

# **Coalition sign on testimony for Senate leaving PJM**

Uploaded by: Bryan Dunning

Position: FAV

**Favorable testimony for SB92**  
**Electric Company Contracts, Capacity Market Models, and Regional Transmission**  
**Organizations - Studies**  
**Education, Energy, and Environment Committee**  
**2/19/2026**



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**THIRD ACT**  
**MARYLAND**

On behalf of the organizations listed above, we urge a favorable report on SB 92.

This bill requires the Public Service Commission and the Maryland Energy Administration to scrutinize our membership in our regional grid operator, PJM, through a study of the costs and benefits of joining with other surrounding states to leave PJM and create a new regional transmission organization, as well as the costs and benefits of joining with other surrounding states to leave only the PJM capacity market, and create a multi-state “fixed resource requirement” compact, which would allow these states to ensure sufficient capacity, without being harmed by PJM’s flawed capacity auction rules.

Participating in a regional transmission organization to share power between neighboring states is beneficial in many ways, and generally reduces costs to ratepayers. However, it has become clear that PJM is not serving Maryland well. We can see this through:

1. **Flawed capacity markets.** To guarantee power supply across the grid it serves, PJM holds what’s called a capacity auction each year. Capacity Auction prices at PJM have increased over 1,000% since 2022, a clear sign that a grid is being mismanaged. This spike in prices is in part the result of PJM stifling new power supply attempting to connect to the grid for many years.

2. Backlogged interconnection queue. Historically, solar and battery projects have had to wait in the PJM interconnection queue for an average of three and a half years. In 2024 there were [286 gigawatts](#) of new generation and storage capacity waiting for PJM's approval to come online. That is more than the total installed capacity of the PJM grid today. PJM has a lack of generation primarily because PJM has systematically blocked new generation from getting connected to the grid.
3. Lack of long term planning. PJM did not proactively plan for the retirement of Brandon Shores and Wagner Coal plants. Even as coal plants across the country were closing and coal consumption in the U.S was falling by roughly half in the span of 10 years, PJM sat on its hands and did not create a plan for what to do when these coal plants inevitably closed. This set the state up for failure. When Brandon Shores and Wagner Coal Plants announced their intention to retire, their loss posed a reliability risk to the grid. After finding themselves in a reliability crunch of their own making, PJM did not issue a request for proposals to evaluate all the options on hand for solving the reliability issue at the lowest possible cost, instead they immediately entered into a reliability must run agreement with Brandon Shores and Wagner Coal plants that will cost ratepayers over \$700 million, while also immediately signing a no bid contract with a utility company to build a transmission line from Pennsylvania that will cost over \$1.5 billion. PJM did not even take the time to evaluate whether there were more cost effective options, such as deploying grid scale batteries to replace Brandon Shores and Wagner.

These series of decisions have been bad for Marylanders, bad for ratepayers, and bad for grid reliability. Although Maryland legislators, the governor, and advocates have been working tirelessly to work with PJM to reconfigure its rules, results have been mixed, as PJM is, by design, not responsive to the states it serves, but rather to its voting Stakeholders. PJM operates as a nonprofit organization, its decisions are made in closed-door working groups, and through votes of its members which include transmission owners, generation owners, electric distributors, end-use customers, and other suppliers who overwhelmingly have a vested financial interest in PJM's rulemaking. Maryland ratepayers are represented in the end-use customer as only one voting block through the Office of People's Counsel. Recently, the end-use customer voting block has been filled with data center companies. Recent decisions at PJM have been windfalls for the for-profit companies who make up the majority of PJM's voting members. The power generators are making record profits thanks to sky-high capacity auction prices. Talen Energy is making record profits off their coal plants, and the utilities are making profits building expensive transmission lines.

We applaud this body for taking initiative to improve governance and transparency at PJM, and ensure that if PJM does not make needed reforms, Maryland has well evaluated options, designed in conjunction with neighboring states, to protect its residents from spiraling electric costs and reliability issues. At this critical juncture of energy affordability, we need to ask the

hard questions: can we insulate ourselves from PJM's spiraling capacity markets, and do we want to continue to be part of PJM, or do we want to join our neighbors in creating a different Regional Transmission Organization - that is from its origin point is structured to be inclusive of the needs and priorities of the residents it serves? Other states in PJM are asking the same question. SB 92 facilitates a study to help us answer this and we urge a favorable report.

# **SB0092\_Electric\_Company\_Contracts\_Capacity\_Market\_**

Uploaded by: Cecilia Plante

Position: FAV



**TESTIMONY FOR SB0092**  
**Electric Company Contracts, Capacity Market Models, and Regional  
Transmission Organizations - Studies**

**Bill Sponsor:** Senator Hettleman

**Committee:** Education, Energy, and the Environment

**Organization Submitting:** Maryland Legislative Coalition

**Person Submitting:** Cecilia Plante, co-chair

**Position:** FAVORABLE

I am submitting this testimony in strong support of SB0092 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.

Maryland strongly relies on the PJM, which is the country's largest electric grid operator, managing the electricity transmission system for more than 65 million people in all or part of 13 states—Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia—and the District of Columbia. PJM, through its capacity auctions attempts to ensure the long-term ability of electricity supply to meet demand, and therefore determines the rates that consumers pay for their electricity.

Lately, PJM has been making very poor decisions about what energy to purchase, and has not accounted for the demand that we are seeing. PJM has repeatedly put the corporate goals of their members over the needs of rate-payers and the policies of member states working for a clean energy future. While there are still benefits to membership in PJM, states must ask when and whether the costs outweigh the benefits and what the alternatives might be.

This bill, if enacted, would require the Public Service Commission and the Maryland Energy Administration to study the costs and benefits of joining with other surrounding states to leave PJM and create a new regional transmission organization, as well as the costs and benefits of joining with other surrounding states to leave the PJM capacity market only, and create a multi-state "fixed resource requirement" compact, which would allow these states to ensure sufficient capacity, without being harmed by PJM's flawed capacity auction rules.

The report from this study would be due by December 31, 2026. We need to do this. PJM has been failing us for some time, and the burden of that failure has been placed solely on the backs of the residents of this state, many of whom cannot afford the bill. We strongly support this bill and recommend a **FAVORABLE** report in committee.

# **Coalition sign on testimony for Senate leaving PJM**

Uploaded by: Christine Pendzich

Position: FAV

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# **HB0143 & SB0092 - OPC Testimony in Senate.pdf**

Uploaded by: David Lapp

Position: FAV

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CHIEF OPERATING OFFICER

**BILL NO.:** Senate Bill 0092/House Bill 0143 – Electric Company  
Contracts, Capacity Market Models, and Regional  
Transmission Organizations - Studies

**COMMITTEE:** Education, Energy, and the Environment  
Environment and Transportation

**HEARING DATE:** February 19, 2026 (EEE)  
February 3, 2026 (ENT)

**SPONSOR:** Senator Hettleman  
Delegate Charkoudian

**POSITION:** Favorable

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The Office of People’s Counsel (“OPC”) respectfully offers the following comments in support of Senate Bill 0092/House Bill 0143. SB 0092/HB 0143 requires the Public Service Commission (“PSC”) and the Maryland Energy Administration (“MEA”) jointly, and in consultation with other states, to evaluate and make recommendations on potential alternatives to Maryland’s participation in the regional transmission organization, PJM Interconnection, LLC.

Specifically, SB 0092/HB 0143 sets forth legislative findings that PJM’s actions have increased costs and decreased affordability for electricity customers and that PJM has failed to adequately address concerns about rate increases or respond to State energy policies. The bill requires the PSC, in consultation with MEA, to study the benefits and costs of three potential alternatives to the current status quo:

1. mandating that each electric company in the State contract for 80 percent of the utility’s load-serving capacity over a five-year period;
2. utilizing PJM’s fixed resource requirement (“FRR”) alternative to PJM’s capacity market to secure electric capacity, and

3. withdrawing from PJM entirely and establishing an independent regional transmission organization or joining an existing regional transmission organization.

The PSC and MEA would be required to submit a report on their findings and recommendations by December 31, 2026.

