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Judicial Proceedings Committee



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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

March 3, 2026

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

**RE: Senate Bill 840 – Maryland Stadium Authority – Electricity Generating Facilities – Site Planning**

Chair Feldman, Vice-Chair Kagan, and Members of the Committee,

I am presenting Senate Bill 840, which, as drafted, directs state agencies to collaborate on siting decisions for future electrical generating facilities. Senator Hester and I worked on this bill together. Unfortunately, the bill produced by the Department of Legislative Services did not incorporate the provisions that Senator Hester and I desired. As we did not receive the bill back from DLS until the morning of the filing deadline, there was no time to work on the bill. So, I filed it just before the afternoon deadline. You should have at your desks a proposed amendment which completely replaces the current draft of the bill.

The amendment reclassifies and repurposes the bill to assign to the Maryland Stadium Authority the duty of studying Maryland's urgent need for additional electricity, devising a long-term solution to the problem and then moving forward to implement the solution, but only after securing annual buy-in from the General Assembly and also securing consent from the Board of Public Works for any financings needed in connection with the plan devised by the Stadium Authority.

I will explain the bill further in a few minutes, but first permit me to discuss the critical need for such a bill.

Maryland currently imports 40% of its electricity. Our state only generates 60% of the electricity that it needs to provide power to its homes and businesses. This situation is on course to get far worse in the next decade.

Maryland law already requires the phasing out of sales of new internal combustion engine motor vehicles by 2035, just nine years from now. However, an Executive Order by Governor Moore produced on a June 4, 2024, directs the State Department of Transportation to speed up the state's transition to electric vehicles. Of course, when most of the cars on our road are powered

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by electricity, Maryland's electricity usage will dramatically increase, and the state will necessarily have to import yet more electricity from other states.

One of the Governor's initiatives is to give incentives to businesses to locate data centers in Maryland. Each data center uses huge amounts of electricity. So, in this respect as well, Maryland is on course to consume massively increased amounts of electricity within the next decade.

The Climate Solutions Now Act was passed in 2022. There was no discussion on the floor of the State Senate at the time that the bill was being debated about the effect of data centers on the State's electrical needs. Bills that mandate long-term critical policy changes in a world in which unexpected events occur with startling regularity can have unexpected consequences. Just as in 2019, no one anticipated the pandemic, in 2022, no one anticipated the phenomenal growth of data centers in this region.

Maryland is not the only state on track to greatly increase its use of electricity. Based on startling data just released in January, the entire PJM grid, which extends from Chicago to the Atlantic Ocean and from the New York border down into North Carolina, is experiencing a massive increase in demand for electricity. I have put a slide up on the screen recently released by PJM illustrating this situation. In 2022, at the time that the Maryland General Assembly was debating the Climate Solutions Now Act, PJM was forecasting the peak summer demand for electricity systemwide would only increase marginally between 2022 and 2038, from about 150,000 MW per year to about 155,000 MW per year. Now look at the increase forecast in 2023. Now look at the increase forecast in 2024. Now look at the 2025 increase forecast. Now look at the 2026 forecast; it roughly parallels the 2025 forecast up until 2030 but then shoots even more rapidly upwards than prior forecasts. These numbers are truly shocking. They reflect the construction of data centers gridwide. They reflect the statutory requirements in various states, including Maryland, to convert all of the vehicles on our roads to electricity.

What the slide does not reflect is the decision on the part of various states, most particularly including Maryland, to close down lots of existing facilities that generate electricity. In that regard, please take a look at this additional slide. It shows that the 2025 supply of electricity gridwide was only 181,000 MW.

When the demand for electricity exceeds the available supply, blackouts result. In this regard, we need to recognize that many of the states on the PJM grid are continuing to shut down existing generating facilities that use fossil fuels. Here in Maryland, since 2018, we have retired 6,000



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MW of our electricity generating resources, and Talen Energy, which owns both the Brandon Shores and Wagner plants has announced that it plans to shutter these plants by 2029, just three years from now. These two plants alone produce 2,500 MW of electricity. Since our entire electrical output in Maryland is only 11,000 MW each year and we currently import 40% of our electricity, once Brandon Shores and Wagner close down, we will only generate 8,500 MW of electricity each year and will have to import well over half of our electricity from other states which have no electricity to export to Maryland because they are also running short of electricity. In short, this is an impending existential crisis for the State of Maryland.

Let's return to the previous slide for a moment. It shows that PJM's current projection is that in 2028, in just two years, on a normal hot summer day, PJM will face a demand for 170,000 MW of electricity. In 2030, just four years from now, the summer demand will have risen to 183,000 MW, outpacing the 2025 available supply, and this doesn't factor into the computation the retirement of existing generating facilities such as Brandon Shores, Wagner and additional facilities in other PJM states. As noted earlier, after 2030, the demand for electricity rises quite rapidly.

