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February 3, 2026

The Honorable Marc Korman, Chair  
House Environment and Transportation Committee  
Maryland House of Delegates  
House Office Building, Room 251  
6 Bladen Street  
Annapolis, Maryland 21401

The Honorable Jocelyn Peña Millnick, Speaker  
Maryland House of Delegates  
State House, Room H-101  
100 State Circle  
Annapolis, Maryland 21401

The Honorable Bill Ferguson, President  
Maryland Senate  
State House, Room H-107  
100 State Circle  
Annapolis, Maryland 21401

The Honorable Brian J. Feldman, Chair  
Senate Education, Energy, and the Environment Committee  
Maryland Senate  
Miller Senate Office Building, Room 2 West  
11 Bladen Street  
Annapolis, Maryland 21401

Dear Chair Korman, Chair Feldman, Madam Speaker, Mr. President, and Members of the Committees:

I write to respectfully express my concerns regarding House Bill 120 and its proposed categorical prohibition on the construction of new data centers in the State of Maryland. I offer these comments in my capacity as an attorney and principal of Manno & Associates LLC, where my practice is uniquely concentrated on large-scale industrial

## House Bill 120 – Correspondence

and infrastructure development — including highly-skilled workforce integration, power-generation facilities, grid-scale energy projects, and data-center campus development. My work regularly involves coordination across federal and State legal, legislative, regulatory, technical, and workforce domains on projects requiring substantial private capital deployment and long-term infrastructure planning.

From both a policy and technical standpoint, House Bill 120 applies an unusually blunt instrument to one of the most capital-intensive sectors of the modern economy. By establishing a categorical ban rather than preserving standards-based, site-specific review, the bill removes Maryland's ability to evaluate projects based on energy configuration, grid capacity, environmental mitigation, workforce standards, and community-benefit commitments, while risking displacement of private investment and high-skill employment to neighboring jurisdictions without commensurate public-policy gain.

This approach is difficult to reconcile with the policy direction established during the 2025 legislative session through enactment of the Next Generation Energy Act (SB 937 / HB 1035), which evolved from the legislative leadership energy package. That legislation balanced grid reliability with the State's climate mandates while enabling disciplined, standards-based industrial and energy development through ratepayer-relief measures, utility-infrastructure prioritization reforms, a procurement goal of up to 1,750 megawatts of battery storage, an expedited approval pathway for dispatchable generation projects, and creation of a Strategic Energy Planning Office to conduct long-term adequacy and market-risk assessments.

In addition, House Bill 120 would be materially disruptive to regulatory and procurement activities already underway. The Maryland Public Service Commission is actively administering approval processes aligned with last year's statutory framework, including review of multiple CPCN applications and pending submissions by Constellation Energy involving battery-storage facilities and dispatchable natural-gas generation assets intended to stabilize load growth and enhance grid reliability. A categorical prohibition at this stage introduces policy inconsistency and regulatory uncertainty into proceedings already in motion, risks stranded regulatory effort, delays grid-stabilization investments, sends conflicting signals to market participants operating under an assumption of standards-based review rather than categorical exclusion, and risks undermining investor confidence in Maryland's regulatory predictability

Complementary legislation enacted during the same session — including the Renewable Energy Certainty Act and the RENEW Act study framework — further underscores the State's commitment to uniform standards, environmental safeguards, and data-driven climate and energy planning. House Bill 120 would mark a substantial departure from that trajectory by foreclosing precisely the class of projects the State's broader statutory architecture was designed to evaluate through established regulatory channels.

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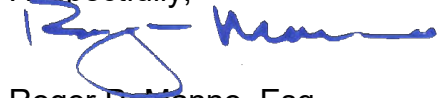
Modern data centers are highly engineered industrial facilities integrating advanced electrical distribution, redundant mechanical cooling, cybersecurity architecture, and increasingly co-located or directly contracted generation. Individual facilities routinely involve hundreds of millions — and often billions — of dollars in private capital investment and sustained demand for specialized engineers, electricians, and certified construction trades supported by multi-year apprenticeship pathways.

For multi-building hyperscale campuses incorporating substantial electrical and mechanical infrastructure and dedicated substations, total private capital investment can reasonably reach the high single-digit to low double-digit billions of dollars over a phased build-out horizon, producing multi-year construction employment, long-term technical careers, and durable increases in State and local tax receipts.

Maryland already maintains comprehensive zoning, environmental-review, public-utility, and industrial-permitting frameworks capable of addressing legitimate siting and resource concerns through conditional approvals and enforceable compliance standards. A statewide prohibition renders those tools inoperative for an entire class of development and effectively transfers private investment and workforce demand to jurisdictions that continue to employ standards-based oversight.

For these reasons, I respectfully urge careful consideration of whether a categorical moratorium aligns with the State’s recently articulated legislative and regulatory policy direction supporting dispatchable energy, grid reliability, and responsibly managed large-scale industrial growth.

Respectfully,



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