OPC supports the bill’s legislative findings and agrees that affordability issues directly attributable to PJM’s actions warrant reconsidering the benefits of continued involvement with PJM and its markets. As OPC has emphasized in multiple filings before federal regulators, PJM’s rules and administration of its capacity market—through which PJM procures a commitment from generators to be available to meet peak grid demand—have exposed Maryland ratepayers to exorbitant and unwarranted costs.<sup>1</sup> For example, PJM’s failure to count the reliability contributions for two Baltimore-area power plants—Brandon Shores and Wagner—even though the plants would continue to operate as “reliability must run” (“RMR”) units until their retirement—contributed as much as \$5 billion to the spike in 2024 capacity auction costs.<sup>2</sup> OPC’s analysis estimates that, for 2025–2026, increased capacity prices resulting from that auction will increase most Maryland residential customer bills by more than \$15 dollars per month.<sup>3</sup> After OPC and others called on PJM to change its rules to account for RMR units so that customers weren’t forced to pay twice for reliability<sup>4</sup>—once to keep RMR units online and then again through higher capacity market prices—PJM changed its rules in future auctions but has yet to undue the unjust results of this and other flaws in the 2024 auction.<sup>5</sup>

OPC has brought a number of other challenges regarding PJM’s approach to transmission planning and cost allocation—including to PJM’s failure to require planning for local transmission<sup>6</sup> and PJM’s allocation of nearly \$800 million to Maryland customers for out-of-state data center growth<sup>7</sup>—each of which have contributed the bill affordability crisis.

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<sup>1</sup> See, e.g., [Data center proliferation underlies reliability and cost concerns, OPC tells federal regulators](#) (July 9, 2025).

<sup>2</sup> [Maryland customers face years of higher electricity rates from regional market problems, new OPC report shows](#) (Aug. 14, 2024).

<sup>3</sup> *Id.*

<sup>4</sup> See, e.g., [Immediate reforms needed to protect customers from next generation capacity market auction, consumer advocates tell PJM](#) (Aug. 30, 2024); [Regional power market operator’s rules sideline available resources, imposing billions in unnecessary costs on consumers, Office of People’s Counsel says](#) (Nov. 18, 2024).

<sup>5</sup> OPC’s complaint on the 2024 auction is still pending before FERC. [Complaint of the joint consumer advocates and request for fast track proceeding](#) (Apr. 14, 2025).

<sup>6</sup> [Costly local transmission projects that avoid competition are causing unlawful rates, OPC tells federal regulators](#) (Dec. 19, 2024).

<sup>7</sup> [PJM proposal would unlawfully saddle Maryland customers with nearly \\$800 million for out-of-state data center growth, OPC tells federal regulators](#) (Apr. 28, 2025); [Transmission operator’s proposal to](#)

To better focus the evaluation of the first potential alternative—mandating that electric companies directly procure contracts for capacity—around consumer protection, OPC supports a forthcoming sponsor amendment to subsection (c):

(c) The Commission, in consultation with the Administration, shall study the benefits and costs of requiring each electric company in the State to **IMPLEMENT A PLAN APPROVED BY THE COMMISSION** to ~~demonstrate to the Commission that it has contracted for~~ **CAPACITY TO MEET at least 80% of its load-serving capacity PROJECTED PEAK DEMAND FOR STANDARD OFFER SERVICE, RANGING FROM A MINIMUM OF 20% TO AT LEAST 80% OF THAT DEMAND, IN A MANNER THAT REDUCES PRICE VOLATILITY FOR CUSTOMERS over VARIOUS TIMELINES, INCLUDING TIMELINES THAT BEGIN IMMEDIATELY AND TIMELINES THAT PHASE-IN THE AMOUNT UNDER CONTRACT OVER A** ~~the next~~ 5-year period.

With this amendment, SB 0092/HB 0143 will enable the State to explore alternatives to the status quo and make an informed decision about whether and how it is in the public interest to participate in PJM moving forward.

**Recommendation:** OPC requests a favorable Committee report on SB 0092/HB 0143 with the forthcoming sponsor amendment.

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[\*apportion costs for Virginia data centers violates law, Maryland Office of People's Counsel tells federal agency\*](#) (Feb. 12, 2024).

# **SB0092\_Electric Company Contracts, Capacity Market**

Uploaded by: Debbie Cohn

Position: FAV

**Testimony on: SB0092 – Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations – Studies**  
**Committee: Education, Energy and the Environment**  
**Submitting: Deborah Cohn**  
**Position: Favorable**  
**Hearing Date: February 19, 2026**

Dear Chair and Committee Members:

I am a long term Montgomery County resident who has been deeply disappointed by the failure of PJM Interconnection, LLC (PJM) to adequately forecast load growth, accelerate interconnection of a backlog of inexpensive renewable energy supply, account for the closure of older generating facilities, and plan for needed transmission capacity to avoid costly emergency solutions. SB0092 addresses these concerns and I urge you to issue a favorable report on SB0092.

SB0092 requires the Public Service Commission (PSC), in consultation with the Maryland Energy Administration (MEA), to study the benefits and costs of requiring each Maryland electric company to demonstrate that it has contracted for at least 80% of its load-serving capacity over the next five-year period. The bill also requires the PSC and MEA, in consultation with neighboring states, to study the benefits and costs of options for withdrawing from PJM and submit a joint report of their findings and recommendations to the Governor and General Assembly by December 31, 2026.

Maryland is part of the 13 state regional transmission organization (RTO) called PJM. Through a series of failures, PJM actions have contributed to significant increases in electricity prices throughout the region, with a disproportionate amount of these increases falling on Maryland ratepayers. PJM has failed to evaluate and interconnect renewable energy quickly, leading it to have to close the interconnection queue for several years. It failed to plan responsibly for rapidly increasing load forecasts resulting from enormous data center growth in Virginia and other PJM states. And it failed to connect sufficient new generation and transmission to compensate for closures of several older generating plants. These failures led to dramatic ratepayer cost increases due to skyrocketing capacity market prices. According to a [July 23, 2025 article](#) in *Utility Dive*, PJM capacity market auction prices increased significantly in 2024, then increased another 22% in the summer 2025 auction, and may see record-high capacity prices for the 12-month period starting in June 2026.

In addition, PJM has not taken into account our state's energy and climate policies and has not been adequately responsive to pressure from Governor Moore and governors of many other PJM states to reform and address specific state concerns.

SB0092 allows Maryland, in conjunction with neighboring states, to consider alternatives to PJM. The study will provide policymakers with options for:

- withdrawing from the PJM capacity market and developing a multistate compact to engage in a fixed resource requirement alternative to secure electric capacity through entering contracts with private entities or competitive capacity auctions; and

- withdrawing from PJM altogether and either establishing an independent regional transmission organization (RTO) or joining a different existing RTO operating in another region or state.

PJM's failures have been costly, but the optimum responses to those failures are difficult to determine and require careful consideration. SB0092 provides for that thoughtful study. For this reason I urge this committee to issue a FAVORABLE report.

**SB92\_PJMEXITSTUDY\_MDPIRG\_FAV.pdf**

Uploaded by: Emily Scarr

Position: FAV

# Maryland PIRG

**SB92: Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations - Studies**  
**Education, Energy and the Environment**  
**February 17th, 2026**  
**Emily Scarr, Maryland PIRG**  
**Favorable**

*Maryland PIRG is a state based, small donor funded public interest advocacy organization with grassroots members across the state. We work to find common ground around common sense solutions that will help ensure a healthier, safer, more secure future.*

Having a federally regulated, independent regional entity overseeing the grid provides efficiencies that benefit Maryland consumers. However, in light of PJM's failure to connect clean energy, properly plan, and repeatedly set rules that harm Maryland energy customers, it is wise for Maryland to join other states in the PJM region to consider alternatives to PJM, including leaving PJM's capacity market or setting up a new regional transmission organization. This bill requires the Public Service Commission and the Maryland Energy Administration to study both options.

Since PJM is overseen by FERC, there are limited opportunities for the Maryland legislature to hold PJM accountable to poor planning and anti-consumer decisions; however, it has proven helpful to speak out publicly about changes needed at PJM and to coordinate efforts among states as this legislation does. Wherever possible, it has also helped to have legislative support of filings from the OPC and PSC at FERC on behalf of Maryland energy customers. The Office of People's Counsel has been able to secure legal victories for Maryland ratepayers through such efforts, [like a decision earlier this month](#).

## **Background**

Electric supply and transmission costs are managed by PJM, our regional grid operator. PJM's job is to manage our electrical transmission grid and which energy projects can connect to the grid, as well as auctions to set the price for electricity. PJM should serve as a traffic cop to ensure the right balance of supply and demand so that electricity is affordable and reliable.

