



UPGRADE MARYLAND

SAFE AND HEALTHY ENERGY FOR EVERY HOME

Andrew Johnston, Executive Secretary
Maryland Public Service Commission
6 St. Paul Street, 16th Floor
Baltimore, Maryland 21002

April 13, 2026

**By Electronic Filing
Case No. 9708**

Comments of Upgrade Maryland on the Office of People’s Counsel’s Request for Clarification and Rehearing on Commission Order No. 92207.

To the Maryland Public Service Commission (The Commission):

Thank you for this opportunity to provide comment on the Office of People’s Counsel’s (OPC) request for clarification and rehearing on Order No. 92297.¹

Upgrade Maryland supports OPC’s request for clarification and rehearing.

The Next Generation Energy Act (NGEA) was signed into law on May 20, 2025, and effective from 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 now been in effect for ten months and the Commission has yet to enforce the law or issue compliance guidance to gas utilities.

As such Upgrade Maryland supports the OPC’s requests that:

1. The Commission clarify whether it intends to review WGL’s STRIDE 3 plan and 2027 and 2028 project lists for compliance with the NGEA.
2. The Commission reconsider its decision to allow WGL to proceed with its 2026 STRIDE project list without ensuring compliance with the NGEA.
3. If the Commission proceeds with rulemaking via RM 95, the Commission establish clear cost recovery standards to implement NGEA.

¹ Office of People’s Counsel - Request for Clarification and Rehearing. Case No. 9708, ML 328423 (March 30, 20206).

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. In February, the Commission issued an order authorizing WGL to move forward with its 2026 STRIDE project list without complying with NGEA, and initiated RM 95, a rulemaking proceeding to establish regulations to implement the NGEA.³

Delaying implementation of the law until after an additional rulemaking is unnecessary and, unless combined with immediate enforcement or a pause in STRIDE work, counter to the law. While RM 95, as established by Order No. 92297, may be beneficial in clarifying compliance standards for future filings⁴ - the legislature did not require rulemaking for the Commission to determine whether WGL’s Stride 3 Plan is in compliance with the NGEA. As OPC explains in its request, “because regulations are not necessary for the Commission to determine compliance and the result of waiting for regulations will be that WGL’s 2026 project list entirely evades NGEA compliance review.”

Given the changes to state law, it is inappropriate to approve WGL’s 2026 project proposal absent evaluating the project’s compliance with NGEA. 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, or as has been suggested by other stakeholders, the Commission should hold a full evidentiary hearing on this matter. The Commission has numerous methodologies to address WGL’s STRIDE 3 compliance under the law, and should utilize one to ensure that the legislature’s clear intent under NGEA’s amendments to improve pipeline safety and protect gas customers from wasteful spending that is driving up gas delivery rates is applied, as required by law.

According to the Office of the People’s Counsel, if WGL completes its proposed \$3.9 billion in gas pipeline spending without intervention, it could cost customers \$22 billion to pay back. Ultimately, a pipe replacement program that properly prioritizes safety will cost less, meaning smaller bill increases, while actually making us safer.

Upgrade Maryland respectfully requests the Commission grant the OPC’s request for clarification and a rehearing.

Sincerely,

Maryland PIRG Foundation

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

³ The Commission - Order 92207 on STRIDE Compliance and Related Matters. Case 9708 and RM95, ML 327468 (February 26, 2026) at p.4

⁴ And as the Commission discusses in Order No. 92297, will likely be influenced by proceedings in Case No. 9707’s evaluation of the future of gas in the state of Maryland.

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