.
- **Fragmentation of farm operations**, disrupting daily activities and making some properties unusable for agricultural purposes.

SB 955 allows property owners **within 500 feet of a condemned property to seek damages if their land value declines** due to a transmission project, ensuring they are not left to bear the financial burden alone. Additionally, the bill mandates that **landowners receive fair legal compensation**, including **reasonable attorney fees** when challenging eminent domain cases—ensuring that residents and farmers have a **fighting chance against powerful corporate utilities**.



A Smarter Path Forward for Maryland's Energy Future

Rather than paving the way for **more destructive and unnecessary overhead transmission projects**, Maryland should focus on **modern, sustainable alternatives** to meet energy demand, including:

- **Upgrading existing transmission lines** instead of building new ones.
- **Undergrounding** new transmission where necessary to reduce land and environmental impacts.
- **Expanding local energy generation**, including grid-enhancing technologies and distributed energy resources, to **reduce reliance on long-distance transmission**.

SB 955 is a **crucial step in protecting Maryland from becoming an energy wasteland for the sake of Virginia's data centers**. This bill aligns with Maryland's long-standing commitment to **property rights, farmland preservation, and responsible energy planning**.

Conclusion: Vote Yes on SB 955

The passage of SB 955 will **uphold Maryland's commitment to land conservation, protect property owners from economic losses, and prevent corporate overreach through eminent domain**. If we fail to act, projects like the MPRP will **set a dangerous precedent**, opening the door for **more unnecessary transmission expansion at the expense of our communities and environment**.

I urge the committee to issue a **favorable report** on SB 955 and stand with Maryland landowners, farmers, and rural communities in rejecting the reckless expansion of corporate transmission corridors.

Respectfully submitted,

Joanne Frederick

President

Stop MPRP, Inc.

joanne.frederick@stopmprp.org

443.789.1382

MPRP BILLS SUPPORT.pdf

Uploaded by: Julie Holly

Position: FAV

I am writing in support of the following bills: SB483, SB853, SB947, SB950, SB951, SB952, SB953, SB955, HB631, HB1079, HB1337, HB1362, and HB1396.

Each of these bills is essential to ensuring that any entity seeking to construct energy transmission or generating facilities is held accountable for the full impact of its actions. For too long, citizens have shouldered the financial and personal costs of these projects—whether through harm to their health, businesses, properties, incomes, or overall quality of life. Meanwhile, corporations reap the benefits without sufficient regard for the communities they affect.

The approval of the MPRP project as currently proposed would send a troubling message to Maryland residents about where their interests rank in the eyes of their representatives. Maryland thrives when its communities thrive, and maintaining a strong, engaged population depends on policies that protect the well-being and economic stability of those who call this state home. Enacting stricter regulations to ensure corporate responsibility would reinforce that Maryland legislators are committed to safeguarding their constituents and the long-term prosperity of the state.

Thank you for your time and consideration.

Julie Holly, District 4

SB955.pdf

Uploaded by: Lisa Orens

Position: FAV

I strongly support SB955 for the following reasons:

First, Eminent domain MUST be avoided at all costs. This practice devastates families. Farm families land is rendered useless if transmission lines are constructed on it. The land doesn't recover from the disruptions caused by erecting the lines, building roads for erecting and maintaining the lines. Crops won't grow as successfully because of the diminished health of the soil. Livestock can be seriously and negatively impacted by these lines, and grazing pastures will not be as productive as they would be if they were not disturbed.

Second, In the case of MPRP, a corporation is attempting to use eminent domain to construct overhead transmission lines to save money and increase their profits. This is wrong. Simply wrong to cause economic and environmental devastation to Maryland citizens who vote and pay taxes to live in a wonderful state. Maryland MUST require companies like these to fund thorough research to find the best and most current technology to transmit electricity through our state.

Third, The State of Maryland MUST not allow itself to be played by corporations who threaten its citizens with blackouts if the MPRP transmission lines are not built. These lines are intended to transport power through our state to data centers in Virginia. They won't impact Maryland's electrical supply.