PJM is controlled by its stakeholders and is largely dominated by fossil fuel companies and electric utilities. While our electric bills are going up, these companies and utilities are reaping massive profits for the production and transmission of electricity.

PJM is making it too hard for cheaper, clean energy like solar connected batteries to connect to the grid to bring prices down. Compared to other grid managers, PJM has one of the [longest](#) timelines in the country for connecting new clean energy projects. 98% of the projects that have been awaiting approval from PJM over the past several years are renewable energy projects. PJM has failed to connect these hundreds of gigawatts of clean power—enough to power 60 million homes—to the grid, allowing them to languish in the queue instead.

Maryland PIRG Foundation, state agencies, consumer advocates, and a bi-partisan group of state legislators and Governors have also been highly critical of PJM, its governance structure, and its anti-consumer decisions that are driving up bills. Including criticism that:

1. PJM is setting rules that pad the profits of its utilities and fossil fuel companies at the expense of ratepayers
2. PJM is not properly planning for nor assessing costs appropriately for projected increases in energy demand from data centers

**Recent auctions have been fundamentally flawed. In theory a high auction price would signal to energy developers that they should propose projects to meet demand; however if projects are already proposed and PJM is standing in the way the whole system is broken and all it does is reward legacy power plants at the customers expense, providing industry with windfall profits.**

In addition to MD customers suffering from these bad auction results, there are a few additional PJM decisions that are especially hurting Maryland electricity customers.

1. When Talen Energy Corp. announced plans to close its coal-fired power plants at Brandon Shores, PJM [granted BGE a no-bid contract to build a new transmission line](#) to compensate for the lost power. The Office of the People's Counsel (OPC) [protested PJM's proposal](#) for not undergoing a competitive procurement process nor considering cost-effective alternatives to transmission such as battery storage, but FERC approved the projects as PJM requested. Since, BGE's cost estimates for the project have doubled, reaching \$1.5 billion, most of which will be charged to BGE ratepayers. Those increased transmission costs are rolled into our supply charges. The only good news from this is that, [according to an independent analysis from OPC](#), the new transmission line will be able to more than replace the power being produced at Brandon Shores.
2. PJM also excluded the two power plants from the supply pool in its electricity auction, contributing [as much as 65% of the local bill increases](#) we saw in 2025, artificially lowering the amount of supply available despite the plant remaining open until the transmission line is complete. While this horrible decision has been reversed for next year - it's a clear example of PJMs anti-consumer decisions making.
3. And of course, Maryland ratepayers are also paying these power plants hundreds of millions of dollars to keep them open because of failure for PJM to respond to their planned retirement. Ultimately, Brandon Shore planned closure resulted in sweetheart deals for both Talen Energy and BGE.

The current increases we are seeing in our electric supply rates are not because there is not enough electricity. We have enough for the near term. They are because of rising natural gas supply costs and PJM decisions that are padding energy company and utility profits and forecasted increases in demand from data centers. This doesn't mean we shouldn't be getting new energy projects online, of course, but it does mean that we need to be careful this crisis doesn't lead to even worse decisions for ratepayers

We thank the sponsor for her ongoing efforts to hold PJM accountable and advocacy on behalf of energy customers.

**We respectfully request a favorable report.**

# **TESTIMONY FOR SB0092.pdf**

Uploaded by: Gita Lefstein

Position: FAV

## **Testimony on Senate Bill – Favorable**

### **SB 0092 – Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations - Studies**

Education, Energy, and the Environment Committee

February 17, 2026

Dear Honorable Chair Feldman, Vice Chair Kagan, and Members of the Committee,

My name is Gita Lefstein, and I am a resident of Baltimore County, Maryland. I am writing in support of SB0092, Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations – Studies. In September 2025 I attended the PJM Multi-State Technical Conference called by the governors of the PJM states. One of the speakers was Mark Christie, former president of OPSI (the Organization of PJM States, Inc) and former chair of FERC (Federal Energy Regulatory Commission). He said that the problem with PJM is its governance structure. Because it makes decisions controlling electricity generation and distribution, it is in effect a policy making structure for the region, but the states do not have a substantive role in PJM. Other people pointed out that PJM is responsible to its members, which are largely industries. They are not responsible to customers or to voters. This has led to the terrible performance of PJM. It has been terrible in terms of the environment with huge backup queues for clean sources of energy – solar, wind, and battery – which are also both quicker to build and cheaper than fossil fuel. It has been terrible in terms of costs of electricity, as we have all seen in our utility bills. It has been terrible in terms of reliability. The latest capacity market did not meet the reliability needs. It has been terrible in terms of planning and forecasting, as has recently been shown in its lack of knowledge about how many potential data centers are being double counted. Other parts of the countries have regional transmission organizations that work much better than PJM. Doing a study about alternative models, working with other states in a different sort of way, would be well worth it.

I respectfully urge you to issue a favorable report on SB0092.

Thank you.

# **Coalition sign on testimony for Senate leaving PJM**

Uploaded by: Jamie DeMarco

Position: FAV

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2. Backlogged interconnection queue. Historically, solar and battery projects have had to wait in the PJM interconnection queue for an average of three and a half years. In 2024 there were [286 gigawatts](#) of new generation and storage capacity waiting for PJM's approval to come online. That is more than the total installed capacity of the PJM grid today. PJM has a lack of generation primarily because PJM has systematically blocked new generation from getting connected to the grid.
3. Lack of long term planning. PJM did not proactively plan for the retirement of Brandon Shores and Wagner Coal plants. Even as coal plants across the country were closing and coal consumption in the U.S was falling by roughly half in the span of 10 years, PJM sat on its hands and did not create a plan for what to do when these coal plants inevitably closed. This set the state up for failure. When Brandon Shores and Wagner Coal Plants announced their intention to retire, their loss posed a reliability risk to the grid. After finding themselves in a reliability crunch of their own making, PJM did not issue a request for proposals to evaluate all the options on hand for solving the reliability issue at the lowest possible cost, instead they immediately entered into a reliability must run agreement with Brandon Shores and Wagner Coal plants that will cost ratepayers over \$700 million, while also immediately signing a no bid contract with a utility company to build a transmission line from Pennsylvania that will cost over \$1.5 billion. PJM did not even take the time to evaluate whether there were more cost effective options, such as deploying grid scale batteries to replace Brandon Shores and Wagner.

These series of decisions have been bad for Marylanders, bad for ratepayers, and bad for grid reliability. Although Maryland legislators, the governor, and advocates have been working tirelessly to work with PJM to reconfigure its rules, results have been mixed, as PJM is, by design, not responsive to the states it serves, but rather to its voting Stakeholders. PJM operates as a nonprofit organization, its decisions are made in closed-door working groups, and through votes of its members which include transmission owners, generation owners, electric distributors, end-use customers, and other suppliers who overwhelmingly have a vested financial interest in PJM's rulemaking. Maryland ratepayers are represented in the end-use customer as only one voting block through the Office of People's Counsel. Recently, the end-use customer voting block has been filled with data center companies. Recent decisions at PJM have been windfalls for the for-profit companies who make up the majority of PJM's voting members. The power generators are making record profits thanks to sky-high capacity auction prices. Talen Energy is making record profits off their coal plants, and the utilities are making profits building expensive transmission lines.

We applaud this body for taking initiative to improve governance and transparency at PJM, and ensure that if PJM does not make needed reforms, Maryland has well evaluated options, designed in conjunction with neighboring states, to protect its residents from spiraling electric costs and reliability issues. At this critical juncture of energy affordability, we need to ask the

hard questions: can we insulate ourselves from PJM's spiraling capacity markets, and do we want to continue to be part of PJM, or do we want to join our neighbors in creating a different Regional Transmission Organization - that is from its origin point is structured to be inclusive of the needs and priorities of the residents it serves? Other states in PJM are asking the same question. SB 92 facilitates a study to help us answer this and we urge a favorable report.

# **Ceres Testimony SB 92 (1).pdf**

Uploaded by: Jeff Mauk

Position: FAV



**SB92 – SUPPORT**

Jeff Mauk

Ceres

[jmauk@ceres.org](mailto:jmauk@ceres.org)

**TESTIMONY SUPPORTING SB92:  
Electric Company Contracts, Capacity Market Models, and Regional  
Transmission Organizations – Studies**

Senate Education, Energy, and Environment Committee

February 17th, 2026

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

I write today on behalf of Ceres to respectfully urge a favorable report from the Committee on SB92 concerning studying Maryland's participation in regional electricity markets. Ceres works with investors, companies, and financial leaders to promote sustainability solutions. Through our Business for Innovative Climate and Energy Policy Network (BICEP), we mobilize over 80 major employers, including several businesses doing business in Maryland, to advocate for more affordable and sustainable climate and clean energy policies.

