

SB613 - Community Solar Testimony.pdf

Uploaded by: Abigail Snyder

Position: FAV

OFFICERS

ELIZABETH GREEN
 President
 ROBIN WEIMAN
 1st Vice President
 AMALIA HONICK
 BENJAMIN ROSENBERG
 RABBI STEVEN SCHWARTZ
 RABBI JONATHAN SEIDEMANN
 MELANIE SHAPIRO
 RABBI ANDREW BUSCH
 Past President
 HOWARD LIBIT
 Executive Director

MEMBER ORGANIZATIONS

Adat Chaim Congregation
 American Jewish Committee
 Americans for Peace Now
 Baltimore Chapter
 American Israel Public Affairs Committee
 American Red Magen David for Israel
 American Zionist Movement
 Amit Women
 Association of Reform Zionists of America
 Baltimore Board of Rabbis
 Baltimore Hebrew Congregation
 Baltimore Jewish Green and Just Alliance
 Baltimore Men's ORT
 Baltimore Zionist District
 Beth Am Congregation
 Beth El Congregation
 Beth Israel Congregation
 Beth Shalom Congregation of
 Howard County
 Beth Tfiloh Congregation
 B'nai B'rith, Chesapeake Bay Region
 B'nai Israel Congregation
 B'nai Jacob Shaarei Zion Congregation
 Bolton Street Synagogue
 Chevra Ahavas Chesed, Inc.
 Chevrei Tzedek Congregation
 Chizuk Amuno Congregation
 Congregation Beit Tikvah
 Congregation Tiferes Yisroel
 Federation of Jewish Women's
 Organizations of Maryland
 Hadassah
 Har Sinai - Oheb Shalom Congregation
 J Street
 Jewish Federation of Howard County
 Jewish Labor Committee
 Jewish War Veterans
 Jewish War Veterans, Ladies Auxiliary
 Jewish Women International
 Jews For Judaism
 Moses Montefiore Anshe Emenah
 Hebrew Congregation
 National Council of Jewish Women
 Ner Tamid Congregation
 Rabbinical Council of America
 Religious Zionists of America
 Shaarei Tfiloh Congregation
 Shomrei Emenah Congregation
 Suburban Orthodox Congregation
 Temple Beth Shalom
 Temple Isaiah
 Zionist Organization of America
 Baltimore District

Written Testimony

**Senate Bill 613 - Community Solar Energy Generating Systems Program
 Education, Energy, and the Environment Committee | February 28, 2023**

Support

Background: SB613 would update the Community Solar Energy Generating Systems Pilot, making it a permanent program; require that the community solar energy generating system provide at least 40% of its kilowatt-hour output to low-income and moderate-income subscribers; and authorize consolidated billing for certain charges.

Written Comments: The Jewish concept of *tikkun olam* means to repair the world in which we live. As the advocacy arm of The Associated: Jewish Federation of Baltimore, we represent organizations that work to educate the community on sustainability and make strides towards repairing the world. One of these entities is *The Pearlstone Center* in Reisterstown, MD, a conference center and farm that employs and teaches sustainable practices.

The Pearlstone Center currently operates on 85% solar, with 10% coming from onsite solar and 75% coming from the Associated's large scale solar project. *The Pearlstone Center* has a partnership with Neighborhood Sun, which currently allows employees to participate in a small-scale community solar program from the panels installed across the campus. To date, about 30 households participate in this program.

SB613 ensures that Maryland remains a leader in solar energy. As the pilot is set to expire at the end of 2024, it is critical that this bill pass **this year** so there is no lapse in service. Beyond the pocket-book benefits allowed by community solar, and the carve out that ensures that 40% of the program's beneficiaries will be low-to-moderate income families, this program will continue to play a vital role in ensuring that Maryland reaches the renewable energy goals.

For these reasons, the Baltimore Jewish Councils asks for a favorable report on SB613.

The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of The Associated Jewish Community Federation of Baltimore, its agencies and the Greater Baltimore Jewish community.

SB613_CPSR_FAV_EEE_28Feb2023.pdf

Uploaded by: Alfred Bartlett, MD

Position: FAV



Committee: Education, Energy, and the Environment
Testimony on: SB613 “Electricity – Community Solar Energy Generating Systems Program”
Position: Support
Hearing Date: February 28, 2023

The Chesapeake Chapter of Physicians for Social Responsibility (CPSR) strongly supports SB613, which will make the state’s legislatively established Community Solar pilot program a permanent program. Since 2015, we have been active participants in the Public Service Commission’s (PSC’s) Net Metering Working Group (NMWG), which developed and updates the regulations and implementation procedures for the pilot program. We are also participants in the informal “low- and moderate-income advocates” subgroup of the NMWG, which is focused on ensuring realization of the legislature’s intention for Community Solar to include low- and moderate-income (LMI) residents.

Our support for SB613 recognizes the substantial success of the program in bringing low-cost, locally generated solar electricity to thousands of Maryland households who can’t have solar on their own roof, in the process establishing a robust industry and many new jobs. We also recognize the major contribution that a full Community Solar program can make in meeting our ambitious solar targets and greenhouse gas reduction goals. With the last opportunity for new project development happening this summer under the pilot program, it is urgent that Community Solar be made a full program now, within the state’s overall net metering cap, so that we don’t lose those key contributions Community Solar can make.

The opportunity for participation in Community Solar is especially important for LMI households. They are most likely to be renters, live in housing where the roof is not able to accommodate solar or in multi-family-housing, or be unlikely to afford the cost of solar installation.

However, the separate billing of Community Solar, established under the pilot program, is one of the greatest obstacles to LMI participation. We will therefore focus the balance of our testimony on the NMWG’s work in defining, and generating recommendations to resolve, this problem.

As background, the billing charges of other non-utility suppliers of electricity in Maryland (“3rd party competitive suppliers”) are included on the bill of the customer’s utility; those non-utility suppliers receive payment for those charges from the utility, through Utility Consolidated Billing with Purchase of Receivables (UCB with POR). The customer pays a single bill. The regulations established by the PSC did not allow Community Solar to participate in UCB with POR, instead requiring a separate bill, with the participating customer receiving credit for the Community Solar amount on the utility’s bill.

In the Commission’s March 11, 2021, rulemaking, the possibility was raised that there might be incompatibility of household participation in the Community Solar program with participation in the energy assistance administered by the Office of Home Energy Programs (OHEP). The Commissioners charged the NMWG with exploring this issue and providing a definitive answer.

In response, a subgroup was formed in which we participated, led by the Maryland Energy Administration’s Energy Program Manager. Participants in the subgroup included PSC staff, the then Director of OHEP, and representatives of the Office of People’s Counsel, technical and billing sections of the utilities, Community Solar providers, members of the NMWG low- and moderate-income advocates subgroup, and other interested NMWG members.

This process generated the following findings:

Physicians for Social Responsibility is a national organization of doctors and other health professionals dedicated to averting two overarching threats to human health and well-being: nuclear weapons and climate change. PSR is a component of International Physicians for the Prevention of Nuclear War, which received the 1985 Nobel Peace Prize.

- OHEP confirmed that its regulations limited provision of energy assistance funds (EUSP and MEAP) to utilities (who can use them to pay 3rd party suppliers); funds could not be transferred to Community Solar providers.
- MEA developed, and the subgroup reviewed, detailed analyses of payment allocation and customer cost for model households receiving energy assistance, at various levels of Community Solar participation.
 - These analyses found that if a low-income household both participates in Community Solar and receives OHEP electricity assistance, when the amount owed to the utility for non-solar energy and fixed charges becomes less than their energy assistance amount, the balance of that assistance funding cannot be applied to their Community Solar bill.
 - The remaining unspent assistance funding remains with the utility in that low-income household's account and is ultimately returned to OHEP.
 - As a result, if a household subscribes to more than a moderate fraction of their electricity from Community Solar, part of their energy assistance payment remains stranded with the utility while they pay the separate cost of solar, thus losing a substantial portion of their assistance benefit.
 - Over the course of a year, even with an LMI 20-25% discount from utility Standard Offer Service (SOS) rates, a low-income household could pay a total amount (utility plus solar cost) greater than being on SOS alone and receiving their full benefit.

The subgroup process also found another important limitation of separate billing: for customers who don't have a credit card or bank account, a consolidated utility bill – including 3rd party suppliers – can be paid in cash at supermarkets, pharmacies, and other locations; but that isn't true for other kinds of bills, including separate Community Solar bills. This inability to pay in cash has turned out to be an even greater obstacle for many LMI households, keeping them from participating.

The conclusion of the subgroup was that allowing Community Solar providers to participate in UCB with POR would resolve these barriers to low-income participation. Finding no administrative or utility-specific resolution to this issue, the subgroup recommended that the Commission examine regulatory options under its authority, especially the option of moving Community Solar providers to UCB with POR; and, if the Commission did not find such a solution within its authority, it recommended that the Commission work with OHEP and the legislature to develop a legislative solution. These analyses, conclusions, and recommendations were shared with the full NMWG in autumn of 2021. However, no action was taken at that time.

In recognition of the problem, Chairman Clippinger introduced a bill in the 2022 session of the General Assembly to allow Community Solar providers to participate in UCB with POR. However, when the bill was being heard in the Senate, the PSC intervened to request no action, stating that the issue was under study and would be addressed in the Commission's pending July, 2022, report to the legislature on the Community Solar pilot program.

Discovering that the subgroup's conclusions and recommendations had apparently not been brought to the Commissioners' attention by the PSC's NMWG staff, the subgroup generated a written report that was vetted with the full Working Group and submitted to the PSC's NMWG facilitator; its content was also incorporated in formal comments to the PSC in June, 2021, on the draft report to the legislature.¹ Because that report ultimately did not include any information on the low-income billing and energy assistance issue, the same findings and conclusions were submitted to the Commission in comments on the final report to the legislature.² However, there has been no further consultation on the issue with the NMWG.

¹ PSC RM56 File Item 254

² PSC RM56 File Item 265

Physicians for Social Responsibility is a national organization of doctors and other health professionals dedicated to averting two overarching threats to human health and well-being: nuclear weapons and climate change. PSR is a component of International Physicians for the Prevention of Nuclear War, which received the 1985 Nobel Peace Prize.

Equity and inclusion require that the billing obstacle to LMI participation be resolved. Roughly 20% of Maryland’s total population are living at or below 175% of the Federal Poverty Level,³ the definition of “low-income” for Community Solar. That is over 450,000 households.³ They include not only families living in the inner city, but also in many rural counties, as well as suburban areas like Montgomery County; many are senior citizens living on fixed income.³

The separate billing established for Community Solar under the pilot program will prevent many of those families from participating. Allowing this to happen would defeat the legislature’s express intention to include LMI households when they established Community Solar. It would also remove any quality of social and energy justice from the program.

Beyond the benefits to individual low-income customers, there are larger policy implications. Studies have shown that low-income households have a much higher energy cost burden as a percent of household income than other households. By lowering electricity costs through Community Solar, fewer low-income ratepayers will have bills in arrears and subsequent electricity shut-offs, and state energy assistance funds can be stretched further to cover more qualifying households.

Expanding Community Solar to more LMI households and allowing them to reap the benefits through resolution of the separate billing obstacle will pay social, economic, and clean energy dividends for Maryland.

In summary, CPSR strongly supports SB613, and especially urges the inclusion of a remedy for the billing obstacle to low- and moderate-income household participation. We urge a favorable report that includes this provision.

Respectfully,

Alfred Bartlett, M.D., F.A.A.P.
Board Member and Energy Policy Lead
Chesapeake Physicians for Social Responsibility
alfredbartlett@msn.com
240-383-9109

³ U.S. Census Bureau (2021). *American Community Survey 1-year estimates; Census Reporter Profile page for Maryland* <http://censusreporter.org/profiles/04000US24-maryland/>

SB613_PGCEX_FAV.pdf

Uploaded by: Andrea Crooms

Position: FAV



THE PRINCE GEORGE'S COUNTY GOVERNMENT

OFFICE OF THE COUNTY EXECUTIVE

BILL: SB 613 – Electricity – Community Solar Energy Generating Systems Program

SPONSOR: Senators Brooks, *et al.*

HEARING DATE: February 28, 2023

COMMITTEE: Education, Energy, and the Environment

CONTACT: Intergovernmental Affairs Office, 301-780-8411

POSITION: SUPPORT

The Office of the Prince George's County Executive **SUPPORTS SB 613 – Electricity – Community Solar Energy Generating Systems Program**, which makes permanent the Community Solar Energy Generating Systems Pilot Program and places special emphasis on low-income and moderate-income communities. It also addresses issues brought about by industry and governmental representatives over the years such as the expansion of income verification methods, consolidated billing, and the collection/reporting of environmental impacts from community solar systems.

The Community Solar Energy Generating System (CSEGS) Act was codified in the Public Utilities Article, Maryland *Annotated Code* (“PUA”) in 2015 and amended in 2019 and 2021. The Act directed the Maryland Public Service Commission (PSC) to establish a Community Solar Energy Generating Systems Pilot Program to be open to all rate classes regardless of the source of the participating customers’ commodity. A Community Solar project allows renters, homeowners, tenants of apartment buildings, etc., to receive the benefits of solar without having to generate it on-site. Additionally, it enhances the State’s energy resource mix to achieve the renewable energy portfolio standard. The process works by allowing utility rate payers’ access to virtual net-metering (VNM) in which the utility distributes the electricity credit to the community solar “subscribers” via their utility bills.

Prince George's County has pledged to significantly reduce greenhouse gas emissions (GHG) by 50% below 2005 levels by 2030, with a County-wide goal of achieving carbon neutrality by 2045. On May 6, 2022, the County Executive issued Executive Order Number 5 calling for all County agencies and County Funded Operations to 1) adopt the aforementioned emissions reduction goals; 2) establish a Climate Action Implementation Task Force and Prince George’s County Resident Advisory Group for

Climate Action; and 3) the Climate Action Implementation Task Force is to develop strategies and actions to prioritize Climate Solutions in County Government Operations and to incorporate environmental justice and climate equity policy into decision making across the County Government's portfolio.

To meet the 2030 target, the Draft Climate Action Plan specifies the county needs to grow the number of solar installations from 20,000 to 80,000. As of the May 2022, there were approximately 9.8 MW of community solar operating in the County and ~ 65 MW proposed, in Pepco's service territory (source Pepco). Community solar is a key strategy to meeting this target and promoting equitable access to clean, renewable energy. The program cannot continue without legislators making it permanent or extending it via an amendment.

For the reasons stated above, the Office of the Prince George's County Executive **SUPPORTS Senate Bill 613** and asks for a **FAVORABLE** report with a recommendation to include a definition for a "decommissioned" Community Solar Energy Generating Systems as referenced on line 23.

Testimony - SB 613 - Community Solar - UULM-MD - F

Uploaded by: Ashley Egan

Position: FAV



Unitarian Universalist Legislative Ministry of Maryland

Testimony in Support

SB 613 - Electricity – Community Solar Energy Generating Systems Program

To: Chair Feldman and the Members of the Education, Energy and the Environment Committee
From: Phil Webster, PhD
Lead Advocate on Climate Change
Unitarian Universalist Legislative Ministry of Maryland.
Date: February 28, 2023

The Unitarian Universalist Legislative Ministry of Maryland (UULM-MD) strongly supports **SB 613 - Electricity – Community Solar Energy Generating Systems Program** and urges a FAVORABLE report by the committee.

The UULM-MD is a faith-based advocacy organization based on the Principles of Unitarian Universalism. Two Principles are particularly relevant. The Second Principle, *justice, equity and compassion in human relations* and the Seventh Principle, *respect for the interdependent web of all existence of which we are a part*.

Unitarian Universalists believe in *justice and equity in human relations*. This bill will promote equity and justice by making solar energy accessible to Low and Moderate Income Families in multiple ways.

Community Solar installations are generally small businesses owned by Maryland citizens and provide fair wage jobs in a growing sector of the green economy. These programs help make Solar Energy available to the approximately 75% of Maryland households that can't have solar at home because their roof isn't adequate or shaded, or they rent or live in a condo and don't own the roof. This can especially leave out Low- and Moderate-Income (LMI) households.

Also, 40% of the electricity generated by this bill will be reserved for Low and Moderate Income individuals and families, with discounts of 20-25% when compared to utility rates.

This bill would address some major obstacles that keep low-income Marylanders from benefiting from Community Solar Programs, by implementing programs like "Unified Consolidated Billing" which will make it easier for households participating in ratepayer assistance to subscribe to community solar projects. Often Low and Moderate Income

families can't utilize Community Solar Providers because the providers must bill separately for their services, unlike other non-utility electricity providers who bill their customers on the customers' utility statements. Another problem that this bill would address is providing ways for households who don't have bank accounts or credit cards to pay their utility bills in cash.

Unitarian Universalists also believe that we should all have *respect for the interdependent web of all existence of which we are a part*. Climate change is a serious and growing threat to all Marylanders. Maryland is especially vulnerable to the effects of sea-level rise and increasing frequency and intensity of heavy rainfall. Rapid electrification and generation of clean green electricity are critical to tackling climate change. Community Solar is a vital component of clean green electricity.

All Marylanders need bold and urgent action! Please keep us on the right and moral path towards a livable climate and a sustainable world. We owe it to our children.

We support this bill and urge a FAVORABLE report in committee.

Phil Webster, PhD

Lead Advocate, Climate Change UULM-MD

SB0613 Community Solar FAV Climate Partners.pdf

Uploaded by: Cecilia Plante

Position: FAV



Testimony for SB0613 Electricity – Community Solar Energy Generating Systems Program

Bill Sponsor: Senator Brooks

Committee: Education, Energy, and the Environment

Position: FAVORABLE

The undersigned organizations express their strong support for **SB0613 Electricity – Community Solar Energy Generating Systems Program** and thank the sponsor, Senator Brooks, for introducing such an important piece of legislation. We strongly support this bill and believe that community solar is a critical component of Maryland’s plan to reduce greenhouse gas emissions in the state.

The community solar program was at the time it was passed, a groundbreaking program that would allow residents who could not afford solar panels on their roofs to help build solar capacity in the state and enjoy the benefits of using solar. It is one of the best ways to ‘green our grid’ and ensure that we transition more smoothly off of fossil fuels.

The fact that the program is sunseting at the end of 2024 is very concerning in and of itself, given the goals for greenhouse gas reductions that the state has committed to, and the fact that the program itself has been so successful in building solar capacity in the state.

We need to not only continue the program, but to enhance it and make it more accessible to low-income residents, who often don’t own their residences or can’t afford to install solar panels. The greatest barrier to their participation in this program is the lack of consolidated billing that effectively blocks them from using Energy Assistance to participate. If the billing was consolidated, those low-income residents would be able to participate and would save roughly 10% on their electricity costs. This is an important savings in our current economy.

Another advancement of the program that is being proposed in this legislation is the requirement that developers dedicate at least 40% of their project capacity to low-and-moderate income residents which will allow more participation by the residents who most need to convert off of fossil fuels.

We believe that this program is critical to our success in meeting our greenhouse gas reductions and could also encourage low-income residents to switch to cleaner energy and help put more clean energy into the grid. All things that we should be supporting. Thank you for your consideration of SB0613 – Electricity – Community Solar Energy Generating Systems Program. We support this bill and we urge a **FAVORABLE** vote from the.