Respectfully submitted,

Lisa Orens

Owner, Bluebird Hall Farm

please support sb 955.pdf

Uploaded by: Matthew Moran

Position: FAV

March 4, 2025

Dear Honorable Senators and Delegates,

I believe that eminent domain is used too frequently by greedy corporations to gain assets for themselves. Eminent domain should never be used if the seized property becomes owned by a corporation or private entity. Eminent domain should only ever be used if the seized assets become property of the state never to be relinquished to a corporation.

Please support SB 955

Thank you very much,

Matt Moran

2931 Monocacy Bottom Rd.
Adamstown, MD 21710
monocacybottommatt@gmail.com

SB955 - McFarland Testimony.pdf

Uploaded by: Mike McFarland

Position: FAV

Elizabeth (“Betsy”) and Michael McFarland
2501 Monocacy Bottom Road
Adamstown, MD 21710
240-447-8616
betsymcfarland@gmail.com
mike@moxiecreations.com

March 4, 2025

Testimony in support of SB955 - Overhead Transmission Lines - Eminent Domain

To: Education, Energy, and the Environment Committee
From: Elizabeth (“Betsy”) and Michael McFarland

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

We are residents of Adamstown, Maryland, and we write to express our strong **support for SB955 - Overhead Transmission Lines - Eminent Domain**. This bill seeks to strengthen property rights protections and restrict eminent domain abuses.

As long-time Maryland residents and homeowners in Frederick County, our property lies directly in the path of the proposed Maryland Piedmont Reliability Project (MPRP), which is currently before the Maryland Public Service Commission. PSEG has made it clear—through their filings and public statements—that they intend to use eminent domain to seize our land. To protect our property from being unjustly taken and destroyed, we have filed a petition to intervene at the Maryland PSC.

While our land is not currently under a conservation easement, it is located within the Sugarloaf Treasured Landscape Area and Carroll Manor Rural Legacy Area—both designated for their ecological and historical significance. Our property is also classified as a FEMA Flood Zone A, Forest Interior Dwelling Species (FIDS) habitat, and a Targeted Ecological Area (TEA).

Allowing eminent domain to be used against conservation easements and environmentally sensitive lands is not only unjust but also counterproductive to Maryland’s long-standing environmental and conservation goals.

We urge your support for SB955 to ensure that Maryland’s natural landscapes, private property rights, and conservation efforts are protected from unnecessary and irreversible destruction.
Thank you for your time and consideration.

Sincerely,
Betsy and Michael McFarland

Testimony in support of SB0955 - Overhead Transmis

Uploaded by: Richard KAP Kaplowitz

Position: FAV

SB0955_RichardKaplowitz_FAV
03/06/2025

Richard Keith Kaplowitz
Frederick, MD 21703

TESTIMONY ON SB#/0955 – FAVORABLE
Overhead Transmission Lines - Eminent Domain

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

FROM: Richard Keith Kaplowitz

My name is Richard K. Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#0955, Overhead Transmission Lines - Eminent Domain

This bill seeks to protect property rights for persons whose property is encumbered by a conservation easement from an electric transmission line violating that easement. This is both an environmental protection and property rights enforcement mechanism.

This bill prohibits a person constructing an overhead transmission line from exercising a right of condemnation to acquire property encumbered by a conservation easement. It recognizes that action by an electricity transmission company can harm a protected environment. It will provide legal protection by authorizing a certain property owner to bring an action for damages incurred as a result of a certain condemnation proceeding. That action is further strengthened by requiring that reasonable counsel fees be awarded to counsel for the defendant in a condemnation proceeding and that certain court costs be charged against the plaintiff under certain circumstances.

I respectfully urge this committee to return a favorable report on SB#0955.

SB955.pdf

Uploaded by: Suzannah Moran

Position: FAV

Dear Senators,

I am writing to ask you to support SB955. To take the private land of Marylanders for electrical transmission lines to power private data centers in Virginia is outrageous. Electrical transmission lines, such as the proposed Maryland Piedmont Reliability Project (MPRP), will not benefit Marylanders, but will benefit some of the most wealthy private corporations on the planet.