**The Need For Rigorous Market Analysis**

Maryland businesses and residents have experienced significant increases in electricity capacity costs in recent years. The PJM capacity market auction results have shown dramatic price volatility, with capacity prices for the 2025-2026 delivery year increasing nearly tenfold compared to the previous year in some zones. These cost increases directly impact business competitiveness, household budgets, and Maryland's ability to attract and retain employers.

SB92 does not prejudge outcomes but instead requires Maryland to conduct a comprehensive, evidence-based analysis of alternatives. This is exactly the kind of due diligence that responsible business leaders and policymakers should demand before making major decisions affecting billions of dollars in ratepayer costs.

**Rising Costs Demand a Thorough Review**

The recent trajectory of PJM capacity market costs raises legitimate questions about whether the current market design is serving Maryland ratepayers effectively. Capacity costs represent a significant portion of total electricity bills for Maryland businesses and residents. When these costs increase dramatically without corresponding improvements in reliability or service quality, it is fiscally prudent to examine alternatives.

Several other states have already explored or implemented alternatives to centralized capacity markets. Illinois, Michigan, and Virginia have opted to use the Fixed Resource Requirement alternative, which allows states to procure capacity through their own mechanisms while remaining within PJM for energy and ancillary services markets. Maryland should understand the costs, benefits, and lessons learned from these approaches.

### **Contracting Requirements: Cost Certainty and Market Stability**

The study of requiring electric companies to demonstrate contracted capacity addresses a critical business need: **cost predictability**. Long-term capacity contracts can provide price stability and reduce exposure to volatile spot market prices. This study will examine whether a contracting requirement could:

- Reduce price volatility and provide more predictable electricity costs for businesses making long-term investment decisions. Manufacturing facilities and other energy-intensive operations require cost certainty for capital planning and competitiveness.
- Enable more strategic procurement that aligns with Maryland's clean energy goals. Long-term contracts can facilitate the development of new clean energy resources by providing revenue certainty for project financing, while spot markets favor existing fossil fuel generation.
- Create opportunities for Maryland-based generation resources and economic development. Strategic contracting can prioritize in-state projects that create local jobs and tax revenue, rather than relying solely on market mechanisms that may procure capacity from distant resources.

### **Regional Coordination and Multi-State Solutions**

SB92 wisely requires consultation with neighboring states as part of the study process. Regional electricity markets function most efficiently when states coordinate their approaches. A multi-state compact pursuing the Fixed Resource Requirement alternative

could provide economies of scale while maintaining the benefits of regional coordination for reliability and transmission.

Several mid-Atlantic and northeastern states share Maryland's concerns about capacity market costs and the need to align market structures with aggressive clean energy goals. States including New Jersey, Delaware, and the District of Columbia have similar policy objectives and face similar market challenges. A coordinated multi-state approach could provide greater negotiating leverage with PJM and create a more robust alternative market structure than any single state could achieve independently.

### **Alignment with Clean Energy Investment**

Companies are making substantial commitments to clean energy procurement and decarbonization. Current capacity market structures can create barriers to these corporate clean energy goals by:

- Favoring existing fossil fuel resources through market rules that do not fully value the long-term benefits of clean energy resources, including reduced fuel price risk, improved air quality, and climate benefits.
- Creating price signals that can discourage new clean energy development while providing windfall profits to existing generators during periods of high capacity prices.
- Limiting state and utility ability to pursue strategic resource planning that aligns capacity procurement with long-term policy goals and corporate sustainability commitments.

A thorough study of alternatives, as required by SB92, will provide Maryland with the information needed to determine whether alternative market structures could better support clean energy deployment while maintaining reliability and controlling costs.

### **Economic Development and Local Benefits**

Current capacity market structures provide limited ability for Maryland to direct capacity procurement toward resources that provide broader economic benefits to the state. Alternative approaches such as competitive capacity auctions or strategic contracting could enable Maryland to consider factors beyond simple lowest cost, including:

- Job creation and economic development impacts from new generation or storage projects located in Maryland.
- Local tax revenue from in-state facilities that can offset capacity costs and provide community benefits.
- Resilience and energy security benefits from distributed resources and storage that can provide backup power during grid disruptions.

### **Learning from Other Markets**

Different regional electricity markets in the United States employ different capacity procurement mechanisms. Some regions rely on centralized capacity markets similar to PJM, while others use resource adequacy requirements with bilateral contracting, and still others use integrated resource planning by regulated utilities. Each approach has advantages and disadvantages.

The studies required by SB92 will enable Maryland to learn from the experiences of other markets and states. For example, western states using bilateral contracting have generally experienced lower capacity cost volatility than PJM, though they face different challenges. Understanding these tradeoffs is essential for informed policymaking.

### **Conclusion**

SB92 represents sound, prudent policymaking. It does not mandate any particular outcome but instead requires Maryland to conduct the thorough analysis necessary to make informed decisions about electricity market structures that will affect ratepayer costs for decades to come.

The business community needs electricity markets that provide cost certainty, support clean energy deployment, align with state policy goals, and maintain reliable service. Whether the current PJM capacity market structure best serves these objectives is a question that deserves study. SB92 ensures that Maryland will have the information needed to answer this question and to pursue alternatives if they prove beneficial.

Given recent capacity market price volatility, the fiscal responsibility of examining alternatives, and the need to align market structures with Maryland's clean energy and economic development goals, this study is both timely and essential. For these reasons, Ceres urges a favorable report on SB92.

Respectfully submitted,



Jeff Mauk  
Director, State Policy, Eastern Region, Ceres

# Support SB92 LWestdorp.pdf

Uploaded by: Lara Westdorp

Position: FAV

## SUPPORT SB92

### Electric Company Contracts, Capacity Market Models, and Regional 3 Transmission Organizations – Studies

Dear Chair Feldman, Vice Chair Kagan, and honorable members of the Senate Education, Energy, and Environment Committee,

I ask for your support of SB92 and its efforts to require Maryland to study alternatives to PJM's capacity market model and consider options including withdrawal or multistate restructuring.

The authorities provided in SB92 grants additional flexibility for Maryland to choose electrical options that are favorable for both its residents and resources. It may also allow for discussions of more balanced options to meet future energy demands such as:

- **Require data centers to be self-sufficient for energy, water, and resources.**
- **Use renewables where they make sense:** rooftops, brownfields, and degraded lands.
- **Modernize existing infrastructure** to move more power without taking more land.
  - PJM could **triple the capacity of its existing network** by replacing old aluminum conductors with next-generation designs such as **TS Conductor's carbon-core cables**. These advanced lines: (1) Carry **three times more current**, (2) Cut **energy losses by up to 50%**, and (3) Fit on **existing towers and rights-of-way**.
  - For Maryland's **2,200 miles of high-voltage lines**, that upgrade would deliver the same power as building **6,700 miles of new lines**, with **no new corridors and no land-taking**.
- **Site firm generation** (gas, nuclear, or future clean thermal technologies) near major loads or at data-center campuses to ensure reliability.
- **Protecting farmland, forests, and wildlife corridors is as essential to our energy future as decarbonizing the grid.** Smarter siting and upgrades to existing infrastructure allow us to expand clean energy without destroying the very landscapes we aim to protect.

With SB92 we can add to the conversation thoughtful siting, modernized infrastructure, and balanced investments in firm and renewable power, our region can achieve energy reliability **without sacrificing the farmland, forests, and communities that sustain our region.**

**Thank you for your favorable vote for SB92,**

Lara Westdorp

Frederick County resident

# **SB 92 - Electric Company Contracts, Capacity Marke**

Uploaded by: Laurel Peltier

Position: FAV



One Park Place | Suite 475 | Annapolis, MD 21401-3475  
1-866-542-8163 | Fax: 410-837-0269  
aarp.org/md | md@aarp.org | twitter: @aarpm  
facebook.com/aarpm

**SB 92 – Electric Company Contracts, Capacity Market Models, and Regional  
Transmission Organizations - Studies  
Education, Energy and the Environment Committee  
February 19, 2026  
FAVORABLE**

Good afternoon, Chair Feldman, Vice Chair Kagan, and members of the Education, Energy and the Environment Committee. My name is Laurel Peltier, and I am a proud member of AARP Maryland and a resident of Baltimore County. AARP Maryland represents more than 850,000 members across the state, making it one of the largest membership-based organizations advocating on behalf of older Marylanders. We appreciate the opportunity to testify in strong support of SB92. We thank Senator Hettleman for introducing this legislation on behalf of Maryland ratepayers.