Endorsing Organizations

350 Baltimore	HoCo Climate Action	Potomac Conservancy
350 Montgomery County	Howard County Indivisible	Sustainability Advisory
Adat Shalom Climate Action	Howard County Sierra Club	Committee
Assateague Coastal Trust	Interfaith Power and Light, DC,	Sierra Club, Maryland
Audubon Naturalist Society	MD, NoVa	Chapter
Casa de Maryland	Labor Network for	Strong Future Maryland
Cedar Lane Unitarian	Sustainability	Sunrise Baltimore
Universalist Church	Laurel Resist	Takoma Park Mobilization
CHEER	Maryland Environmental	Environment Committee
Chesapeake Bay Foundation	Health Network	Talbot Rising
Chesapeake Climate	Maryland League of	The Climate Mobilization
Action Network Action Fund	Conservation Voters	Montgomery County
Chesapeake Physicians for	Maryland Legislative	The Nature Conservancy
Social Responsibility	Coalition	Unitarian Universalist
Chispa MD	Maryland NAACP	Legislative Ministry
Clean Air Prince Georges	State Conference,	Wicomico NAACP
Clean Air Prince Georges	Environmental Justice	WISE
Clean Water Action	Committee	
Climate Law & Policy Project	Maryland Poor People's	
Climate Parents of Prince	Campaign	
Georges	MCPS Clean Energy	
Climate Reality Montgomery	Campaign	
County	MD Campaign for	
Climate Solutions	Environmental Human	
Climate Stewards of	Rights	
Greater Annapolis	Mid-Atlantic	
Climate XChange - Maryland	Ministry of Maryland	
Coalition For Smarter Growth	MoCo DCC	
Columbia Association Climate	Montgomery Countryside	
Change	Alliance	
Concerned Citizens Against	Montgomery County Faith	
Industrial CAFOs	Alliance	
Do The Most Good	Mountain Maryland	
Montgomery County	Movement	
Echotopia	National Parks Conservation	
Elders Climate Action	Association	
Environmental Justice Ministry	Nuclear Information &	
Frack Free Frostburg	Resource Service	
Glen Echo Heights Mobilization		
Greenbelt Climate		
Action Network		

SB0613 Community Solar FAV.pdf

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0613 Community Solar Energy Generating Systems Program

Bill Sponsor: Senator Brooks

Committee: Education, Energy, and the Environment

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in strong support of SB0613 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

Maryland's community solar program was a groundbreaking initiative that was designed to allow residents who could not afford solar panels on their roofs to become part of a solar community project. This program has helped build solar capacity in the state and allowed many residents to enjoy the benefits of using solar without the cost or the burden. It has been very successful in pouring clean solar energy into our grid, which is helping to ensure that we transition more smoothly off of fossil fuels.

This is one program that should not sunset. It has been a highly successful program and is a very necessary part of meeting the state's greenhouse gas reductions, which we will absolutely not be able to meet without a pronounced investment in solar and wind.

We need to not only continue the program, but to enhance it and make it more accessible to low-income residents, who often don't own their residences or can't afford to install solar panels. The greatest barrier to their participation in this program is the lack of consolidated billing that effectively blocks them from using Energy Assistance to participate. This bill not only extends the program permanently, but suggests this enhancement that will allow more participation by low-income residents.

Another advancement of the program that is being proposed is the requirement that developers dedicate at least 40% of their project capacity to low-and-moderate income residents which will allow the residents who most need to convert off of fossil fuels to become investors in a solar future.

We believe that this program is critical to our success in meeting our greenhouse gas reductions and could also encourage low-income residents to switch to cleaner energy and help put more clean energy into the grid. This is a fantastic program that we should only be thinking about strengthening and expanding. We strongly support this bill and recommend a **FAVORABLE** report in committee.

SB0613_CCSA_Favorable.pdf

Uploaded by: Charlie Coggeshall

Position: FAV



1380 Monroe Street NW, #721
Washington, DC 20010
720.334.8045
info@communitysolaraccess.org
www.communitysolaraccess.org

RE: Senate Bill 0613 Electricity – Community Solar Energy Generating Systems Program

Favorable

Chair Feldman, Vice Chair Kagan, and Members of Education, Energy, and the Environment Committee,

The Coalition for Community Solar Access (CCSA) provides this written testimony in support of Senate Bill (SB) 0613.

CCSA is a national, business-led trade organization, composed of over 100 member companies, that works to expand access to clean, local, affordable energy nationwide through the development of robust community solar programs. Today, the majority of households and businesses do not have access to solar because they rent, live in multitenant buildings, have roofs that are unable to host a solar system, are shaded by trees, or experience some other mitigating factor. Community solar provides a solution to this gap by allowing local solar facilities to be shared by multiple community subscribers who receive credit on their electricity bills for their share of the power produced.

CCSA represents its members as an active stakeholder, both at the legislature and through regulatory engagement, in the development and implementation of Maryland’s community solar pilot program. As it enters its seventh and final year, the pilot has demonstrated a high demand for community solar in Maryland, with over four hundred megawatts of capacity under development or in operation.

SB 0613 would make community solar a permanent clean energy option in Maryland by lifting its status as a pilot and removing the 2024 sunset date. The bill also includes specific guidance regarding the permanent program structure, such as: requiring all projects to set aside at least 40% of their capacity for low-to-moderate income customers; allowing for utility consolidated billing for community solar subscriptions; clarifying the eligibility and verification requirements associated with low-to-moderate income customers; clarifying the eligibility requirements associated with co-location; and creating a Position Identification Number for a full-time Public Service Commission position that would be responsible for implementing and administering the program.

Lifting the pilot status and associated sunset for the community solar program is a critical need in the 2023 legislative session to avoid major market disruption for the community solar in Maryland. As it stands, the program is set to expire at the end of 2024 which means project development — which can take several years from the time of inception to the point at which a project is interconnected to the grid — will grind to a halt without some indication of the program’s future.



1380 Monroe Street NW, #721
Washington, DC 20010
720.334.8045
info@communitysolaraccess.org
www.communitysolaraccess.org

Maryland was one of the pioneering states on community solar when it enabled the creation of the pilot in 2015 through the passage of HB 1087¹. In that year alone, about 40 megawatts of community solar were being installed in a handful of modest markets. By June of last year (2022) there was a cumulative total of over 5.7 gigawatts² (5,700 megawatts) operating in forty states (plus D.C.)³, and the Biden Administration had announced a goal to have enough community solar in the country by 2025 to power the equivalent of 5 million homes and to create \$1 billion in energy bill savings.⁴

SB 0613 will ensure community solar remains a clean energy solution in Maryland, while leveraging the momentum and lessons learned by the pilot program as well as experience gained from other markets. It achieves a trifecta of policy goals for Maryland, including:

- **Equity:** Community solar allows anyone, regardless of income or property ownership status, to directly participate in and benefit from solar. SB 0613 requires every project to dedicate at least 40% of its capacity for subscriptions by low-to-moderate income customers, ensuring electricity cost savings reach those that need it most. It also requires the option of consolidated billing, which will allow for broader participation and an easier experience for participating customers.
- **Energy:** Community solar is an important tool for Maryland in meeting its solar and clean energy targets. It involves mid-scale solar development that balances economies of scale with flexible project sizing and siting. SB 0613 goes a step further to incentivize (via allowing colocation) projects that are sited in areas that are already disturbed by development, such as rooftops and on industrial or brownfield lands, in addition to agrivoltaics.
- **Economy:** Aside from generating bill saving for subscribers, community solar creates jobs, drives economic activity, increases local county revenues, and provides land and property owners with alternative revenue streams. This bill also better positions Maryland to attract investors leveraging billions in federal tax incentives associated with the Inflation Reduction Act (2022).⁵

SB 0613 is essential legislation in 2023 for ensuring the community solar does not falter in Maryland, and that the equity, energy, and economic benefits associated with this important State program are realized. We look forward to working with Senator Brooks, Chair Feldman, members of the committee, and all interested parties, in moving this important bill through the legislature.

Sincerely,
Charlie Coggeshall, Mid-Atlantic Director, CCSA
charlie@communitysolaraccess.org

¹ <https://mgaleg.maryland.gov/mgaweb/Legislation/Details/HB1087?ys=2015rs>

² <https://data.nrel.gov/submissions/203>

³ <https://www.energy.gov/communitysolar/community-solar-market-trends>

⁴ <https://www.energy.gov/articles/doe-sets-2025-community-solar-target-power-5-million-homes>

⁵ <https://www.whitehouse.gov/cleanenergy/clean-energy-tax-provisions/>

Testimony on Community Solar SB613.pdf

Uploaded by: Debbie Cohn

Position: FAV

Committee: Education, Energy, and the Environment
Testimony on: SB0613 – Electricity - Community Solar Energy Generating Systems Program
Organization: Individual
Submitting: Deborah Cohn
Position: Favorable
Hearing Date: February 28, 2023

Dear Chair and Committee Members:

Thank you for allowing my testimony today in support of SB613. I reside in Bethesda and currently subscribe to a community solar project. I urge you to vote favorably on SB613.

“Greening” our electricity grid is critical to meeting Maryland’s climate goals and reducing air pollution that is deleterious to our health. Since 2017, the Community Solar Pilot Program has been an important part of Maryland’s transition to clean, green energy. My husband and I considered rooftop solar but found out that our roof was not appropriately oriented and was shaded by so many trees that rooftop solar was not economically viable. So, we subscribed to community solar.

By subscribing to community solar, we helped ensure construction of a solar power source that would supply our local grid, unlike purchasing wind RECs which at best supports green energy sources from outside our grid, and more likely represents only the resale of a certificate investment, i.e., a financial transaction. We receive one bill from the community solar provider and a second bill (with an offsetting credit) from our electric utility. We are grateful for this program which empowers us to contribute to addressing climate change while actually saving us money. We have encouraged friends and relatives to subscribe as well.

But we need to make the community solar program permanent and ensure that it is widely available to low and moderate income residents, particularly since they spend a much higher percentage of their financial resources on energy than higher income residents. We also need to require consolidated billing to make community solar financially viable for residents who qualify for energy assistance. SB613 does all of this.

SB613 would expand access to community solar by low and moderate income (LMI) residents by requiring at least 40% of the kilowatt-hour project output be reserved for LMI subscribers. By requiring utility consolidated billing, which places all energy charges on one utility bill, SB613 would allow families subscribing to community solar to apply any energy assistance benefits to their utility bill. Without consolidated billing, families must forego energy assistance when subscribing to community solar – a cruel choice.

SB613 also includes siting preferences that protect forests and encourage generation on developed land, including clean landfill sites, industrial areas, rooftops, and parking lots. Finally,

SB613 provides certainty to solar businesses and supports the State's solar energy workforce, while helping Maryland move closer to its solar generation targets.

For these reasons, I urge a **FAVORABLE** report for SB613 in committee.

SB 613_CBF_FAV.pdf

Uploaded by: Doug Myers

Position: FAV



CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration
Environmental Education*

Senate Bill 613

Date: February 28, 2023

To: Education, Energy & the Environment Committee

Position:

Support

From:

Doug Myers

Maryland Senior Scientist

Chesapeake Bay Foundation (CBF) **SUPPORTS** SB 613 which makes the Community Solar Pilot Program permanent, improves the program's eligibility for low and moderate income residents and seeks to protect high priority forest resources within the state.

The Community Solar Program will continue to ensure Maryland reaches the renewable energy goals set forth by the Clean Energy Jobs Act and Governor Moore's commitments to reach 100% renewable energy by 2035. We look forward to provisions of this bill to address loss of forests which have significant water quality functions as well as providing cooling shade and biodiversity.

Through clarified co-location requirements, SB 613 incentivizes increased production of community solar projects on preferred sites such as rooftops, industrial zones, brownfields, parking lots, transportation rights-of-way and airports, as well as farmland where agri-voltaics are appropriate. These projects are more expensive to build, and so are made more possible through the economies of scale offered by the larger co-located projects. SB 613 also incorporates information on the forest and tree canopy impacted into the application process (modeling New Jersey's laws to this effect), and makes this information publicly available so that the program can be adaptively managed in the future.

CBF urges the Committee's FAVORABLE report on SB 613.

For more information, please contact Matt Stegman, Maryland Staff Attorney, at mstegman@cbf.org.

Maryland Office • Philip Merrill Environmental Center • 6 Herndon Avenue • Annapolis • Maryland • 21403

The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 300,000 members and e-subscribers, including over 109,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.

SB613.Test.JCRC.CommSolar.pdf

Uploaded by: Elizabeth Singer

Position: FAV



Date of Hearing: February 28, 2023

TESTIMONY ON SB613 – POSITION: FAVORABLE
Electricity – Community Solar Energy Generating Systems Program

To: Chair Brooks and Members, Education, Energy, and the Environment Committee
From: The Jewish Community Relations Council, Howard County
Betsy Singer, Laura Salganik, Co-Chairs

The JCRC of Howard County is submitting this testimony in support of SB613, Community Solar Energy Generating Systems Act.

The Jewish Community Relations Council (JCRC) urges action to slow climate change. Repair of the world (*tikkun olam*) is a guiding tenant of our Jewish faith. We are compelled to act to prevent massive changes to the Earth’s climate as we face rising temperatures due to excessive greenhouse gases trapped in Earth’s atmosphere. Enhancing clean sources of energy such as solar and wind and replacing carbon-generating sources of energy is essential to life on Earth.

SB613 will make the Community Solar Energy Generating Systems Pilot Program permanent rather than allowing it to end in 2024. Since 2017, the Pilot program has been successful because it extended access to solar energy to homeowners, renters and businesses that are then able to realize the lower cost of this clean energy.

The bill considers environmental justice by requiring expansion of community solar access to low- and moderate-income (LMI) residents. At least 40% of the kilowatt-hour output would be designated for LMI subscribers. The bill also strengthens the program by allowing “utility consolidated billing” for energy assistance households to become solar subscribers and be able to apply energy assistance benefits to all electricity charges.

SB613 also protects forests by encouraging energy generation on developed land, such as clean landfill sites, industrial areas, rooftops, and parking lots. Finally, the bill will provide certainty to solar businesses and support the State’s solar workforce, while helping Maryland move closer to its solar generation targets.

For these reasons and the need to accomplish the transition to clean energy in Maryland, the Jewish Community Relations Council of Howard County urges passage of SB613.

SB 613 - MoCo_Fitzgerald_FAV (GA 23).pdf

Uploaded by: Garrett Fitzgerald

Position: FAV



Montgomery County

Office of Intergovernmental Relations

ROCKVILLE: 240-777-6550

ANNAPOLIS: 240-777-8270

SB 613

DATE: February 28, 2023

SPONSOR: Senator Brooks

ASSIGNED TO: Education, Energy, and the Environment Committee

CONTACT PERSON: Garrett Fitzgerald (garrett.fitzgerald@montgomerycountymd.gov)

POSITION: Support

Electricity – Community Solar Energy Generating Systems Program

Solar energy is a clean, renewable, domestic resource poised to play a critical role in powering our economy, creating jobs in Maryland, improving public health, and achieving our climate goals. Community solar projects offer a unique pathway to develop more solar in Maryland, and to enable more residents to support solar, even where adding it to their own properties is not feasible.

The existing community solar pilot program administered by the Public Service Commission has supported the development of new projects, including here in Montgomery County where we have constructed one of the largest community solar projects in the country to serve low-to-moderate income households with discounted electric bills. Unfortunately, the pilot program is scheduled to sunset at the end of 2024, at best creating a level of uncertainty that will stall the development of new community solar projects which can take years to plan and install.

This bill will improve Maryland's community solar program and make it permanent. It will also improve the program by: removing annual, utility-specific, and certain project size caps; ensuring that more community solar output will benefit low-to-moderate income families; and allowing subscribers to participate in consolidated billing, which is critically important for families receiving energy assistance.

We respectfully request that the Education, Energy, and the Environment Committee issue a favorable report on Senate Bill 613.

SB0613_Nexamp_Springer_FAV.pdf

Uploaded by: Jake Springer

Position: FAV

**Testimony of
Jake Springer
Nexamp**

**Submitted to the
MARYLAND GENERAL ASSEMBLY
Senate Education, Energy and the Environment Committee
SB 613 - Electricity - Community Solar Energy Generating Systems Program
February 28, 2023**

Thank you for the opportunity to submit written testimony for the Committee's consideration of SB 613. Nexamp strongly supports this bill, which would transition the Pilot Program for community solar into a permanent program. We greatly appreciate Senator Brooks' leadership on this legislation and all things community solar here in Maryland. Our company has been an active participant in the Community Solar Pilot Program since 2017 and we are proud to have built the Program's first LMI project, located in Queen Anne's County, serving 51% low-and moderate-income customers.

Nexamp was founded over a decade ago, and since that time has grown from a small residential solar installer to a fully integrated clean energy company and one of the leading providers of community solar nationwide. The growth and success of our program can be attributed to our fair and equitable subscription program. Our program was designed to ensure that everyone – regardless of income, credit history, roof space or geographic location – can participate in community solar. We do not run credit checks on prospective customers, there is no cost to join our program and no penalty for leaving the program (we ask for 90 days' notice), and we offer a stable, guaranteed discount of at least 10% against the customers' standard electricity rates. Even as rates change over time, our customers are guaranteed the same fixed discount for as long as they choose to participate in one of our community solar farms.

We are proud of the program we have built and the access to clean, renewable energy that it has afforded residents, small businesses, non-profits and others. We have developed projects with reserved offtake for low-and moderate-income customers across the country and here in Maryland; and we are actively working to see community solar, and LMI access in particular, succeed in Maryland.

Maryland was a leader nationwide when the Community Solar Pilot Program launched in 2017, and numerous other states have since followed suit. Now, with the Pilot Program sunsetting in 2024, SB 613 would take the current Community Solar Pilot Program and transition it to a permanent option for Maryland residents to be able to participate in solar energy, regardless of where they live or their economic status. The Pilot Program has proven to be successful and the strides it has made in providing an equitable clean energy option here will be accelerated with a permanent program.

SB 613 is critical for retaining and expanding investment in Maryland

Nexamp has actively invested resources in Maryland as a result of the Pilot Program, and is prepared for further investments if SB 613 is enacted. Nexamp has six community solar projects operational or under construction spread across Maryland, and we hope to bring forward many more in the future. Those



projects bring with them substantial investment in local communities, creating jobs, generating local tax revenue and providing locally sourced clean energy.

Particularly in light of the Inflation Reduction Act and the significant federal dollars behind clean energy and community solar, Maryland has a real opportunity to capture local investment dollars if the state has the programs in place to allow for these projects. SB 613 provides that path.

SB 613 expands access for low-and moderate-income families

Importantly, SB 613 doubles down on the commitment to low-and moderate-income Marylanders, requiring each community solar project to dedicate at least 40% of the project to those families. This is a major commitment to these families and communities, and ensures they are not only not left behind, but are active participants in the state's path to a clean energy economy. In addition, SB 613 removes onerous barriers to LMI participation through needed improvements to the verification process.

SB 613 recognizes needed areas for improvement

SB 613 also responds to areas of the program that will need to be improved on for a permanent program. In particular, the bill would ask the PSC to evaluate a number of options for improving the billing and crediting process. This is critical, because the benefits of community solar cannot occur at a ribbon-cutting—they are only realized over time, and if participants are able to see the credits reach their bills accurately and predictably.

SB 613 would task the PSC with overseeing the implementation of consolidated billing, which is of great importance to LMI participants, but would benefit all. Consolidated billing would allow customers to pay one bill, rather than two bills—one to their utility and the other to their community solar project. In addition to the obvious simplicity, this process allows LMI customers to participate in community solar and continue to receive the full value of their Energy Assistance benefits. Consolidated billing is already an option for retail suppliers, and should be available for community solar as well.

