

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
Public Service Commission
(DLS Control No. 16-037)**

Overview and Legal and Fiscal Impact

These regulations apply certain dispute resolution procedures to community solar energy generating system subscriber organizations.

The regulations present no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulations of COMAR Affected

Public Service Commission:

Dispute Procedures: Dispute Regulations: COMAR 20.32.01.01, .02, .03, and .04

Legal Analysis

Summary of Regulations

The regulations define the terms “community solar energy generating system” and “subscriber organization”. A community solar energy generating system is a solar generating system that is connected to the electric grid serving Maryland, is connected to a meter within the subscribers’ electric service territory and credits the value of its generated electricity to the electric bills of its subscribers. The system may not have a generating capacity of more than 2 megawatts, must have more than 2 subscribers, and may not have subscriptions larger than 200 kilowatts constituting more than 60% of its subscriptions. A subscriber organization is the owner of the system. A system or a subscriber organization is not considered to be an electric company, an electricity supplier, or a generating station.

The regulations apply provisions relating to dispute resolution to registered community solar energy generating system subscriber organizations. A customer who has a dispute or inquiry must notify the utility or subscriber organization for resolution before contacting the Public Service Commission. The utility or subscriber organization shall investigate the issue and either propose a resolution or report its findings to the customer. A process by which a customer may submit an inquiry to the commission is also set forth.

Legal Issues

The regulations present no legal issues of concern.

Statutory Authority and Legislative Intent

The commission cites §§ 2-112, 2-113, 2-121, and 3-102 of the Public Utilities Article as statutory authority for the regulations. Section 2-112 establishes the commission's jurisdiction over each public service company that engages in or operates a utility business in the State. Section 2-113 requires the commission to supervise and regulate the public service companies subject to the jurisdiction of the commission to ensure their operation is in the interest of the public and to prevent unjust discrimination in the delivery of utility services. Section 2-121 authorizes the commission to adopt reasonable regulations as necessary to carry out any law that relates to the commission. Section 3-102 sets forth the procedures for filing a complaint before the commission.

Although not cited by the commission, § 7-306.2 establishes the pilot program for community solar energy generating systems and requires the commission to adopt regulations to implement the program, including regulations on consumer protection.

With the addition of § 7-306.2, this authority is correct and complete. The regulations comply with the legislative intent of the law.

Technical Notes and Special Corrections

The Department of Legislative Services has contacted the commission regarding the citation of § 7-306.2 of the Public Utilities Article as statutory authority.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The commission advises that the regulations have minimal or no impact on State or local governments. Existing commission staff can handle any additional workload with existing resources. The Department of Legislative Services concurs.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The commission advises that the regulations have minimal or no economic impact on small businesses in the State. To the extent that subscriber organizations of registered community solar energy generating systems are small businesses or have subscribers that are small businesses, the regulations provide a cost-free forum for dispute resolution. The Department of Legislative Services concurs.

Contact Information

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