AARP is a nonpartisan, nonprofit organization dedicated to empowering people to live their best lives as they age. Our work focuses on issues that matter most to older adults and their families, including affordable utilities, financial security, health care access, and protection from financial exploitation.

SB 92 responds to concerns that PJM's actions have increased costs and decreased affordability for ratepayers, and that PJM has not adequately addressed rate impacts or state energy policy priorities. The findings and recommendations must be reported to the Governor and General Assembly by December 31, 2026. The bill takes effect July 1, 2026.

SB92 directs the Maryland Public Service Commission (PSC), in consultation with the Maryland Energy Administration, to conduct two major studies:

1. **Electric Company Contracting Requirements:** The PSC must analyze the benefits and costs of requiring each electric company in Maryland to contract for at least 80% of its load-serving capacity over the next five years. This aims to ensure reliability and potentially stabilize rates for consumers.
2. **Regional Transmission Organization (RTO) and PJM Market Model:** The PSC and Energy Administration, in consultation with neighboring states, must study and recommend options for:
  - Withdrawing from the PJM Interconnection capacity market model;
  - Developing a multistate compact to secure electric capacity through contracts or competitive auctions; and
  - Establishing or joining an alternative regional transmission organization.

**AARP Maryland strongly supports this bill for the following reasons:**

**1. Affordability and Ratepayer Protection:**

- AARP strongly supports efforts to address rising electricity costs, which disproportionately impact older adults and those on fixed incomes. PJM’s recent capacity market actions have led to dramatic rate increases, making affordability a critical issue for our members.
- Maryland’s leadership in studying alternatives to PJM’s market model is timely and necessary. We urge the Commission to prioritize consumer protections and affordability in all recommendations.

**2. Transparency and Accountability:**

- The bill’s focus on requiring electric companies to contract for most of their capacity is a positive step toward transparency and accountability. AARP has advocated for similar measures in other states to ensure utilities are not passing unnecessary costs onto consumers.
- We support provisions that require utilities to disclose their votes and actions in RTO stakeholder processes, as these decisions directly affect ratepayers. Maryland and New Jersey have enacted laws to increase transparency in PJM’s procedures, and we encourage continued oversight.

**3. Regional Collaboration and Alternatives:**

- Studying the benefits and costs of withdrawing from PJM and exploring alternative RTOs is prudent. AARP recommends that any alternative model must do the following:
  - Protect residential and small business customers from subsidizing large users (e.g., data centers);
  - Ensure long-term reliability and affordability; and
  - Include robust consumer protections and public input.

**4. Consumer Impact and Equity:**

- Many AARP members live on low or fixed incomes and cannot absorb further rate increases. Any changes to Maryland’s electricity market must safeguard vulnerable populations and prevent cost-shifting to residential customers.
- AARP supports policies that require large load customers to pay their fair share and prevent cross-subsidization. This principle should guide all recommendations from the Commission’s study.

**5. AARP’s Track Record and Advocacy**

- AARP has successfully advocated for several utility reforms in Maryland and other states, including prohibiting recovery of lobbying costs through rates, requiring public hearings for rate increases, and mandating transparency in utility decision-making at RTOs.
- We urge the Commission to build on these successes and ensure that Maryland's energy future is affordable, reliable, and equitable.

These are unusual times for Maryland's older adults, as many find the current electricity and gas rates truly unaffordable. The health and safety of our seniors have been negatively impacted as they scramble to find the funds to pay for their utilities to avoid terminations and keep the power on.

For these reasons, we respectfully urge the committee to support SB92.

If you have any questions, please contact Sara Westrick, AARP Maryland Advocacy Director at [swestrick@aarp.org](mailto:swestrick@aarp.org) or by calling 410-310-0374.

# **SB0092\_Electric Comp Contracts Capacity Market Mod**

Uploaded by: Laurie McGilvray

Position: FAV



**Testimony on: SB0092 – Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations – Studies**

**Committee: Education, Energy and the Environment**

**Organization: Maryland Legislative Coalition Climate Justice Wing**

**Submitting: Laurie McGilvray, Co-Chair**

**Position: Favorable**

**Hearing Date: February 19, 2026**

Dear Chair Feldman and Committee Members:

Thank you for allowing our testimony today on SB0092. The Maryland Legislative Coalition Climate Justice Wing, a statewide coalition of 32 grassroots and professional organizations focused on climate justice, urges you to vote favorably on SB0092.

SB0092 requires the Public Service Commission (PSC), in consultation with the Maryland Energy Administration (MEA), to study the benefits and costs of requiring each Maryland electric company to demonstrate that it has contracted for at least 80% of its load-serving capacity over the next five-year period. The bill also requires the PSC and MEA, in consultation with neighboring states, to jointly study the benefits and costs of options for withdrawing from PJM Interconnection, LLC. The PSC and MEA must submit a joint report of their findings and recommendations to the Governor and General Assembly by December 31, 2026.

Maryland is part of the 13-state regional transmission organization (RTO) called PJM. PJM has failed to interconnect renewable energy in a timely fashion, to plan responsibly for the rapidly increasing load forecasts due to data centers, and prevent ratepayer costs from ballooning from high capacity market prices. These PJM failures have resulted in skyrocketing electricity costs for Maryland's ratepayers. According to a [July 23, 2025 article](#) in *Utility Dive*, Maryland saw a major price spike in the PJM capacity market auction in 2024; another 22% increase from a year ago in the summer of 2025; and PJM expects record-high capacity prices for the 12-month period starting in June 2026, which could lead to 1.5% to 5% bill increases for some ratepayers, depending on the state.

Furthermore, PJM has not taken into account our state's energy and climate policies nor has it been responsive to pressure from Maryland's and other PJM states' governors. Given all of PJM's failures, it is time for Maryland, in consultation with neighboring states, to consider alternatives and SB0092 would be an excellent first step. It will provide policymakers with options for: 1) withdrawing from the PJM capacity market and developing a multistate compact to engage in the fixed resource requirement alternative to secure electric capacity through entering contracts with private entities or competitive capacity auctions; and 2) withdrawing from PJM and either establishing an independent RTO or joining a different existing RTO operating in another region or state.

For these reasons we ask for a FAVORABLE report for SB0092.

350MoCo  
Adat Shalom Climate Action  
Cedar Lane Unitarian Universalist Church Environmental Justice Ministry  
Chesapeake Earth Holders  
Chesapeake Physicians for Social Responsibility  
Climate Communications Coalition  
Climate Parents of Prince George's  
Climate Reality Greater Maryland  
ClimateXChange  
Coming Clean Network, Union of Concerned Scientists  
DoTheMostGood Montgomery County  
Echotopia  
Elders Climate Action Maryland  
Fix Maryland Rail  
Glen Echo Heights Mobilization  
Greenbelt Climate Action Network  
HoCoClimateAction  
Howard County Indivisible  
Maryland Legislative Coalition  
Maryland Energy Advocates  
Maryland Third Act  
Mizrahi Family Charitable Fund  
Mobilize Frederick  
Montgomery County Faith Alliance for Climate Solutions  
Montgomery Countryside Alliance  
Mountain Maryland Movement  
Nuclear Information & Resource Service  
Progressive Maryland  
Safe & Healthy Playing Fields  
Takoma Park Mobilization Environment Committee  
The Climate Mobilization MoCo Chapter  
Unitarian Universalist Legislative Ministry of Maryland

**SB 92 - MoCo\_Elrich\_FAV (GA 26).pdf**

Uploaded by: Marc Elrich

Position: FAV



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich  
County Executive

February 19, 2026

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

FROM: Marc Elrich  
County Executive

RE: Senate Bill 92, *Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations - Studies*  
Support

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I am writing to express my strong support for Senate Bill 92, *Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations - Studies*. This bill requires the Public Service Commission and the Maryland Energy Administration, in consultation with neighboring states, to study the potential for Maryland to withdraw from the PJM Interconnection LLC (PJM) electricity market in favor of meeting Maryland's electricity needs through other avenues.

