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Education, Energy, and the Environment Committee

Energy Subcommittee

Chair, Joint Electric Universal Service Program Workgroup

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TESTIMONY IN SUPPORT OF SB1025
Public Utilities – Distributed General Certificate of Public Convenience and Necessity

Education, Energy and the Environment Committee
March 7, 2024

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

Thank you for the opportunity to testify before you on SB1025: Public Utilities – Distributed Generation Certificate of Public Convenience and Necessity. This bill will establish the Distributed Generation Certificate of Public Convenience and Necessity (DG-CPCN), a new certification process required for constructing and operating solar energy projects (2-5 MW) in the State of Maryland. This new process is designed to streamline the development of renewable energy infrastructure while ensuring environmental protection and public safety.

Last year, I sponsored legislation making the Community Solar Program permanent in Maryland. Those projects are being implemented and we are poised to be a leader in that arena. SB1025 builds off the success of last session and serves to work in conjunction with that legislation. While we provided additional incentives last year to build community solar on rooftops, brownfields, industrial zones and parking lots, the truth is, community solar will also need to be constructed on the ground.

Under current law, 2-5 MW community solar projects must go through a CPCN process that was initially designed for large-scale power plants. For reference, the CPCN process was originally created through the Power Plant Siting Act of 1971 in response to concerns over the ability of the State to provide significant technical review of the impacts of the proposed Calvert Cliffs nuclear plant. However, this comprehensive review process does not make sense for smaller community solar projects which are usually sized between 2-5 megawatts. While the current CPCN review is valuable for ensuring high standards for new power plant projects, the rise in community solar projects may in fact overburden state agencies and developers with unnecessary roadblocks.

SB1025 would require the Power Plant Research Program (PPRP) to develop standard siting and design requirements for community solar projects and submit it to the Public Service Commission (PSC). These requirements must be in line with the State's renewable energy commitments, incorporating environmental preservation, reasonable setbacks, landscape

screening, and strict adherence to stormwater management, erosion control, and site stabilization. Additionally, these projects are required to minimize impacts on historic sites, ensure public safety, follow industry best practices, and comply with specific licensing conditions previously established by the Commission for solar energy generating systems. This process would be developed in collaboration with local governments, agricultural interests, environmental advocates, and the solar industry. Once these regulations are adopted, DG-CPCNs will be issued after a review by the PSC or a Public Utility Law Judge.

The benefits of this bill are clear:

1. Streamlining the CPCN process for community solar projects will accelerate the deployment of clean energy, contributing to Maryland's climate and renewable energy goals.
2. By establishing clear, standardized requirements, we reduce uncertainty for developers and simplify participation for counties and interested parties, ultimately making the development process more efficient and predictable.
3. By facilitating the inclusion of more community solar projects that can serve low-and moderate-income families, we reinforce our commitment to equitable access to renewable energy.

SB1025 is not meant to circumvent local governments or other interested parties, but merely seeks to identify certain standards, based on stakeholder input and industry best practices, for these smaller power generating projects uniformly across all 24 jurisdictions. This bill will help guide solar development in Maryland and ensure that the community solar projects can be constructed in a timely manner so we can accomplish the equity, energy, and economic benefits of last year's bill.

For these reasons, I am requesting a favorable report on SB1025.

With kindest regards,

Benjamin T. Brooks

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