

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 1573
Economic Matters

(Delegate Arentz)

Finance

Solar Electric Generating Facility – Notice of Sale or Transfer

This bill requires the owner of a commercial solar facility with a capacity of more than two megawatts to provide notice within 30 days after the facility's sale or transfer to (1) the Public Service Commission (PSC) and (2) the county in which the facility is located. The notice must include specified contact information for the new owner.

Fiscal Summary

State Effect: None. The change is procedural in nature and does not directly affect governmental finances.

Local Effect: None. The change is procedural in nature and does not directly affect local government finances.

Small Business Effect: None.

Analysis

Current Law/Background: State law does not require that prior notice of a sale or ownership transfer of a solar facility be provided to PSC or a local government. However, the Certificate of Public Convenience and Necessity (CPCN) process typically requires a project owner to provide notice of all CPCN requirements to a new owner in the event of a transfer or sale. The owner must also typically provide a copy of the notice to PSC and the Power Plant Research Program in the Department of Natural Resources.

Certificate of Public Convenience and Necessity – Generally

Generally, a person may not begin construction in the State of a generating station, overhead transmission line, or a qualified generator lead line (project) unless a CPCN is first obtained from PSC. “Generating station” is not defined in statute. However, the PSC definition in regulation excludes a facility with up to two megawatts of capacity if it meets other specified requirements.

The CPCN application process involves notifying specified stakeholders, public hearings, and the consideration of recommendations by State and local government entities and the project’s effect on various aspects of the State infrastructure, economy, and environment. There are conditions under which a person constructing a generating station may apply to PSC for an exemption from the CPCN requirement.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Public Service Commission; Department of Legislative Services

Fiscal Note History: First Reader - March 5, 2018
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