Energy prices are a major concern in our community and are continuing to grow partly due to rising wholesale costs associated with issues under PJM control. Indeed, the recent PJM capacity auction set a record high clearing price which the Maryland Office of People's Counsel reports will add an additional \$2.50 monthly increase for residential customers in the Pepco service territory, on top of an approximately \$14 monthly increase resulting from the last capacity auction. These increases strain the budgets of County residents and are not sustainable.

We need the State to work with other PJM states to critically evaluate alternatives to the current PJM model. We look forward to partnering with the State and other stakeholders to carefully consider how to best ensure that Marylanders have access to affordable, clean and reliable power.

I respectfully request that the Education, Energy, and the Environment Committee give this bill a favorable report.

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

**SB092 FAV.pdf**

Uploaded by: Mona Guilfoil

Position: FAV

Testimony on Senate Bill-FAVORABLE

SB 092 Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations – Studies

Education, Energy, and the Environment Committee

February 17, 2026

Dear Honorable Chair Feldman, Vice Chair Kagan, and Members of the Committee,

My name is Mona Guilfoil and I am a resident of Union Bridge in Carroll County, Maryland. I am writing in support of SB0092. I have recently joined Third Act, and their Power Up Communities (PUC) working group that seeks to influence the Public Utility Commission to protect rate payers and support lean energy policies. I've gotten quite an education on how broken the PJM system is—especially its capacity market. The most recent PJM capacity prices set a record---a stunning 22% increase over the last auction! And PJM even failed to secure all the capacity they are projecting we may need! There are so many aspects of PJM that are broken: capacity market participants that write the rules to benefit their shareholders who are overwhelmingly fossil fuel industries and utilities and a stalled interconnection queue that has thwarted clean energy additions to the grid (See <https://advancedenergyunited.org/blog/pjm-stalled-the-clean-energy-transition-affordability-and-reliability-depends-on-getting-it-back-on-track/>). The responsible action NOW is for Marylanders and their legislators to support SB 092 which would require us to study the costs and benefits of leaving PJM or at least its capacity market.

Please vote in favor of SB 092.

Thank you.

# **Coalition Testimony FAV SB 92.pdf**

Uploaded by: Rebecca Rehr

Position: FAV

**Favorable testimony for SB92**  
**Electric Company Contracts, Capacity Market Models, and Regional Transmission**  
**Organizations - Studies**  
**Education, Energy, and Environment Committee**  
**2/19/2026**



**MARYLAND  
LEAGUE OF  
CONSERVATION  
VOTERS**



**ccan  
ACTION FUND**



**Ceres**



**Center for  
Progressive  
Reform**



**THIRD ACT**  
**MARYLAND**

On behalf of the organizations listed above, we urge a favorable report on SB 92.

This bill requires the Public Service Commission and the Maryland Energy Administration to scrutinize our membership in our regional grid operator, PJM, through a study of the costs and benefits of joining with other surrounding states to leave PJM and create a new regional transmission organization, as well as the costs and benefits of joining with other surrounding states to leave only the PJM capacity market, and create a multi-state “fixed resource requirement” compact, which would allow these states to ensure sufficient capacity, without being harmed by PJM’s flawed capacity auction rules.

Participating in a regional transmission organization to share power between neighboring states is beneficial in many ways, and generally reduces costs to ratepayers. However, it has become clear that PJM is not serving Maryland well. We can see this through:

1. **Flawed capacity markets.** To guarantee power supply across the grid it serves, PJM holds what’s called a capacity auction each year. Capacity Auction prices at PJM have increased over 1,000% since 2022, a clear sign that a grid is being mismanaged. This spike in prices is in part the result of PJM stifling new power supply attempting to connect to the grid for many years.

2. Backlogged interconnection queue. Historically, solar and battery projects have had to wait in the PJM interconnection queue for an average of three and a half years. In 2024 there were [286 gigawatts](#) of new generation and storage capacity waiting for PJM's approval to come online. That is more than the total installed capacity of the PJM grid today. PJM has a lack of generation primarily because PJM has systematically blocked new generation from getting connected to the grid.
3. Lack of long term planning. PJM did not proactively plan for the retirement of Brandon Shores and Wagner Coal plants. Even as coal plants across the country were closing and coal consumption in the U.S was falling by roughly half in the span of 10 years, PJM sat on its hands and did not create a plan for what to do when these coal plants inevitably closed. This set the state up for failure. When Brandon Shores and Wagner Coal Plants announced their intention to retire, their loss posed a reliability risk to the grid. After finding themselves in a reliability crunch of their own making, PJM did not issue a request for proposals to evaluate all the options on hand for solving the reliability issue at the lowest possible cost, instead they immediately entered into a reliability must run agreement with Brandon Shores and Wagner Coal plants that will cost ratepayers over \$700 million, while also immediately signing a no bid contract with a utility company to build a transmission line from Pennsylvania that will cost over \$1.5 billion. PJM did not even take the time to evaluate whether there were more cost effective options, such as deploying grid scale batteries to replace Brandon Shores and Wagner.

These series of decisions have been bad for Marylanders, bad for ratepayers, and bad for grid reliability. Although Maryland legislators, the governor, and advocates have been working tirelessly to work with PJM to reconfigure its rules, results have been mixed, as PJM is, by design, not responsive to the states it serves, but rather to its voting Stakeholders. PJM operates as a nonprofit organization, its decisions are made in closed-door working groups, and through votes of its members which include transmission owners, generation owners, electric distributors, end-use customers, and other suppliers who overwhelmingly have a vested financial interest in PJM's rulemaking. Maryland ratepayers are represented in the end-use customer as only one voting block through the Office of People's Counsel. Recently, the end-use customer voting block has been filled with data center companies. Recent decisions at PJM have been windfalls for the for-profit companies who make up the majority of PJM's voting members. The power generators are making record profits thanks to sky-high capacity auction prices. Talen Energy is making record profits off their coal plants, and the utilities are making profits building expensive transmission lines.

We applaud this body for taking initiative to improve governance and transparency at PJM, and ensure that if PJM does not make needed reforms, Maryland has well evaluated options, designed in conjunction with neighboring states, to protect its residents from spiraling electric costs and reliability issues. At this critical juncture of energy affordability, we need to ask the

hard questions: can we insulate ourselves from PJM's spiraling capacity markets, and do we want to continue to be part of PJM, or do we want to join our neighbors in creating a different Regional Transmission Organization - that is from its origin point is structured to be inclusive of the needs and priorities of the residents it serves? Other states in PJM are asking the same question. SB 92 facilitates a study to help us answer this and we urge a favorable report.

# **SB0092 Electric Company Studies Favorable Kranz 2**

Uploaded by: Rhonda Kranz

Position: FAV

Testimony on: SB0092 – Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations – Studies  
Committee: Education, Energy and the Environment  
Submitting: Rhonda Kranz  
Position: Favorable  
Hearing Date: February 19, 2026

Dear Chair and Committee Members:

Thank you for accepting my written testimony in support of SB0092, Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations. I have lived in Maryland for 30 years and am very concerned that Maryland's needs are be poorly met by PJM.

SB0092 requires the Public Service Commission (PSC), in consultation with the Maryland Energy Administration (MEA), to study the benefits and costs of requiring each Maryland electric company to demonstrate that it has contracted for at least 80% of its load-serving capacity over the next five-year period. The bill also requires the PSC and MEA, in consultation with neighboring states, to jointly study the benefits and costs of options for withdrawing from PJM Interconnection, LLC. The PSC and MEA must submit a joint report of their findings and recommendations to the Governor and General Assembly by December 31, 2026.

PJM has failed to interconnect renewable energy in a timely fashion, to plan responsibly for the rapidly increasing load forecasts due to data centers, and prevent ratepayer costs from ballooning from high capacity market prices. These PJM failures have resulted in skyrocketing electricity costs for Maryland's ratepayers. According to a [July 23, 2025 article](#) in Utility Dive, Maryland saw a major price spike in the PJM capacity market auction in 2024; another 22% increase from a year ago in the summer of 2025; and PJM expects record-high capacity prices for the 12-month period starting in June 2026, which could lead to 1.5% to 5% bill increases for some ratepayers, depending on the state.

