



**Testimony in Support of
Utility Regulation - Consideration of Climate and Labor (HB 531)
House Economic Matters Committee | February 27, 2020**

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The Chesapeake Climate Action Network and our lobbying arm CCAN Action Fund have spent the past 15 years urging Maryland to take the lead on addressing the emerging climate crisis by enacting strong climate policies. Since the first piece of legislation that CCAN supported in 2004, which mandated that 7.5 percent of the state's electricity come from renewable sources, the General Assembly has increased our clean-energy goals to 50 percent by 2030. Legislators also passed a bill reducing greenhouse gas emissions 40 percent below 2006 levels by 2030--a goal that legislators are considering increasing this year to line up with current science.

These are important steps, but all parts of the state government should be marching in the same direction on climate. Right now, however, the Maryland Public Service Commission (PSC) does not have a specific mandate to consider climate change when it makes decisions. The PSC is a core part of the state government and the principal regulator of electricity in Maryland. This key agency must factor climate into its decision-making if the state is to meet the climate goals laid out by the world's leading scientists and the State of Maryland itself.

The climate issue came squarely before the PSC last year. Several environmental and community groups appealed the PSC's decision to approve a former coal plant's repowering to gas in part because the agency did not consider how climate change would impact the project itself. Groups were concerned about how sea-level rise, storm surges, and extreme weather events could impact the facility and argued that the PSC erred in not considering climate change.

In response, the PSC Commissioners essentially said their hands were tied. "[Our governing statute] requires due consideration of "air and water pollution" issues "when applicable," the PSC said in [its Order denying the appeal](#), "[but t]he statute does not specifically or generally require considerations regarding climate change."

Likewise, the PSC staff argued in [its brief in the case](#) that "the Commission has never required that any consideration of climate change and its effects be included in a Proposed Order or C[ertificate of] P[ublic] C[onvenience and] N[ecessity] proceeding. As Staff is bound by Commission precedent, Staff recommends that the Commission reject this argument of the . . . Appeal."

This bill would require applicants to submit information to the PSC on greenhouse gas emissions and vulnerabilities to impacts such as sea-level rise, which the PSC would consider among the other factors it examines. Importantly, HB 531 would also require the Power Plant Research Program (PPRP) in the Department of Natural Resources (DNR) to include an evaluation of the impact of electric power plants on climate change as part of its ongoing research. Further, the bill would require the Maryland Department of



the Environment (MDE), which has an existing Climate Change Program and is already required to advise the PSC on pending applications, to include climate change in its report to the Commission. These two agencies--DNR with its PPRP unit and MDE with its Climate Change Program--could provide valuable expertise and information to the Commission as it begins to consider climate change.

Maryland legislators, at the urging of their constituents, have committed in law to specific targets for reducing greenhouse gas emissions. House Bill 531 would provide a necessary solution to the PSC's current limitations on considering climate change. By requiring input from agencies with expertise in long-term planning and evaluating climate change, it creates an effective and straightforward process to bring the PSC in line with the rest of the state's climate commitments.

CCAN Action Fund urges a favorable report on House Bill 531.

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