Further, these numbers assume normal summertime high temperatures and normal wintertime low temperatures. If we have a particularly hot summer or a particularly cold winter, like we experienced over the past eight weeks, the demand for electricity will be far higher, and there will be a far greater likelihood of a catastrophic mismatch between the demand for electricity and the available supply of electricity.

In short, within the very near future, our grid is going to experience blackout conditions. PJM has stated that it expects over 100 blackouts on the PJM grid between now and 2030. When a blackout is threatened, PJM has the ability and responsibility to turn off electrical power on parts of the grid in order to preserve the integrity of the rest of the grid. This almost happened three weeks ago when BG&E issued an urgent warning that it might have to turn off part of its service area due to the massive demand for electricity during the cold spell. Fortunately, things didn't get as bad as they might have, and BG&E did not have to turn customers off during the record-breaking cold, but it was a close call. In future years, when the normal demand for electricity is much higher than at present, these turnoff decisions are going to occur ... and with increasing frequency.

So now let's turn to the Stadium Commission and SB840, as amended.

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In the first place, I want to stress that this bill is very much a work in progress. It provides an intelligent structure for dealing with the problem at hand, but it needs more fleshing out by the members of this Committee.

It directs the Maryland Stadium Authority to study Maryland's need for additional electricity. The Authority is directed to formulate projections about how much electricity will be needed in Maryland annually for the next 25 years. And how much electricity will be needed to be generated in Maryland for each of those years. It is further directed to research site locations for such new electrical engineering facilities in Maryland as will be needed to supply the required amount of electricity going forward.

More specifically, SB840 directs the Stadium Authority to investigate how to provide for electrical generating facilities in Maryland capable of generating enough electricity to ensure that, together with electricity that can be reliably - reliably - expected to be imported into Maryland through interstate transmission lines, there will be sufficient electricity in Maryland in order to achieve three explicitly provided goals: (1) to provide for the needs of Maryland's citizens, its businesses, its hospitals and schools and all other users of electricity in Maryland; (2) to be available at reasonable prices which are not unduly high compared to prices paid by consumers in other states in the mid-Atlantic region; and (3) to be consistent with Maryland's commitment to promote clean air, clean water and a clean environment.

I believe that the Stadium Authority is the best state agency to do this vital work. It has an impeccable track record of climbing on top of major projects and executing its charge as perfectly as could be hoped. It is responsible for two Major League stadiums, the revived Hippodrome Theater, new and renewed schools across Baltimore City and, most recently the Pimlico Racetrack reconception project. It has never been the subject of charges of waste or abuse or corruption. In short, it takes on major tasks and brings significant infrastructure projects in on time and on budget. I don't think there is an alternative that makes sense. Lots of legislators have their own views of how to solve our energy needs, from millions of batteries to modular nuclear to an accelerated focus on renewable energy sources, but there is no consensus about any of these approaches. We can't afford to start down the preferred path of an outspoken legislator, only to realize two or three years down the road that we have taken the wrong course.

The Stadium Authority has the credibility and resources to draw on the wisdom of the smartest people in the energy sector and to formulate a plan in accordance with the guidance provided by this bill, a plan designed to solve our energy needs in Maryland as rapidly as possible.

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But the bill does not simply lateral this particular ball to the Stadium Authority and then wash our hands of the problem. It requires annual reports from the Authority of its plans for the following year to develop, finance, construct, acquire, own, lease, improve, operate as landlora, regulate and maintain new electrical generating facilities. Then the bill provides that the General Assembly may pass a Resolution disapproving the plans of the Authority as set forth in such a report. In the event that a Resolution of disapproval should pass, the Authority is directed NOT to proceed with its plans for the following year. So the General Assembly will have ultimate control over the plans formulated by the Stadium Authority. In short, the Stadium Authority will study the issue, formulate plans and submit a comprehensive report to the General Assembly, and we will have the annual ability to, in effect, issue a "Stop Work Order if we disapprove of what the Authority intends to do.

In addition, the Board of Public Works will continue to have to affirmatively approve any requests of the Stadium Authority to issue bonds to finance infrastructure improvements.

This is my final bill as I conclude my twelve-year tenure in the Maryland General Assembly. It is also perhaps the most significant bill of my legislative career. It is, as I stated earlier, a work in progress. Details will have to be filled in. Decisions will have to be made. But I believe it constitutes a workable template to solve a most serious problem facing the State of Maryland and its residents. I fear it is too late to prevent many of the electricity outages which are fated to occur in the next five years, but at least SB840 charts a course that will, as rapidly as possible, produce a future in which our citizens and our state economy will be able to count on reliable electricity. With that, I lay down my pen and wish the members of this Committee and indeed the people of the State of Maryland a safe and secure future.

I appreciate the Committee's consideration of Senate Bill 840 and will be happy to answer any questions the Committee may have.