PJM has not taken into account our state's energy and climate policies nor has it been responsive to pressure from Maryland's and other PJM states' governors. Given all of PJM's failures, it is time for Maryland, in consultation with neighboring states, to consider alternatives and SB0092 would be an excellent first step. It will provide policymakers with options for: 1) withdrawing from the PJM capacity market and developing a multistate compact to engage in the fixed resource requirement alternative to secure electric capacity through entering contracts with private entities or competitive capacity auctions; and 2) withdrawing from PJM and either establishing an independent regional transmission organization (RTO) or joining a different existing RTO operating in another region or state.

For these reasons, I urge a FAVORABLE report for SB0092.

# **Testimony in support of SB0092 - Electric Company**

Uploaded by: Richard KAP Kaplowitz

Position: FAV

SB0092\_RichardKaplowitz\_FAV  
02/19/2026  
Richard Keith Kaplowitz  
Frederick, MD 21703

**TESTIMONY ON SB#/0092 – FAVORABLE**

**Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations - Studies**

**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. I am submitting this testimony in support of SB#0092, Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations - Studies**

PJM is failing Maryland and costing Maryland consumers. As documented by the Maryland PIRG Foundation:<sup>1</sup>

Between rising delivery and supply costs, Maryland electric utility customers are struggling. Decisions by PJM, the regional grid operator, are a significant contributor to rising bills.

Here are two key ways PJM's decisions are unnecessarily raising rates for Maryland energy consumers.

1. A flawed auction design lead to record-breaking PJM capacity auction with a \$14.7 billion price tag for ratepayers. Ratepayers will see increase supply costs on their bills in the upcoming months...
2. PJM is also proposing Maryland electric customers pay for new transmission lines to bring power into Virginia. Traditionally, transmission costs are paid for by the stakeholders who are responsible for the increased transmission needs.

There must be a better way to manage the production of electricity in Maryland. This bill will take positive steps to find that path by requiring the Public Service Commission and the Maryland Energy Administration jointly, in consultation with neighboring states, to study the benefits and costs of, and make recommendations on, potential options for certain actions with regard to withdrawing from the PJM Interconnection, LLC capacity market model, developing a certain multistate compact, withdrawing from PJM Interconnection, LLC, and establishing or joining an alternative regional transmission organization; etc. It is one of many proactive steps Maryland should be taking to get a handle on utility costs.

**I respectfully urge this committee to return a favorable report and pass SB0092.**

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<sup>1</sup> <https://pirg.org/maryland/foundation/updates/decisions-by-regional-grid-operator-pjm-hurting-electric-customers/>

**testimony on SB0092.pdf**

Uploaded by: Robert Loube

Position: FAV

Support SB 0092  
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## **Testimony on Senate Bill – Favorable**

### **SB 0092 – Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations - Studies**

Education, Energy, and the Environment Committee

February 17, 2026

Dear Honorable Chair Feldman, Vice Chair Kagan, and Members of the Committee

My name is Bob Loube. I am a resident of Maryland legislative district 16. I am writing in support of SB0092 because it is necessary to offset the impacts that data centers would have on Maryland electricity rates by placing requirements on the owners of data centers. Maryland must take action because PJM will not. PJM will allow data centers to connect to the regional grid without preconditions. PJM will only suggest voluntary proposals that can be ignored by the owners of data centers. PJM has created a huge backlog of potential electricity supplies (221 GW of capacity)<sup>1</sup> by slow walking its inane study requirements.

SB 0092 will correct for some of PJM's mistakes because SB 0092 will require large load customers, that are for the most part data centers, to provide capacity for 25% of their load with either behind the meter storage, capacity purchase of new grid connected battery storage or new carbon-free generation in the Load Zone. These requirements will increase reliable capacity in Maryland and will reduce the need for new transmission lines.

I urge you to issue a favorable report on SB0092.

Thank you.

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<sup>1</sup>. "State of the Market Report for PJM, Volume 2: Detailed Analysis. Available at the [2024 State of the Market Report for PJM](#).

## **Sponsor's Testimony**

Uploaded by: Senator Hettleman Senator Hettleman

Position: FAV

**SHELLY HETTLEMAN**  
Legislative District 11  
Baltimore County

Chair, Rules Committee  
Budget and Taxation Committee

*Subcommittees*  
Capital Budget  
Health and Human Services  
Chair, Pensions

*Joint Committees*  
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**THE SENATE OF MARYLAND**  
ANNAPOLIS, MARYLAND 21401

**TESTIMONY OF SENATOR SHELLY HETTLEMAN**  
**SB92 ELECTRIC COMPANY CONTRACTS, CAPACITY MARKET MODELS, AND**  
**REGIONAL TRANSMISSION ORGANIZATIONS – STUDIES**

In 2024, PJM Interconnection's 2025–26 capacity auction resulted in an 800% price increase, raising total capacity costs from roughly \$2 billion to over \$14 billion in 2025. PJM attributed the record-shattering costs to the closure of multiple power plants and the opening of multiple data centers. Regardless of the causes, the effects are clear: Marylanders are paying *significantly* more on their monthly energy bills, with rates *increasing* rather than decreasing this year. Enough is enough.

Senate Bill 92 is not the answer, but it asks the right questions. The bill would require comprehensive studies on Maryland's participation in PJM Interconnection and alternative approaches to ensuring reliable, affordable electricity for our state's residents and businesses. Let me be clear: this bill does not presume that Maryland will, or even *should*, withdraw from PJM. Rather, it recognizes that we need rigorous, fact-based analyses of our options in the face of significant concerns about rising electricity costs and PJM's unresponsiveness to state energy policies. We owe it to our constituents to thoroughly examine whether alternative approaches might better serve their interests while maintaining grid reliability.

The studies mandated by this bill would explore several critical pathways. First, the bill directs the Public Service Commission and Maryland Energy Administration to examine whether requiring electric companies to contract for at least 80% of their load-serving capacity over a 5-year period would provide greater cost stability and predictability for ratepayers. This approach would shift the primary mechanism for securing electricity supply away from volatile capacity auctions and toward bilateral contracts negotiated directly between utilities and generators. These contracts can lock in prices over longer terms, thereby insulating consumers from market volatility, while providing generators with the revenue certainly needed to invest in new capacity.

Importantly, this model does not eliminate participation in capacity markets. Rather, it would allow utilities to meet the bulk of their obligations through contracted resources, turning to the capacity auction only for the remaining portion of their needs. This

approach maintains access to the broader PJM market, while reducing exposure to auction price spikes that have driven rate increases.

The bill also directs study of the fixed resource requirement alternative, which PJM already permits as an option for load-serving entities. Under this mechanism, Maryland could potentially coordinate with neighboring states to secure capacity through our own processes rather than relying exclusively on PJM's centralized auction. This multistate compact approach could give participating states greater control over resource procurement, while still maintaining the benefits of regional coordination and grid reliability that PJM provides.

These studies are not theoretical exercises. They represent a serious examination of real alternatives that could materially improve affordability for Maryland families and businesses, while advancing our clean energy goals. The current system is broken and unresponsive to state policy priorities, and ratepayers deserve to know whether better options exist. Thank you for your consideration of Senate Bill 92.

**SB-92-HB143.Pavlak.FWA\_PJM withdrawal.O.pdf**

Uploaded by: Alex Pavlak

Position: FWA

February 19, 2026  
2/16/2026 1:08 PM

**SB92-HB143.Pavlak.FWA**  
**PJM Withdrawal**  
oral testimony

Good afternoon Mr. Chairman, Madam Vice Chair. My name is Alex Pavlak I'm a PhD engineer from Severna Park and the chair of the Future of Energy Initiative. My advocacy is numbers.

I'll be brief. In my opinion the General Assembly finding and declaration statement is petty and inaccurate. PJM is very good at delivering reliable electricity at a reasonable cost. The root cause of Maryland's high electricity rates is Maryland policy. In our opinion any clean electric power system will be at least double the cost of a fossil fuel based system.

Replace:

~~SECTION 1. (b) The General Assembly finds and declares that:~~

~~(1) PJM's actions have resulted in increased costs and decreased 1 affordability for electricity ratepayers; and 2~~

~~(2) PJM has failed to: 3~~

~~——— (i) adequately address concerns about the impact of rate increases 4 on ratepayers; or 5~~

~~——— (ii) be responsive to State energy policies.~~

With:

SECTION 1. (b) The General Assembly finds and declares that Maryland's climate policy conflicts with PJM's fuel neutral policy.