We urge you to support SB 613 and a continued community solar program. Thank you for your consideration.

Respectfully,

Jake Springer
Policy Director, Mid-Atlantic
Nexamp
jspringer@nexamp.com

SB613_Feinstein_Arcadia_Favorable.pdf

Uploaded by: John Fiastro

Position: FAV



SB613 Electricity – Community Solar Energy Generating Systems Program
Maryland House of Delegates
445th Session of the General Assembly
February 28, 2022
Position: Favorable

Testimony of Arcadia on SB613

Thank you for the opportunity to submit testimony on this legislation. Arcadia urges the Senate Education, Energy and the Environment Committee to favorably report out this important legislation. Below is an introduction to Arcadia (or “the Company”), an explanation of why we support this legislation, and a solution to concerns about utility consolidated billing as initially proposed.

Introduction to Arcadia

Arcadia is building the software necessary for Marylanders to realize the full benefits of clean energy. Today, customers face a bewildering assortment of energy technologies – ranging from energy efficiency and renewable energy to battery storage and electric vehicles – all of which have unique capabilities, costs, and user experiences. Arcadia’s software makes it possible for energy technology providers to delight their customers and move clean energy forward by enabling a simple user experience that saves people money.

The Company’s software is revolutionizing community solar, making it easy for people to sign up with guaranteed savings and without any risk. Today, Arcadia manages more than 84 MW across 54 projects in Maryland. Once fully energized, these projects will serve approximately 14,700 Marylanders. Nationwide Arcadia works with more than 40 developers to manage 475 community solar projects representing a combined 1.3 gigawatts of capacity, making it the largest subscriber manager in the country.

Support for SB613

The Community Solar Energy Generating Systems (CSESGS) program allows all Maryland families who pay a power bill to access local renewable energy while receiving guaranteed savings on their power bills, each month, for the life of the project. Most notably, this program is accessible to families that cannot participate in rooftop solar, including renters, those with low credit scores, or those with unsuitable roofs.

The existing CSEGS pilot program has been a success and has generated a number of lessons learned. This thoughtful legislation would make permanent key features of the program that were successful and also includes an array of programmatic improvements based on the industry’s experience in Maryland and from leading community solar markets.

In particular, this legislation would require that 40 percent of project output be reserved for low and moderate- income (LMI) subscribers. This ensures all Marylander can participate in the clean energy transition.

This legislation includes the pragmatic improvements needed to facilitate such a high level of LMI participation. Most importantly, Arcadia would like to draw attention to the following bill provisions:

- Additional methods for verifying customers as LMI are necessary, including through:
 - Proof of participation in any official income assistance program;
 - A customer's written attestation that their income is below the required income threshold. *(page 3 lines 16-27 and page 4 lines 1-2; and page 10 lines 22-33 and page 11 lines 1-24)*
- A requirement for the timely application of community solar credits to the customer's monthly amount due to ensure a reliable customer experience where the generated credits are enjoyed each month. *(page 13 lines 1-3)*
- Implement utility consolidated billing to ensure customers receive only one bill, and improve the community solar program's ability to interact better with other assistance programs including LIHEAP and budget billing. *(page 3 lines 5-13, and page 8 lines 13-23)*

Leading community solar programs continue to expand and improve. New York, Massachusetts, and California have all undergone substantial programmatic improvements and expansions in recent years, and a number of other states, including New Jersey and Maine, are actively considering such changes. By passing this legislation Maryland may once again be a community solar leader.

Addressing utility consolidated billing concerns

Some stakeholders, including the Public Service Commission and NRG have noted that utility consolidated billing as proposed could raise issues involving customer disconnection and complications around customer partial payment.

To address these concerns we propose adopting a net crediting model of consolidated billing, as deployed in New York, which maintains the largest and most effective single-payment community solar system in the country. Under this system, the utility is directed to remit payment to the solar farm, and separately apply the net credit to the customer's bill, and there is no receivable. Under this model, the community solar solar subscription is guaranteed to lower the customer's bill, so there is no scenario under which the solar product could be the cause of a customer's default, and therefore no uncollectibles rate should be charged to the solar farm.

Under this model, community solar remittance from the utility is unrelated to the customer's payment, and accordingly, in the event of customer partial payment, there would be no effect on the 'order of operations' of payment between the utility, the supplier, and the community solar project subscriber organization (referred to in New York as the CDG Sponsor).

The New York Public Service Commission succinctly summarizes this:

The use of the net crediting model would eliminate the need for a POR method for subscription fees, since subscription fees would be withheld automatically from bill credits and paid directly to the CDG Sponsor. This will reduce cost, complexity, and risks for both the utility and the CDG Sponsor.¹

In addition, because the community solar (referred to as CDG, or Community Distributed Generation, in New York) credits applied under this system offer guaranteed savings to the customer, any partial payment or nonpayment would have happened without a community solar subscription.

The Commission agrees that this method is simpler administratively and reduces risks for both CDG Sponsors and the Joint Utilities as compared to other models. Therefore, the Joint Utilities are directed to implement net crediting as a billing option for all CDG projects, both existing and new. As compared to the more traditional consolidated billing used for ESCOs, where the ESCO identifies a charge for the utility to put on the customer's bill and the utility collects that charge on behalf of the ESCO, the net crediting model avoids putting the utility in the position of collecting a higher charge than it would have applied to the customer by guaranteeing savings to the customer. Therefore, it can be assumed that any partial payment or nonpayment would have happened even in the absence of the customer's CDG membership and there is no risk that the amount of uncollectibles or the utility's exposure will increase. Furthermore, as discussed in more detail below, net crediting can be implemented with limited changes to the physical bill, as compared with other consolidated billing models.²

Lastly, we respectfully note that the New York Public Service Commission capped the initial fee utilities may charge for implementing this system at one percent of the total value of credits remitted to the project. While a process was established for utilities to request a fee increase, they have yet to do so in the three years since the Order was issued.

Proposed amendment

To adopt a New York-style net crediting model, we propose the following bill amendment:

“Net crediting” means a program under which the electric utility, upon authorization by or on behalf of an eligible customer, remits the cash value of the subscription fee to the owner or operator of the community renewable generation facility, regardless of whether or not the eligible customer has paid their monthly electric bill, and places the remaining bill credit on the eligible customer's bill. Net crediting bills shall include the subscriber's standard utility bill and also include the subscriber's subscription fee on the subscriber's monthly electric bill and

¹ State of New York Public Service Commission. Order Regarding Consolidated Billing for Community Distributed Generation. CASE 19-M-0463 - In the Matter of Consolidated Billing for Distributed Energy Resources. December 12, 2019. Page 17.

² id, Page 13.

provide the subscriber with a net credit equivalent to the total bill credit value for that generation period minus the subscription fee, provided the subscription fee is structured as a fixed percentage of bill credit value. The net crediting agreement shall set forth payment terms from the electric utility to the community solar project manager of the community renewable generating project, and the electric utility may charge a net crediting fee to the owner or operator of a community renewable generating project that may not exceed 1% of the subscription fee.

Conclusion

Arcadia asks for a favorable report on SB613, and requests the inclusion of the net crediting amendment. The Company appreciates the opportunity to provide this testimony and would be happy to answer questions. Please do not hesitate to contact me at James.Feinstein@arcadia.com or 202 999 8916 if you would like to discuss further.

Sincerely,



James Feinstein
Senior Policy Manager
Arcadia

SB 0613- John Miller- Favorable.pdf

Uploaded by: John Miller

Position: FAV



February 27, 2023

To: House Economic Matters Committee

Re: Senate Bill 0613, Electricity- Community Solar Energy Generating Systems Program- Favorable

Dear Members of the Education, Energy, and the Environment Committee of the Maryland General Assembly:

My name is John Miller. I live at 10533 Dorchester Way in Woodstock, Howard County, Maryland. I represent Chaberton Energy, a local Maryland based renewable energy developer with offices at 11900 Parklawn Drive, Suite 406, North Bethesda, Maryland, as well as the Chesapeake Solar and Storage Association (CHESSA), which represents over 120 member companies doing business in Maryland and the Mid Atlantic. Chaberton Energy was built upon the framework that the State set up with the Community Solar Pilot Program. In three years, we have grown and now employ 27 people, with 12 people located in Maryland. I relocated to Maryland for this role.

I have worked in solar energy for nearly 14 years, doing residential, commercial, utility scale, and for the last 7 years Community Solar. I feel very strongly that Community Solar is the absolute best way to deliver solar energy and savings directly to residents. Community Solar has the ability to impact almost everybody- essentially, as long as they have a Utility Bill they can participate.

The Projects we develop deliver real and tangible benefits to your constituents, the residents of Maryland. We are able to save homeowners an average of \$150 per year on their utility costs; Each Community Solar project supports well over \$2.5M in savings for subscribers. These savings increase even more for Low to Moderate Income subscribers. As an industry, we support ensuring the benefits of solar energy flow to those who need it most. The energy bill savings we can offer to LMI subscribers provide a necessary lifeline to those struggling with increased energy costs. We are very excited about the benefits that will flow to the Low to Moderate Income communities from Community Solar as a result of this bill. Quite simply, this bill will provide energy equity in an incredibly efficient and impactful way.

These projects also support Maryland by delivering additional tax revenue to the County and the State; each project will deliver hundreds of thousands of dollars, if not over a million dollars, in tax revenue, all while no requiring any local services or costs. While delivering tangible financial benefits, these projects also provide significant environmental benefits to support Maryland's efforts to being a leader on climate change. A typical project, which would be 2MWac, offsets carbon emissions by ~3,700 tons of CO₂ per year, compared with electricity generated from traditional sources. This is equal to the emissions of over 3.7M pounds of coal burned, over 3.8M miles driven by gasoline powered cars and is equal to the same amount a carbon captured by nearly 4,000 acres of local forests. That is all for a single project! The overall impacts the Permanent Program would have on the environment are immense.



We have carefully crafted co location language into this bill to allow for projects to be sited in ways which most efficiently deliver on the benefits of Community Solar. It will encourage development on preferred sites, for low to moderate income subscribers, and for the widespread adoption of sustainable agrivoltaic practices.

Community Solar is about more than the financial and environmental benefits; it is also about land preservation, landowner rights, free market competition for electricity, and energy choice for all Marylanders.

In order to keep building on the successes of Maryland, and to keep fostering jobs for a strong local economy, stimulating tax revenue, saving the people of Maryland money on their energy bills, supporting energy equity to Low to Moderate income residents, and providing energy choice to all residents, it is imperative that the Community Solar program is extended through SB 0613.

Respectfully Submitted,

John Miller
John Miller
Chaberton Energy

SB 613 community solar FAV - citizen Joseph Adams.

Uploaded by: Joseph Adams, MD

Position: FAV

SB 613 Electricity – Community Solar Energy Generating Systems Program
Senate Education, Energy, and the Environment Committee 2-28-2023

FAVORABLE

Honorable Chair Feldman and members of the committee, **I am writing as a citizen and residential subscriber to a community solar subscriber organization ‘Neighborhood Sun.’**

When I first subscribed the company claimed I would (1) save money on my monthly energy bill, and (2) my subscription would simultaneously fund the development of new solar projects in Maryland.

This seemed too good to be true, but I now realize it is possible because solar electricity is so much cheaper than electricity from BGE using a mix of electricity sources. Solar energy costs have dropped ten-fold in recent years. I can attest that **my savings, month after month and year after year, really add up**. Marylanders should have continued access these savings.

The fact that we can save, and simultaneously fund new solar projects, is an incredible bonus!

As a layman, I read the July 1, 2022 PSC ‘Report on the Community Solar Energy Generating Systems (CSEGS) Pilot Program’ which describes the types of analysis that are need to optimize costs. The report also stated that: “Community Solar may impact the revenue and cost true-up process for SOS (Standard Offer Service rates), but there is no evidence to date that this is happening.”

Apparently, it is necessary to conduct various types of analysis. And I understand that there are concerns about interconnection issues and how to optimize them.

However, the need for Maryland to reach it’s greenhouse gas reduction targets is urgent. We don’t have time to put community solar on ‘pause’ for several years. We need to do the necessary analysis, and make any necessary modifications to interconnection processes in parallel. We don’t have time to address these things sequentially.

Please allow this critical program to continue without the need to sunset.

Respectfully,

Joseph A. Adams MD, Towson, MD., legislative district 11B

SB0613 - Electricity - Community Solar Energy Gene

Uploaded by: Joseph Jakuta

Position: FAV

Committee: Education, Energy, and the Environment
Testimony on: SB 613 - "Community Solar Energy Generating Systems Program"
Organization: Climate Parents of Prince George's
Person Submitting: Joseph Jakuta, Lead Volunteer
Position: Favorable
Hearing Date: February 28, 2022



Dear Mr. Chairman and Committee Members:

Thank you for considering our testimony to SB 613 "Electricity - Community Solar Energy Generating Systems Program." Climate Parents is a campaign to reduce climate change causing pollution in our schools, and our group is active in Prince George's County. In particular, we recently worked directly with Prince George's County Public Schools (PGCPS) technical staff and other advocates to develop a first in the national School Climate Change Action Plan.

SB 613 will make the Community Solar Energy Generating Systems Pilot Program permanent rather than letting it sunset in 2024. The bill places a greater focus on expanding community solar access to low- and moderate-income (LMI) residents by requiring at least 40% of the kilowatt-hour output be for LMI subscribers and by requiring utility consolidated billing, which places all energy charges in one utility bill.

Since 2017, the Community Solar Pilot Program has provided home-owners, renters, and businesses access with the environmental and price benefits of solar energy. Making a permanent program will allow Marylanders to take advantage of these benefits into the future, without any pause or interruption to the program.

Community solar can be an asset to schools. Schools have large rooftops and lower summer loads when electricity usage is at its highest. School districts can benefit from this by using part of their solar installations as community solar in order to defray the costs to school systems. Examples of school districts already doing so include Issaquah School District, WA¹, Olympia School District, WA², and Swampscott, MA³. On the other side of the coin, some districts are becoming community solar subscribers, such as Beverley, MA.⁴

In fact, we also have a school right in Prince George's County that took advantage of the pilot program. As stated in the PGCPS Climate Change Action Plan, "The Oxon Hill High School solar array is the first community solar energy generating system to receive authorization to operate within Pepco's Maryland territory, and one of the first large rooftop community solar projects in Maryland. In addition, it is the first community solar project in this utility territory that will supply energy to Pepco's low- and moderate-income (LMI) residents."⁵ Not only does this show that our schools can and will take advantage of this program, it shows that these projects can be designed to allow for participation by LMI residents.

Community solar has been shown to work, including for school systems around the country and right here in Maryland. We need this legislation enacted to put in place a permanent community solar program in our state.

We encourage a **FAVORABLE** report for this important legislation.

¹ <https://www.pse.com/press-release/details/PSEs-Community-Solar-Program-partners-with-Issaquah-School-District>

² <https://olysol.org/project/tmcs/>

³ <https://www.swampscottps.org/community/solar-project/>

⁴ <https://beverlyma.gov/736/Community-Solar-on-former-landfill>

⁵ <https://drive.google.com/file/d/1eS5YuvfblLyDsnw5QWwqITtKBeEjx28/view> , Page 37

2023 Testimony in Support of SB 0613.pdf

Uploaded by: Joseph Jankowski

Position: FAV

**Testimony in SUPPORT of SB613 Electricity – Community Solar
Energy Generating Systems Program**

Dear Chairman Feldman and members of the Education, Energy and the Environment Committee,

The Eastern Shore of Maryland will be impacted by sea level rise before most of the rest of Maryland and it is essential for Maryland to do everything possible to reduce greenhouse gas emissions which cause global warming that will contribute significantly to sea level rise.

The Community Solar pilot program has been very successful since it began in 2015 and this bill makes the program permanent. Community Solar reduces greenhouse gas emissions and also provides these additional benefits to Maryland:

- 1- It improves the security of the electric grid through increased diversity of the locations of the power generating systems.
- 2- It provides opportunity for local land-owners, farmers, and business owners to become solar power suppliers.
- 3- It will increase the capacity of the electric grid to support the increased load from electric vehicles, heat pumps, induction stoves and cooktops, heat pump HWHs, and heat pump clothes dryers which the Federal Government is incentivizing people to purchase through tax rebates.

My waterfront home is located on the coastal bays of the Eastern Shore of Maryland. My home's existence and value are threatened by rising sea levels. Your passage of this bill will help protect me and my family from future harm.

Respectfully,

Joseph Jankowski

Berlin, Maryland 21811

SB613_fav_MDSierraClub 28Feb2023.pdf

Uploaded by: Josh Tulkin

Position: FAV



P.O. Box 278
Riverdale, MD 20738

Committee: Education, Energy, and the Environment

Testimony on: SB613 “Electricity – Community Solar Energy Generating Systems Program”

Position: Support

Hearing Date: February 28, 2023

The Maryland Chapter of the Sierra Club strongly supports SB613 to make Maryland’s successful Community Solar pilot program a permanent, ongoing part of Maryland’s clean energy sector. This bill is one of the Sierra Club’s five priority bills for this session. If this bill is not enacted, no applications to build new Community Solar projects can be made under the pilot program after July of this year, which would undermine the State’s commitment to continue to expand solar energy and could threaten the continued viability of Maryland’s Community Solar industry.

Community Solar, which offers solar energy to households that cannot install solar on their roofs, is an essential and cost-effective strategy for Maryland’s clean energy transition.¹ Although the pilot program is capped in size, there currently are over 60 Community Solar projects in Maryland serving more than 10,000 Maryland families, and another 200 projects are in development.² Community Solar electricity is low-cost; households that are low or moderate income (LMI) save 20-25% compared to the cost of electricity provided by utilities, and other ratepayers save 5-10%. The pilot program has created a robust industry and good jobs.

The bill will lift the current cap on Community Solar projects. However, Community Solar will remain within the State’s overall limit on net-metered solar electricity.

The bill also, in several ways, will help ensure that the benefits of clean, Community Solar energy are enjoyed by our State’s LMI households. LMI households will continue to receive 20-25% in electricity rate savings. Further, the bill requires that every new project include a minimum of 40% LMI subscribers. Expanded access for LMI ratepayers, and other ratepayers who reside in multifamily buildings, also will be achieved by the bill requiring the Public Service Commission to promulgate a method by which multifamily residents whose building has a single, master electric meter be able to sign up for Community Solar and benefit from the associated savings.

A third important way in which the bill will increase LMI participation is that it requires utilities to provide integrated billing for Community Solar customers. Under the State’s deregulated electricity sector, utilities generally are required to handle the billing responsibilities for third-party electricity suppliers. This means that whether a Maryland resident pays for electricity provided by their utility company or, instead, purchases electricity from one of the many private companies registered to sell electricity in Maryland, they receive one bill from their utility which includes the electricity costs, and the electricity distribution and administration costs borne by the utility. Under the pilot program, Community Solar was made an exception, however; Community Solar subscribers are not billed by their utility and, instead, are billed separately by their Community Solar provider.

¹ There are a variety of reasons that a Marylander may not be situated to install solar on their residence’s rooftop. These include that their roof is shaded or is structurally inadequate, they live in a multifamily building and do not own the roof, or they lack the necessary financial resources.

² Community solar projects are relatively small in size, generating up to five megawatts of electricity.

Founded in 1892, the Sierra Club is America’s oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.

