

February 24, 2026

112 West Street
Annapolis, MD 21401

Oppose – House Bill 928 - Certificates of Public Convenience and Necessity - Transmission Lines - Applicability and Waivers

Potomac Electric Power Company (Pepco) and Delmarva Power & Light Company (Delmarva Power) oppose **House Bill 928 - Certificates of Public Convenience and Necessity - Transmission Lines - Applicability and Waivers**. House Bill 928, except as otherwise specified, replaces references to “overhead transmission lines” with “transmission lines” in §7-207 of the Public Utilities Article. Accordingly, a person may not begin construction of an overhead or underground transmission line designed to carry in excess of 69,000 volts without first obtaining a Certificate of Public Convenience and Necessity (CPCN) from the Public Service Commission (PSC). (Under current law, a person is only required to obtain a CPCN to construct an overhead transmission line). Additionally, for construction related to an existing transmission line, the bill (1) repeals an existing provision requiring PSC to waive the CPCN requirement under specified circumstances (with respect to an overhead transmission line) and (2) requires PSC to consider certain factors before granting a waiver for good cause. Finally, by July 1, 2027, PSC must adopt regulations that establish specific criteria for determining whether to waive, for good cause, the CPCN requirement for such construction.

Pepco and Delmarva Power are concerned that House Bill 928 substantially raises regulatory, permitting, timing, and cost risks. By expanding CPCN requirements beyond overhead lines, removing automatic waivers for existing line upgrades, and mandating broader environmental, climate, and public-notice reviews, the bill creates longer development cycles and greater uncertainty in land acquisition and project execution.

Currently only overhead 69kV and above lines require CPCNs. If this legislation were to pass, this expansion would include substation and underground projects. The waiver requirements in the bill appear to be opened ended and ambiguous. Pepco and Delmarva Power support opportunities for public input and transparency; however, the combination of extensive outreach requirements, siting reviews, studies, and alternatives analyses could significantly delay critical projects needed to support Maryland’s energy needs.

Pepco and Delmarva Power look forward to continuing to work with the bill sponsor to address any additional questions or concerns that may arise from this legislation.

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