

Andrew Johnston, Executive Secretary
Maryland Public Service Commission
6 St. Paul Street, 16th Floor
Baltimore, Maryland 21202

January 30, 2026

In Re: Washington Gas Light Company (WGL) Next Generation Energy Act (NGEA) Compliance Filing (Case No. 9708)

To The Maryland Public Service Commission (The Commission):

Thank you for this opportunity to provide comment on WGL's NGEA Compliance Filing, submitted December 20, 2025.¹

Washington Gas has failed to demonstrate compliance with the NGEA. The Commission should pause work on any projects that have not broken ground until completing a full review of the 2026 project list and STRIDE 3 plan.

While we appreciate the Commission's attempt to create a clear bright line on which projects need additional review for NGEA compliance, we urge the Commission to reconsider its definition of "active project," to only include projects that have broken ground. Allowing the completion of projects that have incurred "any cost activity" may result in an excessively large loophole in which gas utilities could argue that by putting a project on a list, they have spent staff time on the project and it is therefore active. At the very least, the current "bright line" will result in throwing good money after bad.

On October 21, 2025 the Commission issued an order specifically directing Washington Gas to "(1) justify how its current STRIDE 3 plan complies with the NGEA, or (2) submit proposed revisions to its plan that would bring the plan into compliance with the NGEA."² WGL responded on December 20, 2025, arguing both that NGEA does not require review of the STRIDE 3 plan, and that the company's STRIDE 3 plan is in compliance with the NGEA. We disagree on both points.

The Next Generation Energy Act went into effect on June 1, 2025. The legislature, in establishing NGEA, placed clear requirements on the Maryland gas utilities to prioritize safety and demonstrate cost effectiveness, including considering alternatives to replacement, including repair and non-pipeline alternatives. The new law has been in

¹ Washington Gas Light Company - Response to Letter Order on Next Generation Energy Act. Case 9708 (M.L. 325541)

² The Commission - Letter Order to WGL Regarding Revised 2025 STRIDE Project List. Case No. 9708 (M.L. 323749)

effect for seven months, and it is baffling that WGL's position is that the law does not apply to its 2026 work.

The Commission has repeatedly, in both a letter order to WGL on October 29, 2025, and letter order to WGL on January 7, 2026, affirmed that it has the authority "to review previously approved STRIDE plans and . . . do so subject to the law that exists at the time of the review."³ The applicability of NGEA to WGL's STRIDE 3 plan has been well established.

NGEA aims to improve pipeline safety and protect gas customers from wasteful spending that is driving up gas delivery rates. Without intervention, Maryland gas customers are projected to pay \$40 billion for STRIDE related work, driven in large part by utility profits.

Given the changes to state law, it is inappropriate to approve WGLs 2026 project proposal absent serious evaluation by both the Company, Staff, and interested stakeholders. The Commission should fully review the STRIDE 3 plan, which requires a substantial filing from WGL documenting compliance with cost-effectiveness, alternatives assessment, and safety requirements.

In WGL's December 20, 2025 response to the Commission, it does not appear that the company has made substantial alterations or revisions to the project list it originally filed. Rather, WGL has taken the position that its STRIDE 3 plan is already compliant with NGEA. However, the company's most recent filing lacks documentation necessary to demonstrate compliance with NGEA's requirements. WGL presents generalities about its process of evaluating its STRIDE programs as relates to NGEA, and draws a conclusion that they are all applicable under the law. However, the company does not provide specific documentation on cost recovery or risk assessment nor discuss the specific circumstances to demonstrate how individual projects qualify for expedited recovery as required by the NGEA. WGLs filing therefore does not adequately satisfy the Commission's October 29, 2025 order or the Maryland General Assembly's directive.

Washington Gas needs to put safety first by abandoning its one-size-fits-all replacement approach in favor of strategies that deliver the most safety bang for the buck. This includes employing advanced repair techniques, refurbishing pipes with internal liners that eliminate leaks and extend their life for decades, and considering non-pipeline alternatives. These approaches all minimize tearing up and resurfacing streets, which is one of the biggest costs and inconveniences of pipe replacement.

³ Id.; The Commission - Letter order to WGL on 2026 STRIDE Project List. Case No. 9708 (M.L. 325900)

Ultimately, a pipe replacement program that properly prioritizes safety will cost less, meaning smaller bill increases, while actually making us safer. Alternatives to replacement will almost always take less time and cost less, all while improving safety just as much, if not more. And critically, these approaches facilitate, rather than frustrate, Maryland's transition to safer, cleaner energy to heat our homes.

In order to implement the new requirements of NGEA, Maryland PIRG Foundation and the Center for Progressive Reform have the following recommendations, which should be applied to BGE, WGL and Columbia Gas. These are outlined in Maryland PIRG Foundation's ["Fast-Tracked and Flawed: An Analysis of BGE's 2025 Operation Pipeline Work"](#):

1. The Maryland Public Service Commission should order WGL to demonstrate that gas pipeline projects are in compliance with state law. As outlined in the NGEA, the Commission must find that the investments are "required to improve the safety of the gas system after consideration of alternatives to replacement." In order to demonstrate compliance, WGL must present regulators and stakeholders with a valid, transparent risk methodology, formalize and document its project selection decision making process, and demonstrate its chosen mitigations are cost-effective.
2. The Commission should direct WGL to consider, in non-emergency scenarios, alternatives to replacement, including advanced repair, pipe relining, joint encapsulation, and targeted electrification. WGL should document it has considered alternatives before selecting the replacement option.
3. If WGL wishes to pursue a medium pressure conversion, the Commission should direct WGL to separately demonstrate that such investments are prudent and reasonable, particularly in light of overall risk and safety.
4. The Commission should not allow WGL to use accelerated cost recovery for any investments that are not optimized for risk reduction. If WGL fails to present relevant information or follow best practices and the law, the Commission should deny recovery of all associated costs.

For the reasons set forth above, the Commission should pause work on any projects that have not broken ground until a full review of the 2026 project list and STRIDE 3 plan has occurred.

Thank you for taking the time to consider these comments.

Emily Scarr
Senior Advisor
Maryland PIRG Foundation

Bryan Dunning
Senior Policy Analyst
Center for Progressive Reform

Lee McNair
Cedar Lane Unitarian Universalist
Environmental Justice Ministry,
Bethesda

Dave Arndt
Co-Chair
Maryland Legislative Coalition Climate
Justice Wing

Frances Stewart
Chapter Co-lead
Elders Climate Action

Christine Pendzich
Steering Committee
Maryland Third Act

Tony Sirna
Senior Policy Lead - Buildings
Evergreen Action

Olivia Wein
Senior Attorney
National Consumer Law Center, on
behalf of its low-income clients

Rebecca Rehr
Director, Climate Policy & Justice
Maryland League of Conservation
Voters