

SB1073/953091/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 1073  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Certificate of Public Convenience and Necessity –” and substitute “Construction of”; in line 3, after “Lines” insert “and Wind Generating Stations”; in line 10, after “construction” insert “related to an existing overhead transmission line that is”; in line 13, after the semicolon, insert “providing that a certain provision that requires a person to obtain certain approval from the Commission before constructing a certain generating station does not apply to a person constructing a certain wind generating station that has wind turbines within a certain distance from the Patuxent River Naval Air Station, as determined by certain regulation;”; in line 14, strike “certificates of public convenience and necessity for” and substitute “the construction of”; and in line 15, after “lines” insert “and certain wind generating stations”.

On page 2, in line 1, after “7-207(b)” insert “and 7-207.1(a)”.

AMENDMENT NO. 2

On page 3, in line 26, strike “**THE**” and substitute “**FOR CONSTRUCTION RELATED TO AN EXISTING OVERHEAD TRANSMISSION LINE, THE**”.

On page 4, in line 5, after “CONSTRUCTION” insert “**RELATED TO AN EXISTING OVERHEAD TRANSMISSION LINE**”; and after line 11, insert:

“7-207.1.

- (a) This section applies to a person who:
  - (1) constructs a generating station:

(Over)

(i) designed to provide on-site generated electricity if:

1. the capacity of the generating station does not exceed 70 megawatts; and

2. the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; or

(ii) that produces electricity from wind if:

1. the generating station is land-based;

2. the capacity of the generating station does not exceed 70 megawatts;

3. the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; [and]

4. the Commission provides an opportunity for public comment at a public hearing as provided in subsection (e) of this section; AND

**5. THE GENERATING STATION'S WIND TURBINES ARE NOT LOCATED WITHIN A DISTANCE FROM THE PATUXENT RIVER NAVAL AIR STATION THAT IS DETERMINED BY REGULATIONS ADOPTED BY THE COMMISSION IN COORDINATION WITH THE COMMANDER, NAVAL AIR WARFARE**

CENTER AIRCRAFT DIVISION, PROVIDED THAT THE DISTANCE REQUIREMENT UNDER THE REGULATION IS:

A. NOT GREATER THAN IS NECESSARY TO ENCOMPASS AN AREA IN WHICH UTILITY SCALE WIND TURBINES COULD CREATE DOPPLER RADAR INTERFERENCE FOR MISSIONS AT THE PATUXENT RIVER NAVAL AIR STATION;

B. NOT GREATER THAN 46 MILES, MEASURED FROM LOCATION 38.29667N, 76.37668W; AND

C. SUBJECT TO MODIFICATION IF NECESSARY TO REFLECT CHANGES IN MISSIONS OR TECHNOLOGY AT THE PATUXENT RIVER NAVAL AIR STATION OR CHANGES IN WIND ENERGY TECHNOLOGY; or

(2) constructs a generating station if:

(i) the capacity of the generating station does not exceed 25 megawatts;

(ii) the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; and

(iii) at least 10% of the electricity generated at the generating station each year is consumed on-site.”.