This separate billing is a significant difficulty and deterrent to LMI participation in Community Solar. LMI ratepayers can receive energy assistance from the Maryland Office of Home Energy Programs only for electricity billed on the utility bill, so energy assistance is not available for Community Solar. In addition, whereas LMI customers who lack a credit card or bank account have other ways to pay their utility bill (e.g., paying in cash at supermarkets, pharmacies, etc.), Community Solar providers lack the resources to set up such alternative payment systems, so subscribers must have a credit card or bank account.

The bill will address this problem by requiring that Community Solar bills be integrated into utility bills.

Last year's passage of the Climate Solutions Now Act (CSNA) underscored the need for Maryland to dramatically elevate sources of clean energy to fight climate change and improve public health. To achieve the goals established by the CSNA (a 60% reduction in greenhouse gas emissions by 2031, compared to 2006 levels, and net-zero emissions by 2045), solar energy must be a major contributor.

However, installed solar energy generation is lagging. The State's solar-specific generation target (established in statute) is for solar energy to comprise 14.5% of the State's total electricity consumption by 2030. To reach that goal, State law includes interim annual targets to increase solar capacity to the 14.5% goal. The Solar Energy Industries Association estimates that Maryland had about 1,600 megawatts of installed solar at the end of 2022, equal to only 4% of consumption versus the 5.5% statutory target. To achieve the 14.5% target by 2030, Maryland will need to develop an additional 4,600 megawatts of solar in the next seven years. This will require Maryland to more than double its current rate of solar development.

Allowing Community Solar to lapse (or even be paused) will put Maryland even further behind. A Community Solar project requires two to three years for site establishment, permitting, utility grid connection, facility construction, and customer enrollments. A hiatus in the program, and uncertainty about a plan to continue Community Solar, could cause much of the Community Solar industry to leave the State, depriving Maryland of future solar energy and the associated financial and economic benefits.

At least 20 States have Community Solar programs. Thus, it is a proven concept not only in Maryland but throughout the country.

For these reasons, the Maryland Sierra Club strongly urges the Committee to issue a favorable report on this legislation.

Charles T. Skinner
Clean Energy Committee
cskinne@gmail.com

Josh Tulkin
Chapter Director
Josh.Tulkin@MDSierra.org

Maryland EEE SB0613_ECA Solar.pdf

Uploaded by: Kaitlin Kelly O'Neill

Position: FAV

Senator Brian J. Feldman, Chair
Education, Energy, and the Environment Committee
2 West
Miller Senate Office Building
Annapolis, MD 21401

February 27, 2023

RE: Please pass SB0613 to make the community solar program permanent

Dear Chair Feldman,

ECA Solar respectfully submits this testimony in support of SB0613- community solar legislation currently before the Maryland State Legislature. The current Maryland Community Solar Pilot Program has brought local benefits to landowners, cities and towns, workers, and it has opened the door for thousands of residents and businesses to support local solar and save money on their electric bills who previously lacked access to affordable solar power. Over the last seven years the PILOT program has been expanded, revised, and improved. The passage of SB0613 and the implementation of a permanent community solar program will allow the State to reap long term benefits of the work that has been completed. A delay in implementing a permanent program will create a gap that will slow and kill development.

ECA Solar develops, engineers, installs, and operates large scale solar facilities across the US. ECA Solar takes an institutional approach to the solar energy industry. Our goal is to deploy the highest quality of solar power and energy storage projects to diversify the electric grid, while remaining risk averse and prioritizing safety. We value diversity and creativity to achieve the common goal of making solar energy more accessible to everyone. We're proud to have developed hundreds of acres of ground - mounted solar and over 6 million square feet of rooftop solar in 7 states.

Community solar provides direct customer savings, increases grid resiliency, provides direct grid benefits, and of course increases the clean energy supply, helping Maryland to reach its ambitious goal of having 50% of electricity come from renewable sources by 2030 with a 14.5% solar carve-out. The passage of SB0613 will allow Maryland to continue to be a clean energy leader and it will vastly expand access to solar with a special focus towards those most affected by climate change, low-income and disadvantaged communities.

Community Solar Achieves Clean Energy and Equity Targets

The State of Maryland set a 50% clean electricity supply goal by 2030 with a 14.5% solar carve-out. In doing so, the State has recognized the social and economic value of clean electricity. As of the summer of 2022 the Pilot program¹ has led to 150 MW of solar capacity in operation or development with much more in the queue. The expansion of the program through the passage

¹ COMAR 20.62.03

of SB0613 ensures that the market growth seen since the implementation of the Pilot program will continue for years to come.

Community solar grants all residents and businesses the opportunity to save money on their electric bills, even if they are not able to invest in installing their own solar panels. The savings provided helps to reduce the energy burden on all community solar customers, but particularly benefits low-income community solar customers. According to the PSC's Report on the Community Solar Energy Generation Systems Pilot Program LMI subscribers in have seen an average discount of around 23%. Furthermore, NREL's analysis of two Community Solar programs- the Massachusetts and Washington, D.C. programs, found direct reductions on the energy burden for the lowest income households as a result of participating in community solar, resulting in an energy burden reduction of 3.2 percentage points for the lowest income households in Massachusetts, and a reduction of 4.7 percentage points for the lowest income households in D.C.² Community Solar delivers direct, individual benefits for customers, as well as larger system and societal benefits with the expansion of clean, distributed generation.

Community solar has so far proven to be a critical part of reaching ambitious clean energy goals, providing direct grid benefits and customer savings. It is a win for all, and we hope that you will support the passage of SB0613 to expand clean energy and direct savings to Maryland ratepayers. Thank you for your consideration of this testimony, if you have any questions, please reach out to me at ko@ecasolar.com.

Sincerely,

Kaitlin Kelly O'Neill
Director of Policy
ECA Solar

² Heeter, Jenny, et al. *Sharing the Sun: Community Solar Deployment, Subscription Savings, and Energy Burden Reduction*. 2021. NREL, <https://www.nrel.gov/docs/fy21osti/80246.pdf>.

SB613-FAV-AdvocatesForHerringBay.pdf

Uploaded by: Kathleen Gramp

Position: FAV

Testimony of the Advocates for Herring Bay¹
Regarding SB 613: Community Solar Energy Generating Systems Program
Submitted by Stephen Marley, February 27, 2023

*Favorable with regard to provisions addressing the impacts of community solar projects
on forests and woodlands*

The Advocates for Herring Bay (AHB) commend the sponsors of SB 613 for including provisions that expressly require developers of community solar projects to comply with the Forest Conservation Act (FCA) and submit reports to the Public Service Commission (PSC) on the anticipated impact of the facilities on trees and forest cover at the sites.

These measures are an important first step in managing the impacts of community solar facilities on Maryland's forests and other natural places that provide valuable ecosystem services. Affirming the applicability of the FCA and other environmental laws should close gaps in the current patchwork of state and local regulation. Similarly, greater transparency about forestry impacts will allow policymakers to tailor policies to actual practices. Such reforms are needed because:

- **The potential impacts on forests are real.** During the community solar pilot program, only a quarter—26 percent—of the capacity was slated to be built on surfaces like rooftops that would have little or no ecological impact. Ground-mounted systems accounted for the other 74 percent, and two-thirds of that ground-mounted capacity was slated to be built on greenfield sites that included acreage with high ecosystem services value, *including some parcels that are completely forested*. (See attached summary of AHB's 198-page profile of the individual projects in the pilot program through June 2022.)
- **Community solar projects are built in areas already suffering from forest loss.** By design, “distributed” power supplies like community solar projects are in the same utility service territory as their subscribers. In practice, this means that nearly 80 percent of community solar facilities will be built in the more populous BGE-Pepco service regions. Those are the same areas that experienced the greatest forest loss over the 2013-2018 period, according to a 2022 study by the Hughes Center on Agro-Ecology.²
- **Net-metered projects should avoid clearing trees.** In contrast to other power suppliers, community solar developers in Maryland receive a guaranteed price for their generation through a system of net energy metering (NEM) payments funded in part by utility customers who are not participating in the program.³ Community solar projects are paid at the same NEM rate as residential rooftop systems, which have higher costs and no impact on forests. Having all net-metered projects conserve forests would ensure a better balance between Maryland's goals for clean energy, clean water, and healthy habitats and communities.

Attachment

¹ The Advocates for Herring Bay, Inc. is a community-based environmental group in Anne Arundel County.

² See [Technical Study of Changes in Forest Cover and Tree Canopy in Maryland](#), November 2022.

³ According to an August 2022 analysis by the staff of the PSC in [RM56](#), net metering payments for the 638 megawatts of capacity authorized during the community solar pilot program will cost residential customers in the BGE, Pepco, and Delmarva systems an average of about \$25 to \$30 a year while those projects are operating. Those annual costs would increase in the future under the permanent program outlined in HB908.

AHB Attachment: Ecological Profiles of Active Community Solar Projects in Maryland

Prepared by the Advocates for Herring Bay
for the Maryland Public Service Commission, Docket RM56

In August 2022, AHB prepared a 198-page profile of the ecological features of the parcels being used by active CSEGS projects in the BGE, Pepco, Delmarva, and Potomac Edison service areas.⁴ We developed those materials because of our dual interests in expanding clean energy and protecting the biodiversity of Maryland's natural resources. The maps and the estimates of the Ecosystem Services Value (ESV) of the parcels were taken from the *Greenprint* GIS website developed by the Maryland Department of Natural Resources (DNR).⁵

The projects covered in AHB's profiles represent a total of about 340 megawatts of capacity, which would impact approximately 1,700 acres across the four utilities.⁶ As shown in the graphs below:

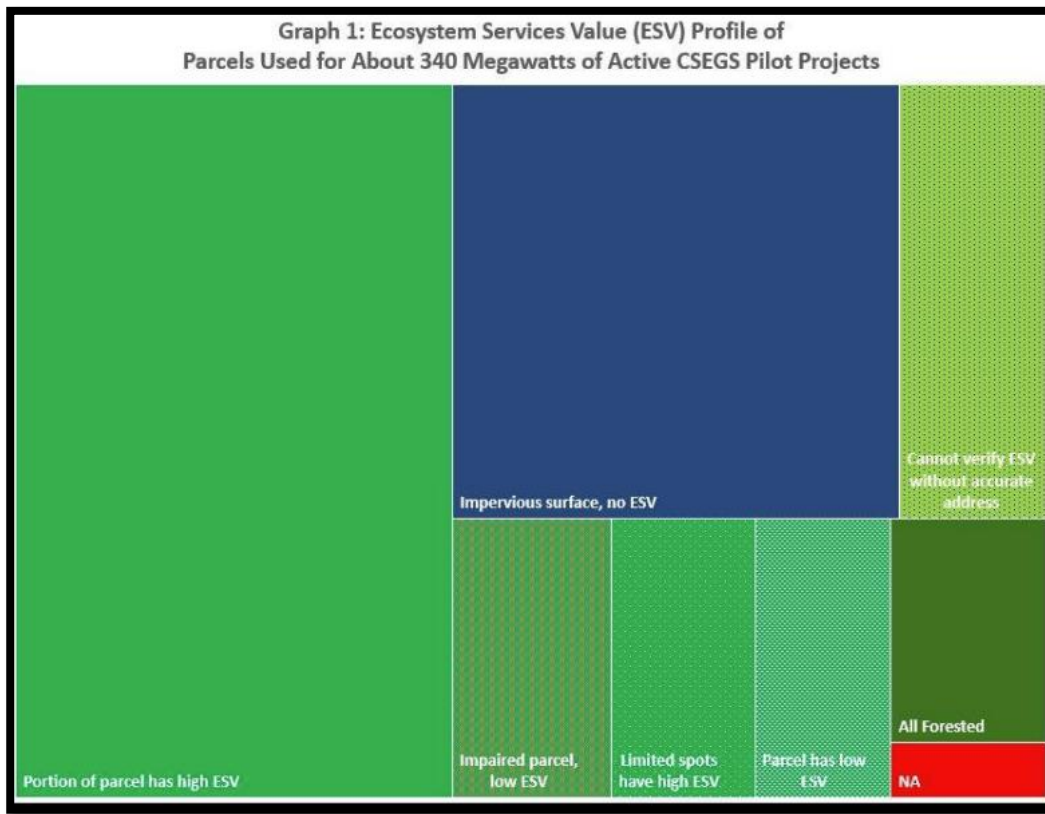
- In the absence of ecological siting conditions:
 - Some forested parcels with high ecosystem services value are being cleared for the construction of net-metered community solar projects;
 - Although many partially forested parcels *could* be developed without impacting acreage with high ESV, decisions about whether to build on acreage with high ESV depend on the economic interests of developers and property owners.
- Applying ecological siting conditions to CSEGS projects would not impede Maryland's progress in meeting its decarbonization goals:
 - Developers are demonstrating that installing solar generation on commercial rooftops and other impervious surfaces is financially viable at Maryland's net metering rates;
 - Apart from forested parcels, virtually all of the tracts being used for ground-mounted arrays have enough acreage with low ESV to accommodate solar arrays without impairing acreage with high ESV.

As illustrated in Graph 1 on the next page, ground-mounted solar arrays accounted for 74 percent of the capacity of active CSEGS projects (or about 1,260 acres, shown in green), and rooftop/canopy systems the remaining 26 percent (or roughly 440 acres, shown in blue). ***Two-thirds of the ground-mounted capacity is slated to be built on greenfield sites that include acreage with high ecosystem services value (ESV), including some that are completely forested.*** Parcels with low or limited ESV are hosting 14 percent of the ground-mounted capacity, and previously developed surfaces (e.g., landfills) another 8 percent. The ESV of the remaining 12 percent cannot be verified because of data limitations. Examples of parcels in each category are shown in Exhibit 1.

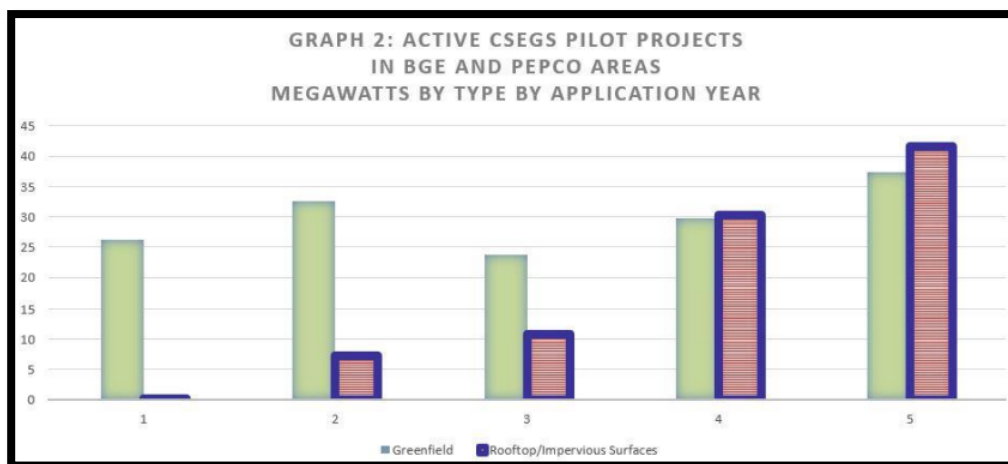
⁴ See [Ecological Features of Active Community Solar Projects in Maryland as of June 2022](#).

⁵ DNR's *Greenprint* GIS is available at <https://geodata.md.gov/greenprint/>

⁶ This estimate assumes an average of 5 acres per megawatt of solar capacity.

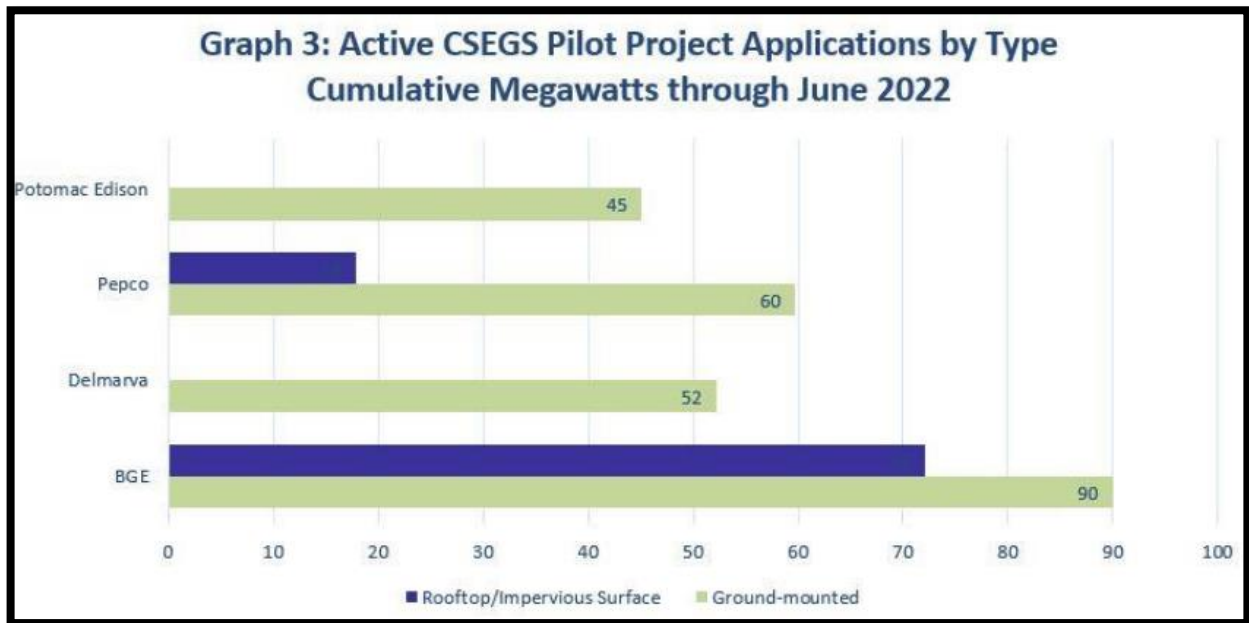


As illustrated in Graph 2 *applications for installing CEGES projects on impervious surfaces surged in Years 4 and 5 of the Pilot Program*. This trend partly reflects the changing dynamics of the solar market. For example, the National Renewable Energy Lab reports that solar generation costs for commercial rooftop installations were about one-third lower in 2020 than when the Pilot Program began in 2015.⁷ A review of the utilities’ application lists also suggests, at least anecdotally, that the growth in rooftop projects resulted from new firms entering Maryland’s CSEGS market.



⁷ During that same period, residential rooftop costs fell by about 25 percent and utility-scale generation by almost 50 percent. See National Renewable Energy Laboratory, *U.S. Solar Photovoltaic System and Energy Storage Cost Benchmarks: Q1 2021*, November 2021, pages 75-76.

As seen in Graph 3 below, the BGE region accounted for 80 percent of applications for rooftop/canopy projects, with the rest being built in Pepco's region. Nearly half of the capacity in the Pepco region is being built at subway stations in the Washington DC area, while projects in the BGE's territory are primarily being installed on commercial rooftops. As a result of these investments, the share of rooftop capacity in BGE's portfolio grew from 25 percent at the end of Year 3 to 45 percent by June 2022.

