



HB1532 – FAVORABLE WITH AMENDMENTS

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HB1532, the Utility RELIEF Act

Meeting of the Energy, Education, and the Environment Committee

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Dear Chair Feldman, Vice Chair Kagan, and Members of the Committee, on behalf of Elders Climate Action Maryland, I urge a favorable report on an appropriately amended version of HB1532, the Utility RELIEF Act.

Elders Climate Action is a nationwide organization devoted to ensuring that our children, grandchildren, and future generations have a world in which they can thrive. The Maryland Chapter has members across the state.

Each day, we see the climate crisis more clearly. We know that Maryland is at increasing risk for sea level rise, flooding from intense rainfall, heat waves, and other extreme weather events. Maryland can also be a leader in moving us to a safer, cleaner future where we all can thrive. The clean energy transition is an essential part of that future.

We are also acutely aware of the affordability challenges many Maryland households face. Rising utility bills are a large part of that problem. For those of us on fixed incomes, including many of our members, this is a growing concern.

Because of these concerns, there has been a lot of work this year by legislators, environmental and consumer advocates, and others to craft legislation that

addresses both those problems and the need for growth as the electrical grid faces new demands. Much of that work has culminated in HB1532.

We are grateful for the hard work that has gone into this bill, and we appreciate its strengths, including the inclusion of:

- HB1 – Investor-Owned Electric, Gas, and Gas and Electric Companies - Cost Recovery – Limitations
- HB40 - Public Utilities - Transmission Lines - Advanced Transmission Technologies
- HB897 - Lower Bills and Local Power Act of 2026 (in part)
- HB540 - Public Service Company Transparency Act
- HB928– Certificates of Public Convenience and Necessity - Transmission Lines - Applicability and Waivers; HB702 - Co-Op and Condo Energy Refund Equity Act
- HB1104 - Solar Opportunity Act
- HB1476 - Public Service Commission - Net Energy Metering - Successor Program.

But we also have deep concern about provisions in five areas:

- EmPOWER
- Solar energy
- Nuclear energy
- Data centers
- Retail supply

**EmPOWER** - We support ending the gas utilities portion of the program. Some things offered by that program, like energy efficiency kits and smart thermostats, have been beneficial, but the common practice of offering incentives for high-efficiency gas furnaces leaves customers stuck for 15 years or more with an appliance that is far less efficient and more polluting than a heat pump. We also support a study looking at transitioning EmPOWER implementation to a third-party. That has the potential to make the program more cost-effective.

We are concerned, however, about the cuts to EmPOWER over the next three years. The combination of decreased goals and allowing community solar to count toward those goals makes EmPOWER much less useful as an energy efficiency program. Trying to cut energy costs by cutting an efficiency program is like deciding to pay the minimum on your credit card bill. That can improve cash flow for a while, but it causes ever mounting debt.

It also may be harder than expected to reverse the EmPOWER cuts. Almost 70,000 people in Maryland work in energy efficiency. Not all of that work is funded through EmPOWER, but the EmPOWER cuts will seriously impact the small businesses that do the work and their employees. Many of them may move to another type of work or leave Maryland. Getting those businesses and skilled employees back isn't nearly as easy as setting a goal.

**Solar Energy** - We were excited to see the Affordable Solar Act introduced with plug-in solar provisions modeled on the successful law in Utah. Plug-in solar doesn't produce enough power to allow a family to zero out their electric bill, but it can yield significant savings in a short period of time.

Unfortunately, the provision in HB1532 has reduced the amount of plug-in solar power allowed to 391 W – about one solar panel – which is less than a third of what is allowed in Utah. Considering the widespread, safe, and successful use of plug-in solar in Germany and other European countries, as well as in Utah, this change is baffling. Plug-in solar will offer much less help with electric bills in Maryland than in Utah.

While the Maryland General Assembly has been considering this, Virginia passed a bill based on Utah's law that allows 1200 W. It is expected that Governor Spanberger will sign it. This creates a situation in which Maryland residents may go to an Ikea in Virginia and buy a number of panels that are legal there, but not in Maryland. That also puts Maryland businesses at a disadvantage. Most will not want to add a new product line if the sales are expected to be small. Maryland should be consistent with Virginia and Utah and allow 1200 W.

HB1532 also does not adequately address the problems with SRECs that are slowing the growth of solar energy in Maryland. Solar is the least expensive and cleanest electricity source, and can be built much faster than natural gas or

nuclear plants. The reverse auction provision is simply a temporary band-aid. Waiting until 2027 or 2028 to address the problem will result in higher energy costs for consumers and more pollution. Moving instead to the SREC2s and related provisions in the Affordable Solar Act would significantly strengthen this bill.

**Nuclear energy** - We urge you to remove the provisions that subsidize nuclear power. They are detrimental to ratepayers, which is a major problem now that so many Maryland households are struggling with rising utility bills. Allowing a 10% cost overrun functions as a subsidy through an incentive to overspend.

