

02/26/2026

Members of the House Energy Committee

Re: House Bill 2151, Community Standards for Data Center Developments

Dear Members,

**The Better Path Coalition, its partner coalition, No False Climate Solutions PA, and the undersigned allied organizations submit this letter to express our continued strong opposition to HB 2151.**

Although the bill's language has changed, its substance has not.

The case has never been made to our satisfaction that legislation is needed in order for the Department of Community and Economic Development (DCED) to draft a model ordinance and share it as it chooses. The current language states more clearly that municipalities can opt out of using the specific language of the model ordinance, but that further begs the question of the need for a law in the first place. In fact, we are concerned that a statute will have the opposite effect – that municipalities will feel the need to use the ordinance as written and that the industry could cite it in legal challenges to more strongly worded ordinances.

Further, we could not find examples of similar legislation in Pennsylvania. We could not find laws that give the responsibility of drafting a model ordinance to DCED. Act 167, the Stormwater Management Act of 1978, requires municipalities to adopt ordinances and directs the Department of Environmental Protection (DEP) to draft a model ordinance. In that case, DEP is the regulatory agency with oversight of stormwater management. DCED has no regulatory authority over anything the current version of HB 2151 would have the model ordinance include. We question why the state would take the unprecedented step of legislating the creation of an optional model ordinance by a non-regulatory agency.

Our concerns are heightened because of the role the DCED has played behind closed doors in negotiating data center deals. We question in whose interest DCED would be acting when drafting the ordinance.

The inclusion of a public participation process does nothing to allay our concerns. As we have experienced countless times, by the time the public is provided an opportunity to comment, the project or action under consideration is a fait accompli. HB 2151 provides for a public comment period upon its publication and for each annual update. Municipalities may have their own process for receiving public input. The result could be a cumbersome, likely fruitless, process for the public who, if asked for their opinion right now, would tell you they do not want data centers at all.

We ask that this statement be added into any and all bill packages for consideration.

Respectfully,

Karen Feridun, Co-Founder, Better Path Coalition

Karen Elias, Co-Founder, No False Climate Solutions PA

Jeffrey Payne, Representative, Banks Township PA Community Group

Barbara Clifford, Executive Council member, Breathe Easy Susquehanna County

Marilyn Goslin, Administrator, Cedar Hill Road Data Center Opposition Facebook group

Hilary Flint, Program Director, Center for Oil & Gas Organizing

Sam Burleigh, Founder, Concerned Citizens of Montour County

Barbara W. Brandom, MD, Concerned Health Professionals of Pennsylvania

Anneke van Rossum, Advocacy and Policy Coordinator, Delaware Riverkeeper Network

Ginny Marcille-Kerslake, Senior Organizer, Food & Water Watch Pennsylvania

Maya K. van Rossum, Founder, Green Amendments For The Generations

Maryann L. Smith, Representative, Hobbie Crafters

Co-chairs, Indivisible Montgomery County PA & Friends

Ann Vinatieri, Co-Leader, Luzerne County Community Action Coalition

Kelley Brickey, Co-Chair, Middlesex Healthy Neighborhoods Alliance

Tamela Trussell, MS Ed, Founder of Move Past Plastic (MPP)

Michael Bagdes-Canning, Planning Group member, Pennsylvania Action on Climate

Administrator/Owner, Penn Forest Residents Against Data Center

Sean Boyle, Creator, Pennsylvania Data Center Accountability

Matthew Shorraw, Policy Program Coordinator, Physicians for Social Responsibility PA

Joanna Tenney, Administrator, Prevent East Vincent Data Center Development

Paula Terrell, Representative, Prevent North Coventry Data Center

Lauren Posey, Environmental Policy Advocate, Protect PT

Justin Healey, Founder, Stop Archbald Data Centers

*The Better Path Coalition is a statewide frontline- and grassroots-led coalition forging a path to a clean, renewable energy future for Pennsylvania and a government that puts the people's interests before those of the fossil fuel and petrochemical industries.*

*No False Solutions is a coalition of advocacy groups and concerned residents of Pennsylvania and other states in our region affected by the oil and gas industry. Our goal is to educate and inform legislators and decision makers about emerging technologies that claim to be solutions to the climate crisis but in fact exacerbate the climate crisis, damage the environment, and/or harm public health and do not offer more effective or economically viable solutions than those offered by renewable energy and renewable energy storage technologies.*