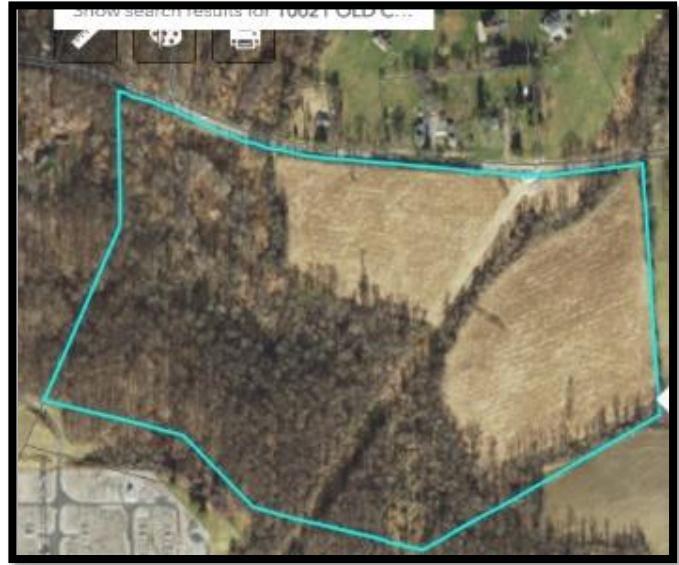


AHB Exhibit 1: Examples of Types of Parcels Used for CSEGS Projects through June 2022

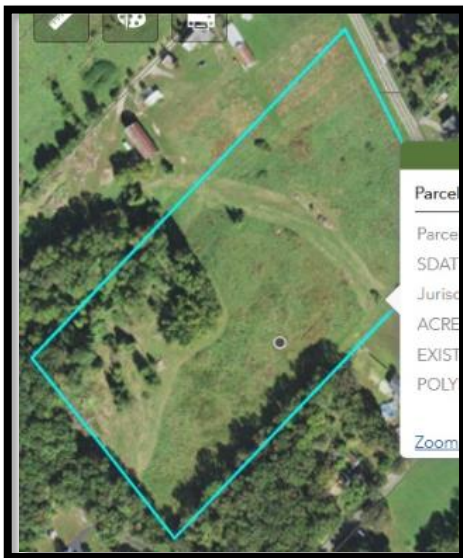
Forested parcel



Portion of parcel has high ESV



Parcel has limited acreage with high ESV



Parcel has acreage with no measurable ESV



Previously developed surface (landfill)



Impervious surface (commercial rooftop)



sb 613 community solar 2023.pdf

Uploaded by: Kenneth Phelps, Jr.

Position: FAV



THE EPISCOPAL DIOCESE
OF MARYLAND

The Maryland Episcopal
Public Policy
Network

**TESTIMONY IN SUPPORT OF SB0613
FAVORABLE**

Electricity—Community Solar Energy Generating Systems Program

TO: Senator Brian J. Feldman, Chair, Senator Cheryl C. Kagan, Vice-Chair, and members of the Senate Education, Energy, and the Environment Committee
FROM: Rev. Linda K. Boyd, Co-Chair, and Al Todd, Maryland Episcopal Public Policy Network, Maryland, Diocese of Maryland
DATE: February 28, 2023:

The Episcopal Church at large and the Diocese of Maryland in particular embrace creation care. The Church has established programs to support our congregations in their work to care for the environment. Congregations across Maryland have made a strong commitment to our environment. These faith communities have reduced stormwater and water pollution, planted trees to improve air quality, installed renewable energy and energy conservation projects, and mobilized their members to take action at home.

We believe we have a sacred moral obligation to care for the creation God has given us. We recognize that the love and care we give to the environment that sustains us is a direct reflection of our love and care for each other. Addressing the climate crisis is the challenge of our time and one we believe demands our attention. We know the Maryland legislature shares this belief. Solar power is a key way to support climate strategies but all Marylanders cannot currently benefit from solar energy. Maryland's community solar program has the potential to increase access to clean energy and to reduce the energy burden of thousands of low- to moderate-income (LMI) Maryland households while generating solar power on developed land, such as rooftops and parking canopies of our cities and towns.

The community solar pilot program has been in place since 2017, providing homeowners, renters, and businesses equal access to the economic and environmental benefits of solar energy generation, regardless of where they live or their income level. This bill would make community solar a permanent part of Maryland's solar energy portfolio, and add other improvements to the program that ensures the program works for everyone. The Diocese of Maryland supports a favorable outcome for permanent community solar.

We request a favorable report regarding SB 613.

SB613 community solar bill_pdf.pdf

Uploaded by: Kimberly Armstrong

Position: FAV



Good afternoon, Committee Members

Support for SB613

My name is Kimberly Armstrong I'm the Program Director with Solar United Neighbors a Non-profit that assist with helping people go solar. Although we help homeowners with rooftop solar we also educate about community solar.

I'm a current subscriber of community solar therefore I'm also speaking as a participant and how it has reduced my utility bill at least by thirty-forty dollars a month, and sure it may not seem like a lot but as a parent with a young daughter and grandson still living at home that extra money could mean gas in the car or food on the table.

Personally there has been several times when I had to use subsidies such as energy assistance to help with my utilities why because I was considered the working poor now it has a fancier name Low-Moderate Income (LMI) and many people today are still in this category if not more than before. I'm saying this because energy is a necessity and we all need it however it is more of a financial burden for almost 40% of Marylanders. And Community Solar is an opportunity to 1) reduce our energy bills and 2) allow all Marylanders to participate in clean energy while doing good for themselves and the environment.

Community solar allows for everyone to participate in clean energy therefore, I'm in support of making it a permanent program.

Sincerely,

Kimberly Armstrong

Maryland Program Director/Advocate

Karmstrong@solarunitedneighbors.org

443 416 0308

FAV - SB613 - Community Solar.pdf

Uploaded by: Kristen Harbeson

Position: FAV



February 23, 2023

SUPPORT SB613- Electricity - Community Solar Energy Generating Systems Program

Chairman Feldman and Members of the Committee:

Maryland League of Conservation Voters and the organizations cosigned below are in strong support of SB613, a bill to make Maryland's Community Solar Program permanent, and we are thankful to Senator Brooks for his leadership on this issue.

When the General Assembly, through the work of this committee, first passed HB1087 in 2015, Maryland became a pathbreaker in Community Solar - a program that uses a subscriber model that allows homeowners, renters, and businesses without the ability to install their own solar panels to reap the benefits of solar ownership. What was an innovative model six years ago is now widely used nationwide. Nearly half of the states, as well as the District of Columbia, have permanent laws on the books that support community solar. Maryland, the trailblazer, risks falling behind if the program is permitted to sunset at the end of 2024. SB613 ensures that Maryland remains a leader, both through affirming community solar as an essential part of our clean energy economy, and enshrining key provisions that ensure that a permanent program is accessible to all Marylanders. It is critical that this bill pass - and that it pass this year.

Fundamental to the program principles is centering access for low and moderate income Marylanders who lack the financial resources, or the home ownership, to install their own residential rooftop solar panels. SB613 reinforces these principles by mandating that developers dedicate at least 40% of their project capacity to serve low-and-moderate income (LMI) families, and those in overburdened and underserved communities. This aligns the program with the principles of the federal Justice 40 directive, and ensures that electricity cost-savings reach those that need it the most.

Additionally, SB613 makes a critical fix to the existing program by allowing for "utility consolidated billing (UCB)." Currently, subscribers to community solar projects receive two bills - one from the solar project for the electrons created, which is automatically drawn from a bank account or credit card - and the other from the utility company for the electrons delivered. This inefficient and complicated system effectively blocks low-income households that receive Energy Assistance from participating in a program that would lower their electricity costs by 10% or more. UCB would provide the option for developers to have their costs included on the utility bill, making it simpler for the consumer - and expanding access to community solar to the Marylanders who need it the most. Other third party retail energy suppliers already benefit from this option.

Beyond the pocket-book benefits allowed by community solar, this program will continue to play a vital role in ensuring that Maryland reaches the renewable energy goals set forth by the Clean Energy Jobs Act in 2019 (passed by this committee) as well as the still more ambitious commitments set by Governor Moore for 100% clean energy by 2035. This goal is achievable, but only with bold and aggressive support of clean energy development, especially solar, even as we look to protect our cherished forests and the farmlands we rely on for our agricultural economy.

Through clarified co-location requirements, SB613 incentivizes increased production of community solar projects on preferred sites: rooftops, industrial zones, brownfields, parking lots, transportation rights-of-way and airports, as well as farmland where agrivoltaics are used. These projects are more expensive to build, and so are made more possible through the economies of scale offered by the larger co-located projects. SB613 also incorporates information on the forest and tree canopy impacted into the application process (modeling New Jersey's laws to this effect), and makes this information publicly available.

For its economic benefits, as well as its climate benefits, SB613 is a priority of Maryland's environmental community, including the Sierra Club and the Maryland Legislative Coalition Climate Justice Wing, and is a priority recommendation for the Maryland Commission on Climate Change. It is a top priority of Maryland League of Conservation Voters.

We strongly urge a favorable report.

Maryland League of Conservation Voters

Audubon Mid-Atlantic
Cedar Lane Unitarian Universalist Environmental Justice Ministry
Chesapeake Bay Foundation
Chesapeake Earth Holders
Climate Access Fund
EarthJustice
Environment Maryland
Friends of Sligo Creek
Glen Echo Heights Mobilization
HoCo Climate Action
Interfaith Partners for the Chesapeake
Maryland Environmental Health Network
Maryland Legislative Coalition
Maryland PIRG
NAACP Maryland State Conference
The Nature Conservancy - Maryland/DC
National Aquarium

SB613-AARPMD-FAVORABLE.pdf

Uploaded by: Laurel Peltier

Position: FAV



One Park Place | Suite 475 | Annapolis, MD 21401-3475
1-866-542-8163 | Fax: 410-837-0269
aarp.org/md | md@aarp.org | twitter: @aarpmd
facebook.com/aarpmd

SB613 Electricity – Community Solar Energy Generating Systems Program
FAVORABLE
Education, Energy and Environment Committee
February 28, 2023

Good afternoon, Chair Feldman, and members of the Education, Energy and Environment Committee. I am Laurel Peltier, a member of and lead advocate for AARP Maryland. AARP is the largest nonprofit, nonpartisan organization representing the interests of Americans aged 50 and older and their families. Key priorities of our organization include helping all Marylanders achieve financial and health security and supporting safety net for seniors and low-income households in the state of Maryland is a priority.

AARP MD and its almost 870,000 members support SB613 Electricity – Community Solar Energy Generating Systems Program. We thank Senator Brooks for sponsoring this critical piece of legislation.

SB 613 will make the current Community Solar Pilot Program permanent. Currently the Pilot will sunset October of 2023. Today the program is designed to provide low income and moderately income households a chance to use community solar as an energy alternative.

SB 613 also provides the customer consolidated billing, altering the siting and sizing of solar generation projects and authorizing a subscriber coordinator to act on behalf of the subscriber organization.

AARP Maryland believes the following principles build upon and should apply to all products and services, including utilities.

- **Ensure service affordability for all**—utility rates should be based on prudent use of ratepayer money. Costs and savings should be distributed fairly among consumers. Households with lower incomes must be considered.
- **Secure and expand service access for all**—all consumers should have access to utility services regardless of factors such as geography, race, ethnicity, ability level, and income.
- **Improve quality**—consumers should be able to rely on high-quality utility services.
- **Enhance accountability**—any changes in utility service, policy, or rates should be open and transparent. The process should provide a wide range of opportunities for input from the public and independent groups.



We believe if passed, SB 613 Community Solar Energy Generating Systems Program has the potential to reduce the energy burden for low to moderate income families and especially for those over 50. We respectfully ask the Education, Energy and Environment Committee for a favorable report. If you have questions or comments, please contact Tammy Bresnahan at tbresnahan@aarp.org or by calling 410-302-8451.

SB0613 Community Solar Energy Generating Systems_E

Uploaded by: Laurie McGilvray

Position: FAV



Committee: Education, Energy, and the Environment
Testimony on: SB613 – Electricity - Community Solar Energy Generating Systems Program
Organization: Maryland Legislative Coalition Climate Justice Wing
Submitting: Laurie McGilvray, Co-Chair
Position: Favorable
Hearing Date: February 28, 2022

Dear Chair and Committee Members:

Thank you for allowing our testimony today in strong support of SB613. The Maryland Legislative Coalition (MLC) Climate Justice Wing, a statewide coalition of over 50 grassroots and professional organizations, enthusiastically urges you to vote favorably on SB613.

SB613 will make the Community Solar Energy Generating Systems Pilot Program (Program) permanent rather than letting it sunset in 2024. The bill places a greater focus on expanding community solar access to low- and moderate-income (LMI) residents by requiring at least 40% of the kilowatt-hour output be for LMI subscribers and by requiring utility consolidated billing, which places all energy charges in one utility bill.

Community solar is an important piece of Maryland’s transition to clean energy. An estimated 75 percent of Maryland households are unable to have their own rooftop solar due to too much shade, or because they live in an apartment, condo, or rent their home. Since 2017, the Community Solar Pilot Program has provided home-owners, renters, and businesses access to the environmental and price benefits of solar energy. By making the Program more accessible and permanent, Marylanders can advantage of all these benefits into the future, without any pause or interruption to the Program.

SB613 strengthens the Program in several ways. It will allow energy assistance households to become community solar subscribers and apply their energy assistance benefits to all of their electricity charges through consolidated billing. The bill also includes siting preferences that protect forests and encourage generation on developed land, including clean landfill sites, industrial areas, rooftops, and parking lots. Finally, the bill will provide certainty to solar businesses and support the State’s solar workforce, while helping Maryland move closer to its solar generation targets.

For these reasons, we strongly urge a **FAVORABLE** report for SB613 in committee.

sb613- community solar- EEE 2-28-'23.pdf

Uploaded by: Lee Hudson

Position: FAV



Delaware-Maryland Synod
Evangelical Lutheran Church in America
God's work. Our hands.

Testimony Prepared for the
Education, Energy, and the Environment Committee
on
Senate Bill 613
February 28, 2023
Position: **Favorable**

Mr. Chairman and members of the Committee, thank you for this opportunity to support a cleaner energy future in Maryland by expanding renewables in its production regime. I am Lee Hudson, assistant to the bishop for public policy in the Delaware-Maryland Synod, Evangelical Lutheran Church in America. We are a faith community within three judicatories across our State.

My community publicly supported a cleaner energy future in its 1993 statement on the environment, "Caring for Creation." We are called to advocate for reductions of current and future greenhouse gas emissions through public policies that influence energy demand and consumption.

We favor making Maryland's Community Solar Energy Generating Systems pilot a permanent policy, as **Senate Bill 613** will do. Following the 2022 Maryland Climate Solutions Act and the federal Inflation Reduction Act, the time to implement energy regime reform is here. Increasing clean, renewable electric energy production is a good policy to achieve that goal. And getting more power from the sun is achievable, feasible, and relatively simple through the naturally occurring incentive of consumer interest in residential solar.

Clean the air and keep the lights on and give **Senate Bill 613** your favorable report.

Lee Hudson

SB613_HB908_EEE_FAV_CS-HoCoClimateAction.org.pdf

Uploaded by: Liz Feighner

Position: FAV



HoCoClimateAction.org
Howard County, Maryland

Testimony on SB0613/HB908 - Electricity - Community Solar Energy Generating Systems Program

Hearing Date: Feb 28, 2023

Bill Sponsor: Senators Brooks, Feldman, M. Washington, King, Kramer, Zucker, and Elfreth

Committee: Education, Energy, and the Environment

Submitting: Liz Feighner for Howard County Climate Action

Position: Favorable

[HoCo Climate Action](#) is a [350.org](#) local chapter and a grassroots organization representing more than 1,400 subscribers. It is also a member of the [Climate Justice Wing](#) of the [Maryland Legislative Coalition](#).

Howard County Climate Action enthusiastically supports [SB0613/HB908](#), as our organization has been promoting community solar to our members ever since the program became available in 2017. Community solar helps build stronger communities and fight climate change while saving money for ratepayers. Community solar offers the benefit of solar to those who can't or don't want to install solar panels on their homes. This program provides equal access to all Marylanders to clean renewable energy.

Originally a pilot program, community solar legislation has benefitted all Marylanders, including low-to-moderate income (LMI) households. The pilot program currently requires 30% of its subscribers to be in the LMI category (including 10% of the 30% being low-income). This bill would not only make the program permanent, but the program will require ALL Community Solar projects going forward to have at least 40% of subscribers in the LMI category. (This is consistent with the Biden administration's "Justice 40" strategy.)

This bill would make community solar a permanent program, while adding improvements to the existing pilot program. Requiring all projects to reserve at least 40% of their created energy for low-and-moderate income households addresses the equity issue. Another major improvement is the inclusion of utility consolidated billing, meaning a single utility bill. Consolidated billing is essential for expanding access to community solar, especially for those on energy assistance. Without this change, subscribers need a checking account or credit card. Those who pay cash for their utilities bills or are on energy assistance are locked out of the program. Maryland already allows consolidated billing for third party retail energy suppliers, and this legislation corrects that inequity for community solar.

By making community solar a permanent program, Maryland will have another tool for meeting the state's 2030 solar and 2031 greenhouse gas reduction targets.

For these reasons, we urge a favorable report for SB0613/HB908.

Howard County Climate Action

Submitted by Liz Feighner, Steering and Advocacy Committee

www.HoCoClimateAction.org

HoCoClimateAction@gmail.com

SB613 - Balt Commn Sust.pdf

Uploaded by: Miriam Avins

Position: FAV

BALTIMORE COMMISSION ON SUSTAINABILITY

People ♦ Planet ♦ Prosperity

February 27, 2023

Senator and Committee Chair Brian J. Feldman
Senator and Committee Vice Chair Cheryl Kagan
Members of the Senate Education, Energy and the Environment Committee

RE: **Support** for SB0613, Electricity – Community Solar Energy Generating Systems Program

Dear Chair Feldman and Members of the Senate Education, Energy and the Environment Committee,

We are writing in support of SB0613, the Community Solar Energy Generating Systems Program.

The Baltimore Commission on Sustainability is a body appointed by the Mayor to oversee the creation and implementation of the Baltimore Sustainability Plan. The 2019 Baltimore Sustainability Plan addresses a wide range of social, economic and environmental goals for the City, and it does so through an equity lens.

The Baltimore Commission on Sustainability has a strong interest in the success of SB0613. Baltimore's 2019 Sustainability Plan names the expansion of funding models for renewable energy as a strategy particularly useful to the environmental health of Baltimore City. Requiring a low-income customer base for community solar can bridge the current gap in low-income community solar participation and aid in energy affordability.

We urge the Committee to support SB0613.

Sincerely,

Miriam Avins
Mia Blom
Co-chairs, Commission on Sustainability

Cc: Senator Benjamin Brooks

MD Catholic Conference_FAV_SB0613.pdf

Uploaded by: MJ Kraska

Position: FAV



MARYLAND
CATHOLIC
CONFERENCE

February 23, 2023

SB 613

Electricity – Community Solar Energy Generating Systems Program

Senate Education, Energy, & Environment Committee

Position: Favorable

The Maryland Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals, and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

Senate Bill 613 would make permanent the Community Solar Energy Generating Systems Pilot Program, which would require a community solar energy generating system to serve at least 40% of its kilowatt-hour output to low-income and moderate-income subscribers under certain circumstances; authorizing a subscription coordinator to act on behalf of a subscriber organization and alters requirements related to the siting and size of certain community solar energy generating systems projects.

As Pope Francis has written, climate change *“represents one of the principal challenges facing humanity in our day”* (*Laudato Si'*, no. 25), threatening the wellbeing of peoples and the environment. Catholic social teaching envisions a sustainable and authentic human development, where technological solutions respect the principle of integral ecology and consider social, economic and ecological considerations.