Overspending has been a major problem with nuclear power plants in the United States. For example, the Georgia Power Vogtle Units 3 and 4 took 15 years to build and cost \$36.8 billion, more than twice the projected timeline and cost.<sup>1</sup> A 2014 study found that of 180 nuclear power plants worldwide, 117 exceeded their initial budgets by an average of 117% and took 64% longer than projected to build.<sup>2</sup> The levelized capital costs of nuclear-generated electricity are three times those of solar.

Some have argued that small modular nuclear reactors (SMRs) will solve these problems. Currently, there are no commercial SMRs operating in the United States. The Utah Associated Municipal Power Systems NuScale Power SMR was supposed to cost \$3 billion. When the cost rose to \$9.6 billion, the project was shelved.<sup>3</sup>

There are a handful of SMRs in Russia and China. The Trump Administration is trying to speed up development in the United States by drastically reducing the safety, security, and environmental safeguards.<sup>4</sup> Those new rules were developed in secret, and their effects are as yet unknown.

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<sup>1</sup> *PLANT VOGTLE: The True Cost of Nuclear Power in the U.S.*, June 9, 2024, <https://thirdact.org/georgia/2024/06/09/plant-vogtle-the-true-cost-of-nuclear-power-in-the-u-s/>.

<sup>2</sup> "U.S. Levelized Capital Costs by Energy Source 2030," Statista, accessed February 27, 2026, <https://www.statista.com/statistics/194327/estimated-levelized-capital-cost-of-energy-generation-in-the-us/>. Benjamin K. Sovacool et al., "Risk, Innovation, Electricity Infrastructure and Construction Cost Overruns: Testing Six Hypotheses," *Energy* 74 (September 2014): 906–17, <https://doi.org/10.1016/j.energy.2014.07.070>.

<sup>3</sup> "The Collapse of NuScale's Project Should Spell the End for Small Modular Nuclear Reactors | Utility Dive," accessed February 27, 2026, <https://www.utilitydive.com/news/nuscale-uamps-project-small-modular-reactor-ramanasmr-/705717/>.

<sup>4</sup> Geoff Brumfiel, "Secretly Rewritten Nuclear Safety Rules Are Made Public," *NPR*, February 26, 2026, <https://www.npr.org/2026/02/26/nx-s1-5727510/secret-rules-experimental-nuclear-reactors-now-public>.

Whether they are conventional nuclear power plants or SMRs, they take much longer to build than anticipated. And some are never completed. That is a distraction from the development of the renewable energy Maryland needs.

We are also concerned about the vaguely defined Zero Emissions Credits (ZECs) in the bill. ZECs have been tried in New York and are expected to reach \$2 billion/year. That's a huge expense that falls on ratepayers.

Finally, we are concerned about the effects of expanding nuclear power generation on the health of Maryland residents. A recent study by Harvard University's T.H. Chan School of Public Health showed higher cancer rates in counties closer to nuclear power plants. While a single study cannot establish causality, we should take a cautious approach as we await further studies.<sup>5</sup>

**Data Centers** - The bill includes some useful provisions on data centers, but it is insufficient to meet the challenges we face in Maryland. We appreciate the inclusion of some provisions of SB0992 to change the definition of a large load customer from 100 MW to 25 MW and establish a large load registry.

We believe, however, that more specificity is needed in the definition of an on-site backup generating facility. The current definition is "a generating facility that is: (I) not connected to the electric system; and (II) capable of serving at least 50% of the load required by a large load customer." If a data center has 15 backup generators, is each one a generation facility? If so, no one backup generator will serve 50% of the load. The data center can avoid having to register by having a number of small generating facilities, which is currently a common practice. We recommend that the language be amended to state: "(II) capable either individually or in the aggregate of serving at least 50% of the load required by a large load customer." Also, data centers should be required to register to qualify for any sales, use, or property tax exemptions.

Demand response requirements (HB0940/SB0596) and strong transparency and planning provisions (HB1411) are crucial for grid reliability, minimizing

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<sup>5</sup> Yazan Alwadi et al., "National Analysis of Cancer Mortality and Proximity to Nuclear Power Plants in the United States," *Nature Communications* 17, no. 1 (2026): 1560, <https://doi.org/10.1038/s41467-026-69285-4>.

environmental impacts, and protecting ratepayers. They should be included in HB1532.

**Retail Supply** – We support two of the adjustments to the provisions of 2024’s SB1 retail supply law: the provisions for variable rate with month-by-month “meet or beat” the utility rate, and dropping the 12-month trailing averages. We are concerned that other provisions will make bills higher. HB1532 would increase the retail contract length from one year to three and allow suppliers to offer up a 10% premium adder. Practices like these led to the higher retail supply rates many Marylanders faced before the passage of SB1 in 2024. We believe those provisions should be deleted.

We urge a favorable report on HB1532 with amendments that correct these issues. We strongly oppose any amendments that might be added that weaken the climate, environment, and consumer protections in the bill or in existing law.

Thank you for your time and consideration.