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**ENERGY AND PUBLIC WORKS**

VICE CHAIR - ENVIRONMENT,  
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**JUDICIARY**

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**HOUSE OF DELEGATES**  
**WEST VIRGINIA LEGISLATURE**

June 6, 2025

Chairman Charlotte R. Lane  
Public Service Commission of West Virginia  
201 Brooks Street, P.O. Box 812  
Charleston, WV 25323

Dear Chairman Lane:

Having engaged in several industry and constituent meetings, consulted with leaders and representatives from NextEra, FirstEnergy, and PJM, and heard from many constituents, I am writing to publicly oppose the MidAtlantic Resiliency Link (MARL) project. As currently proposed, the project's tangible and intangible adverse impacts significantly outweigh its benefits for West Virginians, particularly my constituents in Hampshire and Mineral Counties, whom I represent in House District 88.

NextEra estimates that, over 40 years, MARL could generate up to \$75 million in sales and property taxes for Mineral County and \$125 million for Hampshire County. Based on current population estimates (approximately 26,797 for Mineral and 24,033 for Hampshire), this translates to roughly to only \$70 and \$130 per resident annually, respectively. However, these figures fail to account for lost property tax revenue or depreciation affecting existing property owners, diminishing the net benefit.

As a strong advocate for energy development, I recognize the critical need for grid resiliency to meet West Virginia's and the nation's growing electricity demands. However, if, as MARL's developers state, the electricity will primarily benefit Virginia and its taxpayers, why should West Virginians bear a substantial cost? Federal Energy Regulatory Commission (FERC) Commissioner Mark Christie, in his January 22, 2025, comments on FERC Docket No. ER24-472-000 (page 17), emphasized, "A core principle of utility law and regulation for decades is that consumers can only be forced to pay costs for assets that are 'used and useful' to them." Yet, the Institute for Energy Economics and Financial Analysis' May 2025 report, West Virginia Ratepayers Footing the Bill for Infrastructure Build-Out, estimates that West Virginians will pay over \$246 million for MARL and at least \$345 million for the Valley Link project.

Beyond economic concerns, I have discussed with NextEra and PJM the feasibility of burying high-voltage transmission lines, as done in projects like the Champlain Hudson Power Express (CHPE), currently under construction, and the Interconexión Eléctrica Francia-España (INELFE) project, operational since 2015. Notably, NextEra representatives informed me that they operate the Trans Bay Cable, a 400 kV DC submarine and underground line in the San Francisco Bay Area, operational since 2010. Their stated reason for not burying MARL's lines—addressing only some of my constituents' concerns—is purely economic. Over a century ago, city planners required public transit systems to go underground at greater cost, leading to today's subway networks. Similarly, Germany's 435-mile, 525 kV HVDC SuedLink project is being built entirely underground due to public and political pressure. If MARL proceeds, I urge its developers to adopt similar innovative approaches.

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In the end, the MARL and Valley Link projects are about supplying electricity to Virginia—a state that refuses to generate enough power for its own needs yet has no qualms about exploiting West Virginia’s land and people to make up the difference. They're happy to scar our mountains and rip off our communities just to keep their lights on. I say, “Not on my watch.”

I strongly urge the Public Service Commission to reject the MARL and Valley Link projects as currently proposed. I believe neither of these projects’ will significantly benefit West Virginians, and their objectives can be achieved without unfairly burdening our citizenry and landowners. If necessary, developers should consider abandoning these projects entirely.

Should the projects be abandoned, FERC Commissioner Christie’s remarks in FERC Docket No. ER24-472-000 highlight a critical issue: “The CWIP (Construction Work in Progress) Incentive effectively makes consumers the bank for transmission developers, and the Abandoned Plant Incentive makes them the insurer of last resort.” I support his call for FERC to reassess transmission developer incentives to protect ratepayers.

A handwritten signature in black ink that reads "Frederick 'Rick' Hillenbrand".

Frederick “Rick” Hillenbrand  
Delegate, West Virginia House of Delegates  
District 88 – Hampshire and Mineral Counties

Copy to:

Governor Patrick Morrisey  
Hampshire County Commission  
Mineral County Commission