Senate Bill 613 aims to address the much-needed investment in renewable energy policies to be set to sustain and achieve a healthy global ecosystem. We encourage discussion around the components and goals outlined in this legislation and hope they are a catalyst for positive social and ecological outcomes.

The Conference appreciates your consideration and, for these reasons, respectfully requests a **favorable** report on Senate Bill 613.

Community Solar 2023 testimony.pdf

Uploaded by: nanci Wilkinson

Position: FAV

Committee: Education, Energy, and the Environment
Testimony on: SB 613 - “Community Solar Energy Generating Systems Program”
Organization: Environmental Justice Ministry Cedar Lane Unitarian Universalist Church
Position: Favorable
Hearing Date: February 28, 2022

Dear Mr. Chairman and Committee Members:

The Environmental Justice Ministry strongly support SB 613 Community Solar Energy Generating Systems Program. As a faith community, Unitarian Universalists respect the inherent worth and dignity of every person. SB 613 focus is on the expansion of community solar access to low and moderate-income residents (LMI) by requiring at least 40% of the kilowatt hour output be for LMI subscribers. Further it requires consolidated billing which will facilitate the LMI community ‘s use. Finally iSB 613 makes the Community Solar Energy Systems Pilot Program permanent beyond the 2024 sunset, providing home-owners, renters, and businesses access with the environmental and price benefits of solar energy. Making a permanent program will allow Marylanders to take advantage of these benefits into the future, without any pause or interruption to the program.

Community solar can be an asset to schools. Schools have large rooftops and lower summer loads when electricity usage is at its highest. School districts can benefit from this by using part of their solar installations as community solar in order to defray the costs to school systems. Examples of school districts already doing so include Issaquah School District, WA, Olympia Community solar has been shown to work, including for school systems around the country and right here in Maryland. We need this legislation enacted to put in place a permanent community solar program in our state.

EJM encourages a **FAVORABLE** report for this important legislation.

Environmental Justice Ministry Team
Cedar Lane Unitarian Universalist Church

SB0613_NCS_favorable 2.28.2023.pdf

Uploaded by: Nicole Rentz

Position: FAV



(202) 810-1661
705 Edgewood St NE, Suite 110
Washington, DC 20017

WWW.NEWCOLUMBIASOLAR.COM

Chair Feldman and Members of the Maryland Senate Education, Energy, and the Environment Committee,

New Columbia Solar, LLC, submits this testimony in favor of Senate Bill 0613, which would make Maryland's Community Solar Energy Generating Systems (CSEGS) Pilot Program permanent and authorize consolidated billing for charges, among other things. New Columbia Solar finances, designs, installs, and maintains solar energy systems in the DC metro area, and has developed several community solar systems in Maryland counties surrounding DC.

For many building and property owners, community solar is the best option for adding renewable energy to their rooftops and parking lots. The CSEGS pilot program has opened up opportunities for solar installation and development in Maryland that didn't exist before. Making the program permanent is vital to meeting the state's aggressive climate change goals and renewable portfolio standard. If CSEGS are not made a permanent option for solar energy development in Maryland, the state will not just fall short of its climate goals as well as lose an important tool in addressing inequity and environmental justice in the transition to clean energy, as well as the opportunity to bring in additional federal dollars allocated in the Inflation Reduction Act to support development of solar that serves low-income communities and families.

In our experience, consolidated billing for community solar is key to ensuring community solar programs meet their equity goals, as it significantly lowers the barrier to entry for low- and moderate-income households. We are glad to see SB 0613's provisions enabling use of consolidated billing, and urge the Committee to ensure this tool is maintained in the final version of the bill.

Finally, we urge the Committee not to allow direct utility participation in community solar energy generating systems. This would create a system and program rife with conflict of interest. Further, maintenance of healthy competition among many market participants will result in solar systems built efficiently at less cost to ratepayers and with better benefits for customers.

Sincerely,

Nicole Rentz
Director of Market Development and Policy
New Columbia Solar

WWW.NEWCOLUMBIASOLAR.COM

SB-613_IndivisibleHoCoMD_FAV_Alexander_Auerbach.pd

Uploaded by: Peter Alexander

Position: FAV



SB-613 Electricity – Community Solar Energy Generating Systems Program

**Testimony before
Senate Education, Energy, and the Environment Committee
February 28, 2023
Position: Favorable**

Mr. Chair, Madame. Vice Chair, and members of the Committee, our names are Peter Alexander and Ruth Auerbach, and we represent the 750+ members of Indivisible Howard County. Indivisible Howard County is an active member of the Maryland Legislative Coalition (with 30,000+ members). We are writing in support of SB-613, Community Solar Energy Generating Systems Program. We are grateful for the leadership of Senator Brooks and Chair Feldman, and several colleagues for sponsoring this bill.

Electricity generated from the sun and wind is integral to Maryland's efforts to combat climate change. To continue to grow our solar capacity and expand access to affordable solar energy for all Marylanders, the General Assembly should make permanent our state's successful "Community Solar" pilot program.

Community Solar was established as a pilot program by the Maryland General Assembly in 2015. It enables Maryland households who are unable to install their own solar photovoltaics (PV) access to solar energy. It expands solar capacity and benefits the entire community by enabling Marylanders to purchase low-cost electricity from small solar projects. More than 60 community solar projects have been established, serving more than 10,000 Maryland families. The program has created a robust industry and good jobs, including here in Howard County.

The Community Solar pilot program expires in 2024. It will stop taking applications for new projects this year. We need HB908 to make Community Solar a permanent program. The bill will also:

- Remove the current cap on the number of projects
- Require future Community Solar projects to include at least 40% low- and moderate-income subscribers.
- Allow Community Solar charges to be billed to subscribers through their utility bills, just as utilities do with other non-utility electricity suppliers. (Currently, Community Solar bills are separate from utility bills, which can complicate payment by low-income households due to restrictions imposed by payment assistance programs).

One of us, Ruth Auerbach, subscribed to Community Solar in 2021, supplementing the PVs on her roof, which only produce 40% of her electricity needs. She pays 10% less for Community Solar electricity than BGE. She appreciates the Community Solar program and would like it to be available to others. The consolidated billing would also be helpful in simplifying her monthly bills.

We respectfully urge a favorable committee report.

Peter Alexander, PhD
Woodbine, MD

Ruth Auerbach, PhD
Columbia, MD

SB 613_Maryland Catholics for Our Common Home_FAV.

Uploaded by: Robert Simon

Position: FAV



Hearing before the Senate Committee on Education, Energy, and the Environment
Maryland General Assembly
February 28, 2023

**Statement of Support (FAVORABLE)
of Maryland Catholics for Our Common Home on
SB 613, Electricity – Community Solar Energy Generating Program**

Maryland Catholics for Our Common Home (MCCH) is a lay-led organization of Catholics from parishes in the three Catholic dioceses in Maryland: the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington. It engages in education about, and advocacy based on, the teachings of the Catholic Church relating to care for creation. MCCH is a voice for the understanding of Catholic social teaching held by a wide array of Maryland Catholics—over 350 Maryland Catholics have already signed our statement of support for key environmental bills in this session of the General Assembly—but should be distinguished from the Maryland Catholic Conference, which represents the public policy interests of the bishops who lead these three dioceses.

MCCH would like to express its strong support for passage of Senate Bill 613, Electricity – Community Solar Energy Generating Program. As Catholics, we see care for God’s creation as an integral part of our faith, as taught by recent Popes, including the forceful statements of Pope Francis. In his 2015 encyclical, entitled *Laudato Si’: On Care for Our Common Home*,* Pope Francis calls for a comprehensive response to the threats from climate change, including “an urgent need to develop policies so that, in the next few years, the emission of carbon dioxide and other highly polluting gases can be drastically reduced, for example, substituting for fossil fuels and developing sources of renewable energy.” (no. 26) *Laudato Si’* also contains a call to “integrate questions of justice in debates on the environment, so as to hear both the cry of the earth and the cry of the poor” (no. 49).

Senate Bill 613 embodies both aspects of this broad moral vision. The bill’s focus on making permanent the successful Community Solar Energy Generating Systems Pilot Program will increase the contribution of renewable energy to Maryland’s electric generating capacity. This is responsive to Pope Francis’s call that “the use of highly polluting fossil fuels...be progressively replaced without delay,” especially where sources of renewable energy are widely accessible (no. 165). The bill also sets a floor of 40 percent of the kilowatt-hour output of new community solar systems that must be dedicated to low- and moderate-income subscribers. This provision, combined with changes in law that facilitate consolidated billing of community solar subscription charges and that prohibit sign-up fees and other disincentives for low- and moderate-income subscribers, will ensure real equity in the access of all Marylanders to solar power.

Thank you for your consideration of our views and our respectful request for a **favorable** report on Senate Bill 613.

* The English text of the encyclical, to which the paragraph numbers in the following parentheses refer, can be found at: https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html.

SB 613, FAV, OCE Testimony, Venable, LS23.pdf

Uploaded by: Victoria Venable

Position: FAV



FREDERICK COUNTY GOVERNMENT

OFFICE OF THE COUNTY EXECUTIVE

Jessica Fitzwater
County Executive

Victoria Venable, Legislative Director

SB 613 – Electricity – Community Solar Energy Generating Systems Program

DATE: February 28, 2023
COMMITTEE: Senate Education, Energy, and the Environment Committee
POSITION: Favorable
FROM: The Office of Frederick County Executive Jessica Fitzwater

On behalf of the Office of the Frederick County Executive, I urge the committee to give SB 613 – Electricity – Community Solar Energy Generating Systems Program a favorable report. This bill builds on legislation this body passed in 2015 to establish a Community Solar Pilot Program. Crucially, this bill makes that program permanent and offers critical improvements to maximize the impact and equity of this important program.

Maryland has had a community solar pilot program since 2017, providing homeowners, renters, and businesses the opportunity to save money and contribute to the clean renewable energy shift. Whether their home isn't compatible, they do not own their roof, or they cannot afford the upfront costs, an estimated 75% of Maryland households cannot access rooftop solar. By using a subscriber model, community solar helps close that accessibility gap.

However, the current pilot program, which was extended in 2019, is set to sunset next year. Without legislative action, no additional community solar projects can apply to be built after July of 2023. This bill would make community solar a permanent part of Maryland's clean energy portfolio and include other improvements to the program.

Many Frederick County residents have benefitted from the Community Solar Pilot Program and have advocated for it to become a permanent program. In the Fall of 2022, former County Executive Jan Garner solicited public input for legislative priorities for the 2023 session. Several organizations and constituents highlighted the need to pass legislation to continue and expand community solar.

Community solar helps customers lower their energy costs and contributes to the state's renewable energy set in the Clean Energy Jobs Act as well as the climate pollution reduction goals established in the Climate Solutions Now Act. Community solar is a creative and innovative strategy to invest in clean energy that can directly benefit consumers. Maryland was one of the first states to pass community solar policies but now there are 22 states and the District of Columbia that have established community solar programs.

While Maryland's Community Solar Pilot Program has been largely successful for those who have subscribed, this bill also offers some changes to the program to make it more equitable and effective. The pilot program, at the direction of the legislature, had a portion of the program reserved for low and moderate-income (LMI) families. This bill builds on that ethos and will require all Community Solar projects going forward to include at least 40% of their subscribers in the LMI category.

Frederick County: Rich History, Bright Future

Winchester Hall • 12 East Church Street, Frederick, MD 21701 • 301-600-1100 • Fax 301-600-1050
www.FrederickCountyMD.gov

Another important change to the community solar program is requiring utility consolidated billing (UCB). Currently, community solar subscribers receive two bills – one from the solar project for the energy generation and the other from the utility company for energy delivery. This process is not only inefficient, complicated, and confusing to customers, it also creates a barrier for low-income households that receive Energy Assistance benefits because that payment is sent directly to the utility and cannot be applied to the community solar bill. By requiring utility consolidated billing, we can expand accessibility of community solar to Marylanders who rely on Energy Assistance and make the community solar billing process simpler for all customers.

Thank you for your consideration of SB 613. On behalf of County Executive Fitzwater and the residents of Frederick County, I urge a favorable report.

Victoria Venable
Legislative Director
Office of the Frederick County Executive

Brooks_SB613.pdf

Uploaded by: Benjamin Brooks

Position: FWA

BENJAMIN BROOKS
Legislative District 10
Baltimore County

Education, Energy, and the
Environment Committee



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Annapolis Office
James Senate Office Building
11 Bladen Street, Room 303
Annapolis, Maryland 21401
410-841-3606 · 301-858-3606
800-492-7122 Ext. 3606
Benjamin.Brooks@senate.state.md.us

District Office
Windsor Mill Office
8419 Liberty Road, Suite B
Windsor Mill, Maryland 21244
410-496-4037

TESTIMONY IN SUPPORT WITH AMENDMENTS OF SB613
Electricity – Community Solar Energy Generating Systems Program

Education, Energy and the Environment Committee
February 28, 2023

Chair Feldman, Vice-Chair Kagan and Members of the Committee,

Thank you for the opportunity to testify before you on SB613, Community Solar Energy Generating Systems Program. The purpose of this bill is to make the community solar a permanent part of Maryland's solar energy portfolio and include other improvements to the program.

Over seven years ago, Maryland was a trailblazer by being one of the first states to embrace community solar with the enactment of the Community Solar Energy Pilot Program. Today, approximately half of the states and the District of Columbia have laws that support community solar. Without enactment of legislation this session, Maryland's Pilot program is scheduled to sunset, leaving a substantial disruption to the community solar development market.

SB613, as amended, has the support of the community solar development community, environmental community, low and moderate income (LMI) advocates, consumer groups, and many others; and will do the following:

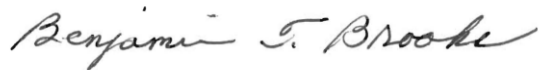
1. Make the Community Solar Pilot Program permanent.
2. Require developers to dedicate at least 40% of a community solar project's capacity to LMI families.
3. Require the option of consolidated billing for community solar subscribers.
4. Expand co-location to further incentive projects in difficult to build areas – like rooftops, industrial zones, brownfields, and parking lots. In addition, it would allow co-location on farmland in which Agrivoltaics are used. Agrivoltaics is the simultaneous use of land for both solar power generation and active agriculture.

Community solar provides homeowners, renters and businesses equal access to the economic and environmental benefits of solar energy generation regardless of where they live or their income-level. SB613 ensures that all Marylanders who pay their own utility bills can subscribe to most community solar projects as long as the project is in their utility service area (BGE, PEPCO, etc.).

Community solar creates jobs, generates economic activity, and increases local revenues. Subscribers of community solar will save money on their electric bills. In addition, community solar will also reduce peak demand electricity, which means all ratepayers will save money. Finally, passage of this legislation will attract investors and leverage billions of federal dollars for renewable energy development in Maryland.

For these reasons, I am requesting a favorable report.

With kindest regards,

A handwritten signature in cursive script that reads "Benjamin T. Brooks".

Benjamin Brooks

NRG Comments on SB 613 Community Solar Billing.pdf

Uploaded by: Brett Lininger

Position: FWA



SENATE BILL 613 – ELECTRICITY – COMMUNITY SOLAR ENERGY GENERATION SYSTEMS PROGRAM

FAVORABLE with AMENDMENT

SENATE ENERGY, EDUCATION, AND THE ENVIRONMENT COMMITTEE

February 28, 2023

NRG Energy, Inc. (“NRG”) submits these comments in **support** of **SB 613 – Electricity – Community Solar Energy Generation Systems Program**.

NRG is the leading integrated energy and home services company powered by its customer-focused strategy, strong balance sheet, and comprehensive sustainability framework. A Fortune 200 company, NRG brings the power of energy to millions of North American customers. Our family of brands help people, organizations and businesses achieve their goals by leveraging decades of market expertise to deliver tailored solutions. Our retail brands serve more than six million customers across North America, including here in Maryland, where NRG owns seven companies that are licensed by the Public Service Commission to serve retail customers.

The NRG retail companies are committed to delivering value added products and services – including access to community solar subscriptions – to our customers. SB 613 will make that easier by enabling customers receive a single bill that includes both their community solar subscription charges, as well as their electricity supply and delivery charges, from the regulated utility.

NRG supports SB 613 because it ensures that customers have the best experience possible when exercising their right to choose their energy supply services, including community solar. NRG has long advocated for policies that enable customers to receive a single bill from their energy supplier. In fact, in response to a request from NRG and other suppliers, the PSC took action to make Supplier Consolidate Billing (SCB) a reality by the end of 2023. Under SCB, suppliers will gain the ability to offer a consolidated bill that includes not only their supply charges, but also the regulated utilities’ delivery charges, and other value-added service charges – including community solar fees and credits – if they so choose. Consolidated bills are essential to meeting customers’ expectations. Customers prefer a single bill for both its convenience and because it enables them to understand their energy purchasing decisions more easily.

While SB 613 will ensure that customers receiving utility consolidated bills enjoy the convenience of a single bill that they demand, NRG offers an amendment aimed at ensuring that collection of electricity supply and delivery services charges are not impacted by the addition of community solar subscription charges to the utility bill.

Thank you for the opportunity to share our perspective on SB 613 and for the above reasons NRG urges the Committee to amend the bill and give it a **favorable** report.

Proposed Amendment:

Page 3, line 13, after "COORDINATOR." insert:

(III) REMITTANCE OF ELECTRICITY DELIVERY AND SUPPLY CHARGES SHALL SUPERSEDE THE REMITTANCE OF SUBSCRIPTION CHARGES; AND

(IV) A CUSTOMER'S ELECTRICITY SERVICE MAY NOT BE TERMINATED FOR NONPAYMENT OF SUBSCRIPTION CHARGES.

NRG Energy, Inc. Contact Information

Sarah Battisti, Director Government Affairs, NRG Energy, Inc., 804 Carnegie Center, Princeton, NJ 08540, 717-418-7290, sarah.battisti@nrg.com

John Fiastro, Fiastro Consulting, 1500 Dellsway Road, Towson, MD 21286, 443-416-3842, john@fiastroconsulting.com

Brett Lininger, Kress Hammen Government Affairs, 204 Duke of Gloucester Street, Annapolis, MD 21401, 443-527-4837, brett@kresshammen.com

OPC Testimony SB0613 - Favorable with amendments.p

Uploaded by: David Lapp

Position: FWA

DAVID S. LAPP
PEOPLE'S COUNSEL

WILLIAM F. FIELDS
DEPUTY PEOPLE'S COUNSEL

JULIANA BELL
DEPUTY PEOPLE'S COUNSEL

— OPC —
OFFICE OF PEOPLE'S COUNSEL
State of Maryland

6 ST. PAUL STREET, SUITE 2102
BALTIMORE, MARYLAND 21202
WWW.OPC.MARYLAND.GOV

BRANDI NIELAND
DIRECTOR, CONSUMER
ASSISTANCE UNIT

BILL NO.: Senate Bill 613
Electricity – Community Solar
Energy Generating Systems Program

COMMITTEE: Education, Energy, and the Environment Committee

HEARING DATE: February 28, 2023

SPONSOR: Senators Brooks, Feldman, M. Washington, King,
Kramer, Zucker, and Elfreth

POSITION: Favorable with amendments

The Office of People's Counsel supports SB 613, making permanent the Community Solar Energy Generating Systems Pilot Program. This bill will support the further development of community solar, benefitting not only the residential utility customers who subscribe to future projects, but also the State as a whole, as we work to achieve the ambitious greenhouse gas reduction goals set under the Climate Solutions Now Act.