Our family has been the stewarts of a treasured forest since the nineteen-seventies. Three generations of our family call it home. The idea that some corporations can harness the power of the government to steal our land seems so counter to American values and to the American dream. Eminent Domain should only be used as an absolute last resort in cases where it is in the clear public interest. This MPRP and similar projects do not come close to meeting that bar. Please help us to save our home.

Thank you for your time and consideration.

Sincerely,

Suzannah Moran
2931 Monocacy Bottom Rd
Adamstown, MD 21710

MDFB - Support - SB955 Overhead Transmission Lines

Uploaded by: Tyler Hough

Position: FAV



Maryland Farm Bureau

3358 Davidsonville Road | Davidsonville, MD 21035
410-922-3426 | www.mdfarmbureau.com

March 6, 2025

To: Senate Education, Energy, and the Environment Committee

From: Maryland Farm Bureau, Inc.

RE: Support of SB955 – Overhead Transmission Lines - Eminent Domain

On behalf of the nearly 8,000 member families of the Maryland Farm Bureau, I provide written testimony in support of SB955 Overhead Transmission Lines - Eminent Domain. This bill prohibits a person constructing an overhead transmission line from exercising a right of condemnation to acquire property encumbered by a conservation easement, authorizes a property owner to bring an action for damages incurred as a result of a condemnation proceedings, and requires that reasonable counsel fees be awarded to counsel for the defendant in a condemnation proceeding and that certain court costs be charged against the plaintiff.

Maryland farmers work tirelessly to preserve agricultural land for future generations, safeguarding the state's agricultural heritage and ensuring food security for its citizens. Similarly, conservation easements are vital tools for protecting Maryland's natural resources and maintaining ecological balance. Eminent domain actions that target these lands undermine the very purpose of these preservation efforts and set a dangerous precedent.

The Maryland Farm Bureau's policies align strongly with the principles set forth in SB955. We oppose the taking of preserved agricultural land by eminent domain, as well as the taking of land protected by conservation easements. These actions not only diminish the effectiveness of preservation programs but also erode the trust and participation of landowners in such programs. SB955 provides essential safeguards to ensure that preserved land remains protected, as originally intended.

This legislation is not only about protecting land; it is about honoring commitments made to Maryland's farmers and landowners who have voluntarily entered into preservation agreements. It also serves to uphold the state's broader goals of fostering sustainable agriculture, mitigating climate change, and conserving natural habitats.

Tyler Hough

Director of Government Relations

Please contact Tyler Hough, though@marylandfb.org with any questions

Testimony.pdf

Uploaded by: Chalyse Shaw

Position: FWA

Chalyse Shaw
901 Freeland Rd
Freeland, MD 21053
chshaw963@gmail.com
443-833-7196
03/03/2025

Testimony in Support of SB953

To: Education, Energy and Environment Committee

From: Chalyse Shaw

Dear Senator West and the members of the Education, Energy and Environment committee,

My name is Chalyse Shaw, and I am a resident of Freeland Maryland. I am writing to express my support for SB953, which places a moratorium on new transmission projects and establishes a task force to develop a realistic electricity plan

I have been a resident and small business owner in Northern Baltimore County for over 30 years. Farming is a vital part of our community's economy. Many of my friends, neighbors and clients are farmers who rely on the land to make their living. I am concerned about the current path Maryland is taking in regards to our energy needs; particularly the proposed power line project.

SB953 offers a once-in-a-generation opportunity to rethink Maryland's energy strategy. It puts the brakes on reckless transmission expansion while allowing time for a real, Maryland-focused plan that prioritizes affordable, reliable, and locally sourced electricity.

I respectfully urge you to support SB953 and to advocate for its passage to help preserve our farmland and protect Maryland's natural heritage.

Thank you for your time and attention to this important matter. I appreciate your dedication to serving our community and look forward to seeing your leadership on this issue.