**FirstEnergy UNFAV EEE - SB92.pdf**

Uploaded by: Timothy Troxell

Position: UNF

**OPPOSE – Senate Bill 0092**

**SB0092 – Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations - Studies**

**Education, Energy, and the Environment Committee  
Thursday, February 19, 2026**

Potomac Edison, a subsidiary of FirstEnergy Corp., serves approximately 293,000 customers in all or parts of seven Maryland counties (Allegany, Carroll, Frederick, Garrett, Howard, Montgomery, and Washington). FirstEnergy is dedicated to safety, reliability, and operational excellence. Its electric distribution companies form one of the nation's largest investor-owned electric systems, serving customers in Maryland, Ohio, Pennsylvania, New Jersey, New York, and West Virginia.

**Unfavorable**

**Potomac Edison / FirstEnergy requests an Unfavorable report on SB-92 – *Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations – Studies* as drafted. SB-92 would require, among other things, the Public Service Commission (PSC), and the Maryland Energy Administration to study the benefits and costs of Maryland withdrawing from PJM Interconnection, LLC (PJM).**

While we share the sponsors' interest in improving affordability, aligning market outcomes with state policy, and ensuring reliable service for Maryland customers, the bill's prescriptive directives—particularly the mandatory bilateral contracting threshold, the potential withdrawal from PJM's capacity and transmission structures, and the aggressive study timeline—pose substantial risks to ratepayers, reliability, and Maryland's competitive retail market framework.

Maryland is a retail choice state, and it is unclear whether the 80% five-year bilateral contracting requirement would apply to electric distribution companies, competitive retail suppliers, or both. Potomac Edison's default service is currently procured through PSC-supervised competitive auctions that already embed capacity costs, and we believe these processes should remain – there is no need to create a new, separate utility bilateral contracting mandate. Furthermore, for risk management, competitive suppliers commonly transact within 12–36-month horizons because of customer switching, load migration, and policy/market volatility. Forcing five years of forward capacity would either further deter supplier participation or impose significant risk premiums whose costs would then flow to customers.

Fixed Resource Requirements (FRR) in retail choice states are operationally complex and could reallocate market risk to customers. Assigning FRR to the electric distribution companies for all load would effectively re-bundle capacity risk and expand utility procurement roles far beyond current law and practice. Implementing FRR in Maryland would require comprehensive rulemaking, complex cost allocation reforms, and a fundamental redesigning of the state's retail market.

Withdrawal from PJM or creating/joining an alternative RTO will be costly, legally complex, and risky for reliability. Despite challenges, PJM's regional scale provides resource diversity, emergency support, and planning coordination that are difficult to replace. Creating a new RTO would require replicating market design, reliability, planning, and governance functions before realizing any potential benefit. Such an undertaking would introduce significant transition risk and could impair reliability if not executed flawlessly.

SB-92 has a study scope that includes multistate collaboration, market structure alternatives, bilateral mandates, FRR feasibility, and the potential withdrawal from PJM. The timeline proposed, December 31, 2026, is far too aggressive for a study of this magnitude. These are once-in-a-generation structural decisions with multi-billion-dollar implications – and a rushed process invites unintended consequences and weakens public confidence. A formal stakeholder process with technical conferences, public comment rounds, and independent modeling review is recommended.

PJM is not perfect—and we support continuous improvement to its interconnection process, capacity market design, and planning functions. However, the bill as drafted presupposes outcomes that could destabilize Maryland's retail market, transfer risk to customers, and jeopardize system reliability - leading **Potomac Edison / FirstEnergy to respectfully request an Unfavorable report on SB-92**. Our mission is to deliver safe, reliable, and affordable electric service and we stand ready to collaborate with the Committee, the PSC, and stakeholders to pursue reforms that will deliver these results for Maryland customers.

**2026.02.19\_SB0092\_INFO\_Advanced Energy United.pdf**

Uploaded by: Katie Mettle

Position: INFO



**February 19, 2026**

**Education, Energy, & the Environment Committee**

**SB 92**

**Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations - Studies**

**Sponsor: Senator Shelly Hettleman**

**Katie Mettle**

**Policy Principal, Advanced Energy United**

**INFO**

Dear Chair Feldman, Vice Chair Kagan, and esteemed members of the Education, Energy, & the Environment Committee:

Advanced Energy United is an industry association that represents companies operating in the clean and advanced energy spaces. “Advanced energy” broadly refers to technology that consists of or which is compatible with clean energy generation, and which makes our grid more affordable, efficient, reliable, resilient and/or secure.

SB 92 requires the State, in conjunction with neighboring states, to study the possibility of leaving the PJM Regional Transmission Organization (RTO).

For all of the legitimate criticisms of PJM’s management, Advanced Energy United believes a study would demonstrate that leaving PJM – whether to join another RTO, form a new one, or to avoid participating in one altogether – would be too disruptive and costly to be worth pursuing.

Maryland, and the other PJM states, are not technically members of PJM. Our utilities are. The state may discover legal barriers or complexities to mandating or incentivizing the utilities that serve Maryland residents to withdraw from PJM membership.

Arguably, the greatest benefit of participating in an RTO is access to competitive wholesale energy markets. Energy generators must choose between contracting energy sales directly to utilities, or participating in an RTO's wholesale markets. If Maryland wants to bypass PJM's wholesale markets by forcing utilities to buy power directly from generators, that could create upward pressure on energy prices, and create pressure to vertically integrate our utilities or buy them out and switch to a public power system in order to ensure we are able to procure enough energy to meet demand. Both options could drive up energy prices for consumers.

In addition, the legal fees – regardless of the path chosen – and potential cost of standing up a new RTO could be very high as well.

PJM is in need of reform. Although advocating for reforms has been frustrating due to the lack of state jurisdiction over RTOs, and the independence of FERC, leaving PJM, regardless of the eventual option chosen, is very likely to create a different set of problems.

Thank you for your time.

Best Regards,

Katie Mettle, Policy Principal  
Advanced Energy United  
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202.380.1950 x3197

# **Maryland Energy Adm**

Uploaded by: Megan Outten

Position: INFO



# Maryland Energy Administration

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

**FROM:** MEA

**SUBJECT:** SB 92 - Electric Company Contracts, Capacity Market Models, and Regional Transmission Organizations - Studies

**DATE:** February 19, 2026

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## **MEA Position: LETTER OF INFORMATION**

The Maryland Energy Administration (MEA) respectfully submits this letter of information on Senate Bill 92.

Senate Bill 92 requires the Public Service Commission (PSC), in consultation with MEA, to study the benefits and costs of requiring each electric company to demonstrate that it has contracted for at least 80 percent of its load-serving capacity over the next five-year period. The bill also requires the PSC and MEA, in consultation with neighboring states, to jointly study and make recommendations regarding potential withdrawal from the PJM Interconnection, LLC (PJM) capacity market model, the development of a multistate compact under a fixed resource requirement structure, and the possibility of withdrawing from PJM to establish or join an alternative regional transmission organization (RTO). The bill requires submission of a joint report by December 31, 2026.

MEA recognizes the intent of SB 92 to ensure that Maryland fully evaluates its options to protect ratepayers and align regional market structures with State energy policy goals. The General Assembly's interest in examining capacity markets and regional transmission governance reflects real affordability and reliability concerns. Maryland ratepayers have experienced significant volatility in wholesale capacity costs in recent years. The structure, transparency, and responsiveness of PJM's capacity market remain active subjects of debate among states, consumer advocates, and policymakers across the region.

On December 2025, Governor Moore signed an Executive Order directing State agencies to advance energy affordability, accelerate in-state generation, and strengthen accountability within regional markets. The Governor has joined a bipartisan coalition of governors calling for PJM reforms, including greater price stability, improved capacity market rules, and cost responsibility for high-load customers such as data centers. State agencies continue to engage with PJM, the Federal Energy Regulatory Commission, and neighboring states to advance these efforts.

Additionally, the December 31, 2026 reporting deadline presents practical constraints. MEA currently manages substantial statutory responsibilities, which require comprehensive modeling, stakeholder engagement, and cross-agency coordination. The studies required under SB 92 involve

significant legal, economic, and operational complexity. Conducting the multistate, technical, and legal analysis required in this bill within the proposed timeframe would require additional resources and careful alignment with existing planning efforts.

MEA remains committed to advancing affordability, reliability, and innovation while protecting ratepayers. Our sincere thanks for your consideration of this testimony. For questions or additional information, please contact Megan Outten at [megan.outten@maryland.gov](mailto:megan.outten@maryland.gov) or 443.842.1780.