In addition to making the pilot program permanent, SB 613 updates the program in several significant ways, including (i) requiring that most community solar energy generating systems serve at least 40% of their kilowatt-hour output to low- and moderate-income (LMI) subscribers, (ii) allowing customers to verify income eligibility through self-attestation, and (iii) authorizing consolidated billing for subscription charges. OPC suggests amendments to the bill on the self-attestation and consolidated billing provisions as described below.

- 1. The requirement that 40% of output serve LMI subscribers is beneficial, but allowing self-attestation to verify income eligibility undermines that goal.**

OPC supports SB 613's requirement that new community solar energy generating systems serve "at least 40%" of their output to LMI subscribers unless the system is

wholly owned by the subscribers themselves. Unlike rooftop solar, which can require substantial up-front capital investments, community solar makes the benefits of renewable energy more readily available to LMI households by allowing utility customers who rent their homes or are otherwise unable to purchase or lease rooftop solar panels to power their households with solar energy through a subscription arrangement. The effort to ensure that community solar projects reach the LMI population is an important means of advancing clean energy in a manner making it accessible to everyone.

The option for customers to self-attest to their income eligibility, not under oath or penalty of perjury, risks undermining the benefits associated with the minimum LMI subscriber requirement. Although a customer may choose to provide income verification in the form of participation in other government assistance programs, pay stubs, income tax documents, proof of residence in an affordable housing facility, or proof of residence within a census tract that is an “overburdened community” or an “underserved community,” those verification methods are largely illusory given the allowance for self-attestation.

The self-attestation provision may result in unreliable and inflated percentages of LMI participation and unintentionally undermine efforts to serve LMI customers. It is important to ensure that actual LMI customers are covered by the program, even if that means that the ambitious 40% goal needs to be lowered. For this reason, OPC recommends striking from the bill proposed subsection 7-306.2(f)(iv)(1), the provision allowing for “self-attestation that does not need to be under oath or penalty of perjury.”

2. Community solar should make consolidated billing available for subscriber fees, subject to the same purchase of receivables protocols as retail suppliers.

SB 613 would require an electric utility to, at the request of a subscriber organization, include the monthly subscription charge on the monthly bill rendered by the electric utility and remit payment received for those charges to the subscriber organization. This consolidated billing process can provide customers with the convenience of only paying one bill each month and increase the ease with which the customer can understand how the community solar credits and subscription fees were applied on one bill. Even more importantly, permitting consolidated billing would allow customers who receive financial assistance through the Electric Universal Service Program (EUSP) to use their EUSP benefits towards subscription fees rather than just the commodity portion on their bills. Under the current billing structure, EUSP benefits can only be applied toward the utility bill, even if a portion of the bill is reduced or eliminated as a result of credits earned through community solar subscription. Enabling EUSP credits to be applied to the subscription fee itself will prevent customers from having to

pay those fees out of pocket, making subscription a more realistic option for low- and moderate-income customers.

As we have seen in the retail supplier context—where consolidated billing is already available—there are also downsides to consolidated billing because it currently incorporates the requirement that utilities purchase the accounts receivable of the retail supplier. The purchase of receivables means that debt for a community solar subscriber’s subscription charges is passed on to utilities, such that (1) subscriber organizations would bear no liability and may be perversely incentivized to enroll customers, regardless of their ability to pay; and (2) nonpayment of a subscription fee can become grounds for termination of utility service. OPC is currently involved in efforts to address these concerns in the retail supply context. To ensure that the community solar programs incorporate fixes to these downsides of consolidated billing, OPC recommends that the proposed subsection 7-306.2(g)(1)(i) be amended to provide that consolidated billing is subject to the same purchase of receivables protocols as retail suppliers.

3. As participation in net metering participation grows, so too does the impact on non-participating customers.

Customers who participate in net metering—whether through community solar or installing their own rooftop solar arrays—reduce their contributions to the distribution system by receiving credits on their bills for both the commodity charge and a portion of the distribution charge. The reduced distribution system contribution occurs despite the net metering customers continued use of that system, creating a potential fairness issue for non-net metering customers since they must pay the distribution system costs that net-metering customers avoid. While the impact to customers is relatively small today, the more residential customers that participate, the greater the impact on non-net metering customers will become. SB 613 should have a limited impact on non-net metering customers because the bill does not alter the overall cap limiting the megawatts available for net energy metering in Maryland, and the State has only met roughly one third of the cap to date. Further, it is apparent that expanded distributed generation will be important for the State’s effort to meet its climate goals and that more distributed generation may decrease overall spending needs for the distribution system. Further analysis of this issue would, however, be beneficial for the future, as participation in net metering generally, and community solar particularly, continues to grow as intended.

4. The General Assembly should consider the impact of decommissioning community solar generating systems.

In seeking to increase the number of community solar generating systems in the State, the General Assembly should also consider how to handle decommissioning these projects when they reach the end of their useful lives. In the case of a solar project that

requires a Certificate of Public Convenience and Necessity (CPCN), it is regular practice for the Commission to require the solar developer to provide a decommissioning plan and a mechanism for funding decommissioning. Although not at the same scale as projects developed under a CPCN, there is still a risk that some community solar projects may be abandoned, rather than properly decommissioned, when no longer useful. A decommissioning plan ensures that when the project reaches the end of its useful life, the land is properly restored, addressing issues such as the responsible party(ies), timeframes, estimated costs for decommissioning, dismantling, removal, and proper disposal of all components, including any components containing hazardous or toxic materials. Further, requiring a subscriber organization to obtain a surety bond or some other funding mechanism to cover the cost of decommissioning ensures that these costs are not borne by the State at the end of a project's useful life. OPC does not have a position on whether decommissioning requirements should be considered as part of this bill or in the future, only that they should be considered.

5. SB 613 should not be amended to allow investor-owned utilities to participate.

Under the community solar pilot program and SB 613 as written, municipal and cooperative utilities may participate in the program, but investor-owned utilities (IOUs) may not. OPC understands that the IOUs have proposed amendments to SB 613 that would allow them to enter the community solar market. Any such amendment should be rejected. There are important policy reasons for keeping IOUs—which hold State-granted monopolies over distribution—from participating in the community solar generation market. There is no reason that captive ratepayers should finance utility participation in the competitive market for community solar when there are non-utilities that can privately finance community solar investments. Further, thanks to their monopoly status, IOUs hold unearned advantages—in the form of name recognition and loyalty, access to customer data and information, etc.—that have great potential to undermine competition in the market for community solar. Undermining competition means higher prices and less innovation.

Recommendation: OPC requests a favorable Committee report for SB 613 with the amendments on self-attestation and purchase of receivables, as described above.

SB 613 - Electricity - Community Solar Energy Gene

Uploaded by: Donna Edwards

Position: FWA



MARYLAND STATE & D.C. AFL-CIO

AFFILIATED WITH NATIONAL AFL-CIO

7 School Street • Annapolis, Maryland 21401-2096

Balto. (410) 269-1940 • Fax (410) 280-2956

President

Donna S. Edwards

Secretary-Treasurer

Gerald W. Jackson

SB 613 - Electricity - Community Solar Energy Generating Systems Program Senate Education, Energy, and the Environment Committee February 28, 2023

SUPPORT WITH AMENDMENT

**Donna S. Edwards
President**

Maryland State and DC AFL-CIO

Chairman and members of the Committee, thank you for the opportunity to submit testimony in support of SB 613 with amendments. My name is Donna S. Edwards, and I am the President of the Maryland State and District of Columbia AFL-CIO. On behalf of Maryland's 300,000 union members, I offer the following comments.

SB 613 makes the existing community solar program permanent and increases its focus on delivering solar energy to low and moderate income subscribers. Solar energy is a core component of Maryland's transition away from fossil fuels, but the industry suffers from low pay and limited career advancement opportunities. Adding quality job standards to SB 613 ensures workers hired to build and maintain these community solar programs for low and moderate income subscribers will not continue to be eligible for energy assistance programs.

Maryland Matters reported that, "A study on SEIF funds for FY 21 showed that 52% of the proceeds went to energy bill assistance programs in Maryland, whereas for the RGGI states overall just 15% of the funding went to bill assistance. In Maryland, 20.5% of the funds went to energy efficiency programs, compared to 54% of funding going to energy efficiency in all the RGGI states collectively." Our state's approach to transitioning away from fossil fuels should be building abundant clean and renewable energy sources, not to continuously subsidize the high energy bills of a larger and larger share of Maryland's residents. With SB 613 we have an opportunity to directly incentivize new energy creation and decrease the number of workers that we need to provide energy subsidies by requiring quality job standards.

We propose an amendment, similar to the job requirements found in other legislation proposed this year and included in the Clean Energy Jobs Act of 2019, that set minimum job standards for workers on community solar projects.

To be added to 7-306.2 on Page 9, Line 10, moving and renumbering all following paragraphs accordingly:

“(20) EMPLOYERS BUILDING OR MAINTAINING A COMMUNITY SOLAR ENERGY GENERATING SYSTEM SHALL MEET THE FOLLOWING JOB REQUIREMENTS:

- 1. PAY AT LEAST 150% OF THE STATE MINIMUM WAGE;*
- 2. PROVIDE CAREER ADVANCEMENT TRAINING;*
- 3. AFFORD EMPLOYEES THE RIGHT TO BARGAIN COLLECTIVELY FOR WAGES AND BENEFITS;*
- 4. PROVIDE PAID LEAVE;*
- 5. BE CONSIDERED COVERED EMPLOYMENT FOR PURPOSES OF UNEMPLOYMENT INSURANCE BENEFITS IN ACCORDANCE WITH TITLE 13 OF THE LABOR AND EMPLOYMENT ARTICLE;*
- 6. ENTITLE THE EMPLOYEE TO WORKERS’ COMPENSATION BENEFITS IN ACCORDANCE WITH TITLE 9 OF THE LABOR AND EMPLOYMENT ARTICLE;*
- 7. BE COMPLIANT WITH FEDERAL AND STATE WAGE AND HOUR LAWS FOR THE PREVIOUS 3 YEARS;*
- 8. OFFER EMPLOYER–PROVIDED HEALTH INSURANCE BENEFITS WITH MONTHLY PREMIUMS THAT DO NOT EXCEED 8.5% OF THE EMPLOYEE’S NET MONTHLY EARNINGS; AND*
- 9. OFFER RETIREMENT BENEFITS.”*

The bill currently defines low and moderate income subscribers as annual household income at or below 200% of the federal poverty level and moderate-income means having an annual household income that is at or below 80% of the median income for Maryland.

Renewable energy generation, transmission, and storage are the growth industries of the future. For these projects it is paramount that we apply labor standards. We must set high standards for the emerging energy jobs to ensure that we are setting up the next generation of workers to be as successful as the ones that precede them.

We urge the committee to issue a favorable report with our amendments.

Written Testimony in Support of SB613.pdf

Uploaded by: Michael Rosenblum

Position: FWA

Committee: Education, Energy, and the Environment
Testimony on SB613 “Electricity – Community Solar Energy Generating Systems Program”

Position: SUPPORT WITH AMENDMENTS

Hearing Date: February 28, 2023

Dear Chair Feldman, Vice-Chair Kagan, and Members of the Senate Education, Energy, and the Environment Committee,

We write to you as Maryland residents and customers of community solar who have done substantial research into how community solar works to expand clean power deployment and access in our state. Community solar has been a substantial benefit for our families, as well as our communities, and we strongly support this bill which would continue and expand the innovative community solar pilot program that Maryland has adopted as a national leader.

SB 613 would support the creation of new jobs, expand the deployment of new clean power, expand affordable access to renewable energy—especially for low- and moderate-income (LMI) households, renters, and others who cannot afford or are not able to install rooftop solar— save Maryland residents money on their electricity bills, reduce customer confusion and greenwashing over renewable electricity procurement, and reduce air pollution and improve public health outcomes. There is fundamentally no downside to passing this bill, and by contrast, it presents a no-cost opportunity to improve environmental, economic, and public health conditions in our state, while positioning Maryland as a national leader in clean energy that can influence comparable adoption in other regions. Therefore, we wholeheartedly support this bill and ask you to do the same.

Additionally, we ask you to please consider the following amendments that would strengthen the bill:

1. **Require each utility to publicly list on their website an explanation of the benefits of community solar and a comprehensive list of community solar providers in Maryland with links updated at least annually.** This will help interested residents understand the benefits of community solar and to explore and compare options for signing up. The current information on utility websites does not provide sufficient information to customers to understand the program, benefits, and providers.
2. **Create a dedicated maryland.gov webpage for community solar that includes a list of all community solar providers for each utility updated at least annually.** The purpose is to help interested residents understand the benefits of community solar and to explore and compare options for signing up. The current maryland.gov websites do not provide this. Instead, the current site provides lists of all approved community solar projects, which are long and provide insufficient information for finding a community solar provider to subscribe to.

3. **Require that all community solar contracts between providers and users include a no cost termination clause that allows the user to terminate the contract at any time for any reason without cost.** This clause is already the default for many community solar providers, and it would reassure potential users. Some community solar contracts have a long duration, but with a no cost termination clause this becomes a pure benefit to the user since they can quit anytime but otherwise their utility bill savings are locked in for the entire contract duration.
4. **Clarify language in the bill to state that the program applies to all Maryland residents and not just LMI-qualifying residents.** Although we support enhanced savings for LMI households, there are many residents above LMI thresholds that would benefit from access to clean power from community solar, and this should be stated clearly in order to maximize participation at all scales.
5. **Require all utilities to mail or email clear, concise information on what community solar is, its benefits, and current options for how to sign up (including the current list of community solar providers) to all individuals in Maryland who pay a residential utility bill.** This can be included, e.g., as an insert in a utility bill or as an email if bills are received electronically.
6. **Allow utility consolidated billing for all subscribers.** The current system involving separate bills from the utility and from the community solar provider poses an unnecessary impediment to users and may lead to lower uptake. The utility should consolidate billing into a single bill, just as they currently do for residents who select to use third-party electricity providers.
7. **Make it easier for LMI subscribers to be verified, including self-attestation.** Under the current setup, it is quite onerous for LMI subscribers to provide proof that their income is below the LMI threshold. Instead, signing a self-attestation would suffice and lower this major barrier to serving LMI residents (which often are from underrepresented minorities, so this will also improve equity).

We thank you for your leadership in advancing this critical legislation at a time when rapid and transformational change of our energy infrastructure is required—and for considering the above amendments to this outstanding bill.

We have no financial connection to community solar providers other than being happy customers.

For more information on the benefits of community solar, please see the following op-ed in the Baltimore Sun titled:

“Maryland’s community solar pilot program can help you save money — and the planet” by Michael Rosenblum and Julian Goresko (Director of Sustainability at Johns Hopkins University), May 10, 2022, available at the following link:

<https://www.baltimoresun.com/opinion/op-ed/bs-ed-op-0511-community-solar-20220510-rqwghsiajbohlwqgw4cpbin7m-story.html>

Signed,



Michael Rosenblum, PhD
Professor, Department of Biostatistics
Johns Hopkins Bloomberg School of Public Health

Julian Goresko
Director, Office of Sustainability
Johns Hopkins University



The views in this document reflect the individual position of the signatories and not the Johns Hopkins Bloomberg School of Public Health or Johns Hopkins University.

2023- SB 613-PHI-OPP FINAL.pdf

Uploaded by: Anne Klase

Position: UNF



February 28, 2023

112 West Street
Annapolis, MD 21401

Oppose unless Amended – Senate Bill 613 - Electricity – Community Solar Energy Generating Systems Program

Potomac Electric Power Company (Pepco) and Delmarva Power & Light Company (Delmarva Power) respectfully oppose *Senate Bill 613- Electricity – Community Solar Energy Generating Systems Program*, unless the bill is amended as described below. House Bill 908 would make the Community Solar Energy Generating Systems Pilot program permanent in Maryland. By continuing the program, a community solar energy generating system would be required to serve at least 40% of its kilowatt-hour output to low-income and moderate-income subscribers, authorize subscription coordinators to act on behalf of a subscriber organization, alter the requirements related to the siting and size of certain projects and authorize the use of consolidating billing for subscription charges.

Community solar refers to an arrangement in which a utility customer buys a “subscription” to a portion of energy generated by a Community Solar Energy Generating System (known as “CSEGS”). The owner of the solar power project is called a “subscriber organization” and the customer, called a “subscriber.” A customer/subscriber will receive bill credits on their regular energy bill based on the energy generated by the CSEG and their contracted subscription allocation. The bill credit reduces the customer’s electric utility bill depending on how much energy was generated. Each kilowatt-hour (kWh) of energy output purchased through a “subscription” with the subscriber organization results in one less kilowatt-hour of electricity charged to the subscriber by the customer’s electricity supplier. Each billing period, a participating community solar project notifies a subscribing customer’s local utility how many kWh credits to apply to the subscriber’s electric utility bill. The utility applies these credits as either a dollar or kWh credit to reduce the kWh charges on the customer’s bill.

Passed in 2015, House Bill 1087- Electricity - Community Solar Energy Generating System Program (the “Pilot Program”) established the Community Solar Pilot Program. The pilot program was designed to provide access to solar-generated electricity – in a manner similar to rooftop solar and net metering – without requiring property ownership. The PSC was required to adopt regulations consistent with the Pilot Program and did so after an extensive stakeholder process. Additionally, the PSC, in consultation with the Maryland Energy Administration (MEA), must convene a stakeholder workgroup to study the value and costs of the pilot program and make recommendations on the advisability of establishing a permanent program. The pilot is scheduled to run through the end of 2024 and projects that come online during the pilot phase of the program may continue to operate and serve subscribers until 2049, unless the customer’s subscription contract ends on an earlier date. The report on the Pilot Program has not been published by the PSC yet and the findings of that study are likely to provide valuable information to the legislature as it seeks to evaluate the merits and structure of a permanent program.

Senate Bill 613, in addition to establishing a permanent community solar program, requires an electric company to establish a consolidated billing system as a way to combine community solar credits and utility charges together on one single electric bill. Currently, subscribers receive two separate bills, one from the electric company, and a separate bill from the community solar provider.

While Pepco and Delmarva Power currently provide consolidated billing to third party energy suppliers, this consolidated billing program requires an electronic data interchange (EDI) transaction to transmit information between the supplier and utility. Pepco and Delmarva Power do not have an established EDI structure for the data exchange that would be required between the utility and community solar providers. Such a structure would require significant changes to our current system which will take time and will cost money. While the bill language allows for an electric company to collect a fee from subscriber organizations that use consolidated billing, the legislation proposes that the fee may not exceed 1% of the credit value to the subscriber. This limitation bears no relevance to the actual cost of the changes needed to be made in our system and may not cover the full cost incurred by Pepco and Delmarva Power. In lieu of the 1% arbitrary limitation, the utilities implementing these system changes must be allowed to recover all of the costs of that implementation. In addition, we are unable to implement these changes until December 31, 2024.

Senate Bill 613 also allows for co-located projects to be up to 10MW if the combined capacity of the generating system does not exceed 10MW and at least 75% of the aggregate capacity of the co-located community solar energy generating system serves LMI subscribers or is used for agrivoltaics. The Committee may want to consider the idea of expanding the eligibility requirements which makes it easier to qualify for a 10MW project, will allow for bigger projects, which may result in fewer projects being developed and specifically fewer community-based projects.

