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Honorable William C. Smith, Jr, Chair, Judicial Proceedings Committee
Honorable Jeffrey D. Waldstreicher, Vice-Chair, Judicial Proceedings Committee
Members, Judicial Proceedings Committee

SUBJ: Support with Amendment, SB 630/HB 1244

Dear Chair, Vice-Chair, and Members,

My name is Scott Molony. I am the owner of a residential property in Carroll County, MD located directly adjacent to the proposed Maryland Piedmont Reliability Project (MPRP) path. I am a former Chief Accountant, Supervisor, Accountant, and Auditor of the Federal Energy Regulatory Commission (FERC), during which I was responsible for policy development and related implementation and compliance underpinning cost-based utility rates. My comments represent my personal expert knowledge and do not represent the position of FERC or any other Federal Government organization.

I strongly support the provisions of HB 1244/SB 630, but respectfully urge and request critical amendments to ensure the bill appropriately achieves its stated purpose, that is, to afford property owners within value diminishing distance to such overhead transmission lines to pursue and receive damages for lost value as a result of such projects. I respectfully request the following amendments:

1. Increase the distance identified in the proposed Real Property Article, Section 12-104(H)(1)(I) from 300 feet to 1000 feet, and
2. Change “residence” in the proposed Real Property Article, Section 12-104(H)(1)(I) to “property” or otherwise define “residence” to include the platted boundaries of the property on which the residence is built.

MPRP, and similarly proposed projects, represents a massive transfer of wealth from Marylanders to a few corporate benefactors with unparalleled detrimental impacts to Marylander property, wealth, and health, without any benefit to Maryland. MPRP places the cost of Virginia’s irresponsible data center citing and related power demands principally on the backs of the hundreds of property owners directly on the proposed route and those within value-diminishing distance to it, as well as Marylanders in general through rate increases.

PJM’s selection of PSEG, an out-of-state utility company, virtually guaranteed PSEG would propose a wholly greenfield project as well as PSEG’s refusal to consider appropriate alternatives (including existing rights- of-way or minimal expansion thereto for additional towers), as such alternatives reduce profits PSEG stands to recognize receive through a guaranteed rate of return on every dollar spent.

My family, and many others adjacent to this and other overhead transmission route proposals, stand to suffer significant losses in property value if such projects move forward. Such loss in property value should be paid by the project developers to property owners and included in the cost of the project for recovery from all ratepayers. The few hundred property owners who are on the route or adjacent to it

should not be forced to subsidize corporate profits and the public at large by suffering uncompensated reduction in property value for such projects.

The requested modifications are wholly appropriate and necessary to ensure property owners adjacent to approved overhead transmission lines are compensated for the certain reduction in property value in the event a CPCN is issued and the project(s) moves forward. All customers, and not just those directly on or adjacent to, a transmission line, should share the full cost of such projects. As it currently stands, only those properties subject to eminent domain, but not those properties adjacent to and suffering significant reduction in property value as a result of being within value diminishing and health detrimental distances, are compensated. Such uncompensated costs are unrecognized project costs, for which only an unfortunate few bear the burden at significant personal financial and generational loss. My home is roughly 370 feet from the proposed MPRP; and as currently written, HB 1244/SB 630 would not provide any relief for the certain, significant reduction in property value my family would suffer if the project moves forward.

Numerous studies demonstrate a clear link between overhead transmission lines and reduced property values for those within 1000 feet or more of such projects. Others demonstrate a causal relationship between overhead transmission, extremely low frequency electromagnetic radiation and detrimental health effects to humans and animals, as well as to crops. Most sources cite the minimum safe distance from high voltage transmission lines to be 700-1000 feet, and some sources recommend a minimum of 1320 feet (1/4 mile), all impacting property values within such distances.

Finally, the requested amendments reduce the likelihood of overhead transmission developers making minor, meaningless route adjustments (e.g. a few feet to a couple hundred feet) solely for the purpose of avoiding the compensation your bill is intended to ensure, but without any real reduction in the diminution of value to adjacent property owners. Property owners within a minimum of 1000 feet from transmission rights-of-way and/or the land acquired for such transmission, will suffer a significant reduction in property value. Such reduction in value should be part of the public burden and the total cost of the project, not just individual property owner burden, if a CPCN is approved.

For the foregoing reasons, I strongly support HB 1244/SB 630 and strongly request the stated modifications to the bill to appropriately address the certain diminution in value that will be suffered by property owners adjacent to such projects.

I appreciate and applaud your introduction of this bill. I am happy to discuss my comments and other recommendations about this and other bills.

Sincerely,

Scott Molony