Sincerely,

Chalyse H. Shaw

SB0955 testimony for Valleys Planning Council.pdf

Uploaded by: Renee Hamidi

Position: FWA



thevpc.org | info@thevpc.org | 410.337.6877
118 W. Pennsylvania Avenue, Towson, Maryland 21204
P.O. Box 5402 Towson, Maryland 21285-5402

Committee: Education, Energy, and the Environment

Testimony on: SB0955 “Overhead Transmission Lines – Eminent Domain”

Position: Support with amendments

Hearing Date: March 6, 2025

Valleys Planning Council, a non-profit that conserves land and resources, preserves historic character and maintains the rural feel and land uses in northwestern Baltimore County, urges a favorable report on SB0955, which would prohibit the condemnation of land protected by a conservation easement so that the land could be acquired to construct an overhead transmission line, authorize property owners within 500 feet of a transmission line or other infrastructure to sue for the reduction in value of the property caused by the taking of another property to construct an overhead transmission line.

One of the reasons landowners choose to preserve their land is to protect it from development. Landowners give up certain rights for the greater good. Eminent domain takes land for the greater good. There is no way to prove that a transmission line is a “greater” greater good than preserved land.

It should also be recognized that construction of a transmission line devalues nearby land. Taking land by eminent domain affects not just the person who owns the taken land and nearby landowners should be able to bring action.

The bill should be amended so that 7-207, (VI) reads: “Notwithstanding any other law, a person may not exercise a right of condemnation to acquire property encumbered by a conservation easement OR TO ACQUIRE AN EASEMENT OR RIGHT-OF-WAY ON PROPERTY ENCUMBERED BY A CONSERVATION EASEMENT, as defined under § 10-705(A) of the Real Property Article, for the purpose of constructing an overhead transmission line.”

It should further be amended so that 10-705 (a)(2)(i)(5) includes “a local Rural Legacy Program”.

Valleys Planning Council urges a favorable report on SB0955 with an amendment.

Renée Hamidi
Executive Director
Valleys Planning Council

Protect. Preserve. Enjoy.

PHI - SB 955 Overhead Transmission Lines - Eminent

Uploaded by: Allyson Black-Woodson

Position: UNF



March 6, 2025

112 West Street
Annapolis, MD 21401

OPPOSE – Senate Bill 955 – Overhead Transmission Lines - Eminent Domain

Potomac Electric Power Company (Pepco) and Delmarva Power & Light Company (Delmarva Power) respectfully oppose **Senate Bill 955 – Overhead Transmission Lines – Eminent Domain**. Senate Bill 955 prohibits a person constructing an overhead transmission line from exercising a right of condemnation to acquire property encumbered by a conservation easement. It authorizes the owners of property that is used for residential or agricultural purposes to bring an action for damages incurred as a result of a condemnation proceeding. It also requires that counsel fees be awarded to the defendant in a condemnation proceeding and that court cost are charged to the plaintiff.

The purpose of the electric transmission system is to move electricity efficiently, to eliminate congestion or traffic jams and deliver electricity where customers need it. Pepco and Delmarva Power's transmission system consists of thousands of structures that move high-voltage electricity from power sources to Pepco and Delmarva Power substations where the electric supply is managed and then moved along the distribution system until ultimately it is safely and reliably delivered to homes and businesses.

Pepco and Delmarva Power are concerned that this legislation introduces new obstacles for the construction of important transmission projects, ultimately impeding the progress in addressing regional resource adequacy challenges. Additionally, it could have a significant indirect impact on future energy and capacity prices, ultimately increasing cost for consumers.

For these reasons, Pepco and Delmarva Power respectfully oppose Senate Bill 955.

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.

Valencia McClure | Anne Klase | Allyson Black-Woodson | Poetri Deal | 410 980 5347

BGE_EEE_OPP_SB955 - Overhead Transmission Lines -

Uploaded by: Dytonia Reed

Position: UNF

OPPOSITION
Education, Energy and Environment
3/6/2025

Senate Bill 955 - Overhead Transmission Lines - Eminent Domain

Baltimore Gas and Electric Company (BGE) strongly opposes *Senate Bill 955 - Overhead Transmission Lines - Eminent Domain*, which restricts the use of condemnation to acquire property under a conservation easement. The bill also allows property owners within 500 feet of land taken by eminent domain for a new transmission line to sue for damages for property value reduction and seek recovery of legal fees.