Finally, Investor-Owned Utilities (IOUs) are currently unable to participate in community solar programs. While community solar is still a new concept and there is limited understanding of the different business models and program designs, there have been many successful utility-owned community solar projects throughout the United States. These projects have helped utilities improve relationships with customers, reduce energy costs, and increase customer engagement in meeting renewable energy goals, particularly in low-income communities. Pepco and Delmarva Power recognize that states, cities, utilities, community organizations, nonprofits, solar developers, and financial institutions all have important roles to play in ensuring the success of community solar. Utility-led and private developer-led community solar programs together can maximize solar growth and help to immediately mitigate the effects of climate change and the IOUs should be allowed to participate in the offering of community solar to low-income communities. While community solar can provide low-and moderate-income customers with much-needed electricity bill savings, reaching these customers will require innovative ideas, focused policy support, and deliberate program design and engagement. Pepco and Delmarva Power ask that the Committee consider enabling electric utilities and electric and gas utilities to participate in the community solar program should this program continue. We believe that with utility participation, we can help reach our state's aggressive climate goals, and continue to support efforts to create a more inclusive and equitable clean energy future. We know community solar energy program provides an opportunity for customers to benefit from renewable energy supply options in Maryland and we hope to be a part of that effort in a more meaningful capacity.

We have shared the information above with the bill sponsor, and we look forward to continuing conversations.

Contact:

Anne Klase
Senior Manager, State Affairs
240-472-6641
Anne.klase@exeloncorp.com

Katie Lanzarotto
Manager, State Affairs
202-428-1309
Kathryn.lanzarotto@exeloncorp.com

BGE-EEE-OPP-Senate Bill 613- Electricity – Communi

Uploaded by: Dytonia "Dy" Reed, Esq.

Position: UNF

Oppose unless amended
Education, Energy and
Environment
3/2/2023

Senate Bill 613- Electricity – Community Solar Energy Generating Systems Program

Baltimore Gas and Electric Company (BGE) opposes, unless amended, Senate Bill 613 - *Electricity – Community Solar Energy Generating Systems Program*, unless amended. Senate Bill 613 amends Public Utilities Article, Section 7-306 by making permanent the Community Solar Energy Generating Systems (CSEGS) Pilot Program, which is scheduled to end in December 2024.

While BGE sees promise in Community Solar's role for achieving the state's energy goals, the company has significant concerns with the changes required in Senate Bill 613. We reviewed the Maryland Public Service Commission's testimony and agreed that concerns raised regarding co-location of CSEGS projects, and the expansion of co-location eligibility will undermine the true goal and purpose of the Community Solar Energy Program. The legislation permits projects as large as 10 megawatts to co-locate if at least 75% of the aggregate capacity is provided to low-to-moderate income subscribers. This will effectively limit the ability of small community-owned projects to develop. Senate Bill 613 also removes the project capacity limits that exist in the current program. Removing the project caps allows CSEGS to use a larger amount of the overall net metering capacity. When larger projects use BGE's feeder and distributive generation system it limits another customer's ability to construct their own solar project.

Senate Bill 613 also requires significant changes to Utility Consolidated Billing provisions that could have unintended consequences for customers. Traditionally charges unrelated to utility services have not been part of a utility bill. As written, the legislation creates a new category of unpaid charges CSEGS fees on a customer's utility bill that would subject customers to the utility collection and disconnection process.

Further, the timeline for the legislation is aggressive and resource intensive. BGE is also already undertaking significant upgrades to our IT systems to accommodate requirements associated with Supplier Consolidated Billing, which was approved by the Commission and is scheduled to go-live by December 1, 2023. The company is also implementing the Low-Income Supply Offer Tracking project (legislatively mandated in 2021 under HB397/SB31), scheduled to go-live by July 1, 2023. The bill would require the Maryland Public Service Commission (Commission) to promulgate regulations pertaining to consolidated billing by April 1, 2025. The legislation will require significant additional modifications to BGE's IT system. A preliminary high-level estimate of the cost to modify our system is over \$20 million.

Finally, to achieve the State's decarbonization goals, it will require efforts from all stakeholders and partners across the state. The legislation should allow BGE to leverage our expertise, resources, and long-standing history of serving low to moderate income families to develop and own community solar projects.

BGE respectfully asks that the legislation be amended to enable electric utilities to participate in the community solar program going forward. We recognize that the community solar energy program provides an opportunity for customers to benefit from renewable energy supply options in Maryland. We have made investments in renewable energy and would like to expand beyond using renewable energy just to power our facility in Baltimore City. Currently, BGE has deployed solar technology at our Spring Gardens facility in Baltimore City. The solar array at Spring Gardens has a capacity of 155kW and covers a 25,390 sq ft area with minimal ground disturbance. The facility has an output of approximately 206,000 kWh of electricity per year. The array reduces the amount of electricity BGE must purchase from the grid to power operations at Spring Gardens.

BGE is well-positioned to deploy community solar projects and welcomes the opportunity to expand participation to help the state achieve its energy and decarbonization goals.

BGE has shared with the bill sponsor our concerns described herein, but respectfully requests an unfavorable committee report for Senate Bill 613 unless amended.

BGE, headquartered in Baltimore, is Maryland's largest gas and electric utility, delivering power to more than 1.2 million electric customers and more than 655,000 natural gas customers in central Maryland. The company's approximately 3,400 employees are committed to the safe and reliable delivery of gas and electricity, as well as enhanced energy management, conservation, environmental stewardship, and community assistance. BGE is a subsidiary of Exelon Corporation (NYSE: EXC).

SB 613_Unfavorable_Stanek.pdf

Uploaded by: Jason Stanek

Position: UNF

STATE OF MARYLAND



OFFICE OF THE CHAIRMAN

JASON M. STANEK

PUBLIC SERVICE COMMISSION

February 28, 2023

Chair Brian Feldman
Education, Energy and Environment
2 West, Miller Senate Office Building
Annapolis, Maryland 21401

RE: UNFAVORABLE – SB 613 – Electricity – Community Solar Energy Generating Systems Program

Dear Chair Feldman and Committee Members:

Senate Bill 613 amends PUA §7-306 and makes changes to the language regarding the administration of Community Solar Energy Generating Stations (CSEGS) in Maryland. The Public Service Commission oversees the status and general management of the Community Solar Pilot Program and I wish to provide the following information.

SB 613 seeks to make the Pilot Program (scheduled to end on December 31, 2024) a permanent program. This bill also makes extensive changes related to Community Solar in numerous subject areas including, but not limited to: Utility Consolidated Billing (UCB), program capacity limits, the expansion of co-location eligibility, and low- and moderate- income (LMI) verification. These changes to the operation of Community Solar in Maryland could have far-reaching impacts on ratepayers and residents.

The first major change adds language which allows CSEGS or Subscription Coordinators to use Utility Consolidated Billing on behalf of and without the consent of the customer. Under existing policies and regulations that are outlined within COMAR, any unpaid charges that appear on a utility bill will contribute to service disconnection balances, and could warrant disconnection. If CSEGS subscription fees are allowed to appear on a utility bill, then customers who do not pay their subscription fee will be subject to utility collection actions and service disconnection. To date, the Commission has never allowed charges unrelated to utility services to appear on the bill. Utility service terminations resulting from unpaid non-energy fees is unprecedented and could hurt Marylanders that wish to participate in Community Solar.

Utility Consolidated Billing is also currently used by electric retail suppliers within the state and requires both the use of a specific electronic transaction mechanism (EDI) and the use of a Purchase of Receivables mechanism (POR). While complicated, the EDI allows for the transfer of data from the supplier to the utility for the purpose of billing. The POR requires the utility to be responsible for collecting on debts that are owed to electric retail suppliers (or CSEGS) if customers default on their payments. SB 613 does not address the logistics of establishing an EDI and POR mechanism to permit community solar charges to appear on a customer's utility bill. To effectively enable UCB to be used for community solar fees and charges, these mechanisms need to be developed through work group processes, rulemaking sessions, and extensive utility programming. Importantly, any utility programming and IT costs that are required to establish a UCB process for CSEGS will be paid for by all ratepayers, regardless of their participation in the Community Solar program. Requiring community solar charges to appear on utility bills will take significant time and be a resource-intensive and costly process.

Second, SB 613 would remove existing limitations and capacity restrictions that are currently required under the pilot program. The bill language effectively removes program categories, project capacity limits, yearly capacity limits, electric company capacity limits, and sunset dates. This effectively ensures that the only capacity limit on CSEGS will be the 3,000 MW net metering cap. This change will allow CSEGS to use a large amount of the overall net metering cap, which, in turn, could limit the ability of Marylanders to construct their own solar projects. Despite CSEGS providing an option to residents who cannot install their own net metering project, CSEGS provide less financial benefits than customer-owned net metering projects.

SB 613 additionally makes changes to language relating to the co-location of CSEGS and the expansion of co-location eligibility. The bill will allow for co-located projects to have a maximum size of 10 MW, so long as the project provides at least 75% of its aggregate capacity to LMI subscribers or agrivoltaics.¹ This bill also expands the types of locations where CSEGS can co-locate, thus making it easier for community solar projects to be eligible for co-location and therefore eligible for 10 MW. This change will lead to bigger projects being developed, which will result in fewer overall projects, and limit the ability of small, community-owned CSEGS to participate. The potential large size of these projects will also limit the land that is available to be developed for general net metering use, and thus reduce the net metering capacity that is available. Additionally, 10 MW or larger projects would need to apply for a Certificate of Public Convenience and Necessity (CPCN), which may elongate the approval process for CSEGS projects.

The final major change that this bill proposes allows for a customer to verify low or moderate income ("LMI") status using a variety of methods, including the use of the honor system, *i.e.*, "self-attestation". This would allow customers to self-attest to their LMI status without requiring any evidence, such as proof of enrollment in other government assistance programs. Self-attestation, as written, does not require a customer to be under oath, and does not outline any penalty or penalty of perjury. This change would allow customers to attest to being

¹ Agrivoltaic is defined in SB 613 as "The simultaneous use of areas of land for both solar power generation and agriculture". The PSC notes that additional language is needed for this definition, and that there needs to be language outlining how a CSEGS would qualify as "agrivoltaic".

low income, when in fact they are not. Customers would have an incentive to attest because CSEGS may offer lower rates to LMI customers. This would effectively reduce participation and potential benefits that would otherwise go towards LMI customers. CSEGS also have incentive to enroll as many LMI customers as they can, because CSEGS projects will be required to reach the new 40% LMI goal and will strive to reach the 75% LMI goal in order to build a 10 MW project (as outlined in the bill). These factors could give both the customer and the CSEGS project an incentive to falsely attest to LMI status and engage in deceptive practices, which would effectively limit the ability of low-income customers to participate in Community Solar. Notably, the Public Service Commission issued an order on February 14, 2020 stating that self-attestation is an effective way of verifying LMI status, **only** if the self-attestation is accompanied by additional income verification documentation.

There are additional changes that create issues within the proposed language of this bill; however this letter intends to highlight the most impactful changes included in SB 613. In addition to being costly to all ratepayers, the bill will have major impacts on Maryland residents' participation in CSEGS (low-income customers in particular) and the overall administration of Community Solar. The bill also provides guidelines for the PSC to engage in rulemakings and establish regulations within strict timelines, which is unattainable given the time-consuming nature of both of these processes. For the reasons stated above, I request an Unfavorable vote on Senate Bill 613.

I appreciate the opportunity to provide information on SB 613. Please contact Lisa Smith, Director of Legislative Affairs, at (410) 336-6288 if you have any questions.

Sincerely,



Jason M. Stanek
Chairman

FINAL Opposition Letter SB613.pdf

Uploaded by: Kim Mayhew

Position: UNF

OPPOSE – Senate Bill 0613
SB0613 – Electricity – Community Solar Energy Generating Systems Program
Education, Energy, and the Environment Committee
Tuesday, February 28, 2023

Potomac Edison, a subsidiary of FirstEnergy Corp., serves approximately 280,000 customers in all or parts of seven Maryland counties (Allegany, Carroll, Frederick, Garrett, Howard, Montgomery, and Washington Counties). FirstEnergy is dedicated to safety, reliability, and operational excellence. Its ten electric distribution companies form one of the nation's largest investor-owned electric systems, serving customers in Ohio, Pennsylvania, New Jersey, New York, West Virginia, and Maryland.

Unfavorable

Potomac Edison / FirstEnergy **opposes Senate Bill 0613 – Electricity – Community Solar Energy Generating Systems Program**. SB0613 would make permanent the Community Solar Energy Generating Systems Pilot Program; authorize a subscription coordinator to act on behalf of a subscriber organization; alter requirements related to the siting and size of certain community solar energy generating systems projects; and authorize the use of utility “consolidated billing” for the benefit of subscriber organizations.

Potomac Edison / FirstEnergy requests an Unfavorable report on SB-0613 for the following reasons.

In 2015, the Maryland General Assembly required the Public Service Commission to create the Community Solar Energy Generating System Pilot Program, and Potomac Edison / FirstEnergy has been an active participant in the program. Since its inception, the Community Solar Pilot has had its challenges, and this legislation to make the pilot program permanent has areas of concern. A recent report prepared by the Public Service Commission and the Commission Staff has shown that the pilot program has not produced the benefits promised. The report concluded that Maryland ratepayers are ultimately responsible for recovery of all the program costs, including both recovery of subscriber credits and utility administrative costs.

Potomac Edison / FirstEnergy’s biggest concern with this bill is the requirement for electric utilities to implement “Consolidated Billing,” including Purchase of Receivables and Data Exchange protocols. Allowing community solar projects to participate in utility “Consolidated Billing” and requiring utilities to include their monthly subscription charges and then remit payments received back to them, should not be the responsibility of the utilities. The concept of Purchase of Receivables opens up all kinds of questions, including who would fund the program if charges were ultimately left unpaid by the subscriber organization’s customer, and how disconnections of that customer would be handled. The required new Purchase of Receivable rules are not defined and may be very problematic for the utilities. If customers not participating in community solar must fund the Purchase of Receivable shortfalls, that would not be fair to the vast majority of our customers. In addition, development of Data Exchange protocols is specified in the bill, but there are no scope or boundaries identified. This likely will require additional technology upgrades that will be both costly and time consuming.

The language allowing subscriber organizations and subscription coordinators to only pay a nominal charge to the electric utility (capped at 1%) to collect all their fees and charges does not adequately compensate the utilities for all the work involved. Potomac Edison / FirstEnergy has estimated that the cost to implement utility

“consolidated billing” for the changes proposed in this bill would be over \$2 Million. The 1% reimbursement charge to community solar organizations is estimated to only generate \$20,000/year – leaving an exceptionally large shortfall to be made-up. It is likely that each of the other electric utilities would face similar shortfalls. Requiring our company and all our other customers to make up this \$2 million shortfall is not fair, and the problem would be replicated all across the state. This will result in higher electric rates for all Maryland customers.

Making the Community Solar Generating Program permanent, and removing all the existing program categories and project generating capacity limits, effectively provides unlimited expansion for this subset of solar developers. Potomac Edison / FirstEnergy continues to oppose the subsidy inherent in the way Maryland has implemented net metering -- and believes this bill will further negatively impact our customers financially.

In addition, this bill significantly weakens existing colocation restrictions on community solar development. Maximum generating capacity was originally 2MW and was then increased to 5MW. This bill now proposes up to a 10MW project if the project qualifies as “agrovoltaics”. We believe this increase takes the program away from the “community solar” concept of offsetting usage that is geographically nearby – and makes it more similar to “utility-scale solar”. The major difference between those two is that “community solar” projects are paid back at the full retail rate for electricity, including distribution costs – whereas “utility-scale” projects only receive the market generation price for electricity.

For example, an average 2MW solar project outputs about 3 million kWh’s per year. If all kWh’s are used to offset the kWh’s on a residential bill, Potomac Edison’s distribution revenue will drop by approximately \$60,000 annually. Typically, no distribution system benefits result from these projects, as most community solar projects are installed on either mainline distribution circuits or sub-transmission lines in remote areas of our service territory. \$60,000 is just the annual cost of a single project, and Potomac Edison alone already has nearly 30 projects installed or in the pipeline. This loss in revenue results in a huge subsidy to solar subscribers from non-subscribers, and typically it is the solar system owners that enjoy most of the benefit.

Potomac Edison / FirstEnergy broadly supports a climate strategy to reduce greenhouse gas emissions through the integration of renewable energy on the electric grid, however changing the program and adding all these other regulations appears unworkable. Forcing electric utilities to drastically change their existing utility consolidated billing systems to maintain and process community solar supplier credits and establish Purchase of Receivables protocols and other processes would require considerable time and necessitate additional investments to our systems. The October 1, 2023, implementation date to change our billing system is aggressive, and the cost/benefit of doing so seems wasteful.

For the above reasons, and to avoid higher costs for all electric utility customers in Maryland, Potomac Edison / FirstEnergy respectfully request an **Unfavorable** report on Senate Bill 0613.

SB0613(HB0908) - LOI - Electricity - Community Sol

Uploaded by: Landon Fahrig

Position: INFO



TO: Members, Senate Education, Energy, and the Environment Committee
FROM: Paul Pinsky Director, MEA
SUBJECT: SB 613 - Electricity - Community Solar Energy Generating Systems Program
DATE: February 28, 2023

MEA Position: Letter of Information

Senate Bill 613 makes significant changes to the legal landscape of community solar in Maryland. Community solar is an important tool for Maryland to simultaneously achieve its energy and environmental goals, while serving Marylanders who may not otherwise realize the economic benefits of solar energy. The Maryland Energy Administration (MEA) highlights the following policy implications for the committee.

Senate Bill 613 removes all current community solar categories and requires every project to provide 40% of its energy to low-to-moderate income (LMI) subscribers. Setting goals of this percentage and in this manner may not produce the most desirable results. The bill does not appear to require that any of that energy be provided to low-income subscribers, so it is possible that projects may only serve moderate-income and higher income subscribers. Additionally, the 40% LMI subscription rate requirement may be difficult to achieve, which could discourage investment in community solar development overall, or possibly increase administrative costs associated with recruiting LMI subscribers.

The bill appropriately changes the definition of low income to align with the federal Inflation Reduction Act definition of 200% of Federal Poverty level, but it does not appear to address the issue that subsidized multifamily housing normally utilized U.S. Housing and Urban Development (HUD) standards, HUD defines low-income as 80% of area median income. It is possible that some residents of HUD subsidized housing may not meet the low-income definition within the bill.

Section 7.306.2(d)(13) removes the requirement to obtain a certificate of public convenience and necessity (CPCN) prior to construction of certain solar installations up to 10 megawatts in size. This would remove the coordinated review by State agencies of impacts on environment, natural resources, and socio-economic areas for these significant projects. The State would forgo the benefit of expertise within State agencies with experience in reviewing these projects and addressing the mitigation or avoidance of impacts from these projects. Alternatives to remove administrative burdens for these projects could include waiver of fees, or a more limited, streamlined, or expedited CPCN review process, particularly for rooftop solar projects.

This bill requires the Public Service Commission and utilities to allow consolidated billing (and purchase of receivables) at the request of the Subscription Coordinator or Subscriber Organization (at a small cost (1%) to the subscriber). This may address a billing issue that, though limited in scope, negatively affects Electric Universal Service Program (EUSP) benefit recipients. However, it may require additional utility investments in billing systems. It may also require solar developers to invest in the necessary information technology to effectively communicate generation/usage data to utilities, again, at a price.

The Maryland Energy Administration requests that the Committee consider the forgoing prior to rendering its report.