

CAROLYN A. QUATTROCKI
Chief Deputy Attorney General

LEONARD J. HOWIE III
Deputy Attorney General

CARRIE J. WILLIAMS
Deputy Attorney General

SHARON S. MERRIWEATHER
Deputy Attorney General

ZENITA WICKHAM HURLEY
Deputy Attorney General



PETER V. BERNS
General Counsel

CHRISTIAN E. BARRERA
Chief of Staff

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

ANTHONY G. BROWN
Attorney General

March 5, 2026

TO: The Honorable Brian Feldman
Chair, Education, Energy, and the Environment Committee

FROM: Tiffany Clark
Director, Legislative Affairs, Office of the Attorney General

RE: Senate Bill 834 – Energy Efficiency and Conservation Programs, Services,
and Plans - Moratorium (Letter of Concern)

The Office of the Attorney General (OAG) respectfully submits this letter of concern regarding Senate Bill 834 - Energy Efficiency and Conservation Programs, Services, and Plans – Moratorium. Senate Bill 834 establishes a moratorium, beginning July 1, 2026, on Maryland's EmPOWER energy efficiency programs by prohibiting state agencies from implementing or enforcing the energy efficiency and conservation laws set forth in §§ 7-222 through 7-226 of the Public Utilities Article.

While we appreciate the sponsor's intent to address ratepayer concerns about rising energy costs, we have identified significant equity considerations that warrant the Committee's careful attention:

- **Harm to Maryland's Most Vulnerable Residents.** The EmPOWER program currently provides free weatherization services to more than 8,000 low-income homes annually and funds the Energy Efficiency Equity Grant Program, which directs \$11.2 million toward vulnerable communities. Senate Bill 834 would immediately halt these services, eliminating a critical lifeline for households that already spend between 13 and 42 percent of their income on energy costs. The loss of these services is likely to increase (not decrease) energy burdens for the Marylanders the bill seeks to help.
- **Ratepayers Pay Without Receiving Benefits.** The bill contains a particularly troubling structural inequity: while EmPOWER program services would cease on July 1, 2026, the

existing ratepayer surcharge would continue through December 31, 2032 to allow utilities to recover previously incurred costs (more than six years). Low-income Marylanders would continue paying into the system while receiving none of its benefits during that period. This outcome directly contradicts any ratepayer relief rationale for the bill.

- **Undermining Maryland's Statutory Equity Commitments.** The General Assembly has enacted multiple statutory provisions directing that energy efficiency programs affirmatively serve low-income and environmentally overburdened communities. A blanket moratorium on implementing and enforcing §§ 7-222 through 7-226 would place the State in tension with those commitments and could raise questions about Maryland's obligations to residents who have come to rely on these programs.

We appreciate the sponsor's engagement on the critical issue of energy affordability and remain available to work collaboratively to address these considerations as the legislation advances.

Cc: Members of the Committee