BGE opposes this legislation for several reasons. First, *Senate Bill 955* prohibits condemnation actions, creating additional obstacles for the State's energy transition. Maryland's ambitious decarbonization goals require significant investments in electric infrastructure to reliably serve current and future loads. Essential infrastructure components, such as new transmission lines, substations, and feeder lines, are necessary to achieve full electrification. *Senate Bill 955* will hinder the construction of these critical projects, exacerbating resource adequacy challenges. The exponential growth in energy demand, coupled with the retirement of generating plants, necessitates the fortification of grid reliability and resiliency. Increased litigation could lead to significant delays or cancellations of important projects, as utilities grapple with the heightened costs and extended timelines associated with these legal challenges. Maryland's desire to electrify through decarbonization by eliminating gas and energy generation is driving greater demand for electric transmission corridors.

Secondly, the bill would increase unwarranted lawsuits. Allowing landowners within five hundred feet of property taken by eminent domain to sue for property value diminution and legal fees is inappropriate, especially when the Maryland Public Service Commission has determined a need for the project that is the subject of the lawsuit. This provision creates a special statutory right to sue the condemning utility, adding unnecessary legal hurdles and delays. Furthermore, encouraging more lawsuits will only lead to higher costs for BGE ratepayers.

Senate Bill 955 would infringe upon BGE's utility franchise rights that permit the condemnation of property and the installation of electric lines along public rights-of-way. The United States Supreme Court has affirmed that such a franchise, once accepted, is a vested property right that cannot be impaired by subsequent legislative action.

Finally, the bill would encourage conservation organizations to assemble easements from private landowners to block utility projects, creating barriers to the efficient delivery of services. This impact extends beyond BGE to other utilities, including water, sewer, communications, and interstate oil and gas.

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



AN EXELON COMPANY

Position Statement

Senate Bill 955 would force BGE to navigate longer, less efficient routes for transmission projects, leading to higher costs for design, acquisition, construction, and maintenance. These increased costs would be passed on to customers in the form of higher monthly bills.

For these reasons, BGE opposes *Senate Bill 955* and requests an unfavorable report.

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

SB0955 - UNF - Overhead Transmission Lines - Emine

Uploaded by: Landon Fahrig

Position: UNF



Maryland

Energy Administration

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

FROM: MEA

SUBJECT: SB 955 - Overhead Transmission Lines - Eminent Domain

DATE: March 6, 2025

MEA Position: UNFAVORABLE

SB955 would add a subparagraph to Maryland Public Utilities Article (PUA) Section 7–207(b) that prohibits condemning property subject to a conservation easement to construct a transmission line, without exception. While the effects of overhead transmission lines on the environment should be avoided or mitigated to the extent possible, completely excluding one type of real property may tilt permitting outcomes toward projects that avoid certain conflicts at the expense of others, rather than those projects that maximize net benefits.

The bill also adds a right of action for a property owner to seek damages for a diminution in value caused by the exercise of a right of condemnation on adjacent property (within 500 feet) to construct a transmission line. The bill does not specify whom this action can be brought against—the neighbor for accepting a buy-out the property owner did not or the transmission developer for offering the neighbor the buy-out. This may raise questions regarding causation. The additional rights of action could have a chilling effect on Maryland’s clean energy economy.

Finally, the bill adds two paragraphs to the Real Property Article regarding condemnation proceedings and counsel fees related to the construction of a transmission line. Both paragraphs apply conditionally: if the final decision is that the assessed value of the property exceeds the appraised value placed on the property by the condemning authority, the defendant is awarded a reasonable counsel fee against the plaintiff. The same language would also apply to the appeal of a condemnation decision. The term “condemning authority” is not defined in the bill or Section 7–207 of the PUA. This measure would add further expense and regulatory uncertainty to the development of transmission assets in the state without guaranteeing better results in siting. The changes may also incentivise litigiousness.

For these reasons, MEA urges the committee to issue an **unfavorable report**.

Our sincere thanks for your consideration of this testimony. For questions or additional information, please contact Landon Fahrig, Legislative Liaison, directly (landon.fahrig@maryland.gov, 410.931.1537).