

**Department of Legislative Services**  
Maryland General Assembly  
2020 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 418 (Frederick County Delegation)  
Economic Matters

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**Frederick County - Solar Energy - Municipal Electric Utilities**

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This bill limits the annual percentage of the State’s Renewable Energy Portfolio Standard (RPS) that must be derived from solar energy for a municipal electric utility in Frederick County to 2.5%. **The bill takes effect June 1, 2020.**

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**Fiscal Summary**

**State Effect:** No effect in FY 2020. The Public Service Commission can implement the bill with existing budgeted resources. Solar renewable energy credit (SREC) prices are not anticipated to be materially affected and, therefore, neither are State expenditures on electricity. The bill is not anticipated to materially affect special fund revenue from Alternative Compliance Payments.

**Local Effect:** Local expenditures for SRECs by the Thurmont Municipal Light Company in Frederick County decrease minimally in FY 2020, by \$190,000 to \$200,000 annually from FY 2021 through 2023, by \$233,000 in FY 2024, and by \$270,000 in FY 2025. Local revenues are not directly affected.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law:** Municipal electric utilities are not exempt from Maryland’s RPS – the solar carve-out or otherwise. Electric cooperatives are exempt from future increases to the solar portion beyond 2.5%. The RPS also does not apply to a customer served by an electric cooperative under an electricity supplier purchase agreement that existed on October 1, 2004, until the expiration of the agreement, as the agreement may be renewed

or amended (*i.e.*, a customer of Choptank Electric Cooperative). For other electricity suppliers, the solar requirement is 6.0% in 2020. That amount increases over time, eventually reaching 14.5% in 2030 and later.

**Background:** Frederick County has one municipal electric utility, Thurmont Municipal Light Company. According to the most recent PSC planning report, Thurmont is forecast to supply 80,000 megawatt-hours of electricity annually over the coming decade. For context, that is about one tenth of 1% of the State’s estimated energy sales in those years. For additional information on Maryland’s RPS, see the **Appendix – Renewable Energy Portfolio Standard**.

**Local Expenditures:** Limiting the solar requirement to 2.5% reduces the number SRECs that Thurmont Municipal Light Company must purchase for RPS compliance each year. Using forecast SREC prices from a recent comprehensive [report](#) prepared by the Power Plant Research Program in the Department of Natural Resources, local expenditures for Thurmont Municipal Light Company in Frederick County decrease minimally in fiscal 2020, by \$190,000 to \$200,000 annually from fiscal 2021 through 2023, by \$233,000 in fiscal 2024, and by \$270,000 in fiscal 2025. Expenditures also continue to be less than they otherwise would have been thereafter. These effects are shown in **Exhibit 1**.

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**Exhibit 1**  
**Combined SREC Expenditures by Thurmont Light Company**  
**Fiscal 2021-2025**

<u>Calendar Year</u>	<u>Solar % Difference</u>	<u>Energy Sales (Mwh)</u>	<u>SRECs Required</u>	<u>SREC Price (\$)</u>	<u>Calendar Year (\$)</u>	<u>Fiscal Year</u>	<u>Fiscal Year (\$)</u>
2021	-5.0%	80,000	-4,000	\$55.00	-\$220,000	2021	-\$190,500
2022	-6.0%	80,000	-4,800	37.50	-180,000	2022	-200,000
2023	-7.0%	80,000	-5,600	38.33	-214,648	2023	-197,324
2024	-8.0%	80,000	-6,400	39.17	-250,688	2024	-232,668
2025	-9.0%	80,000	-7,200	40.03	-288,216	2025	-269,452

Mwh: Megawatt-hour  
SREC: solar renewable energy credit

Notes: Calendar-to-fiscal year conversion splits annual compliance costs evenly between fiscal years. Fiscal 2021 cost includes the second half of calendar 2020.

Source: Public Service Commission; Department of Natural Resources; Department of Legislative Services

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## **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** SB 559 (Senators Hough and Young) - Finance.

**Information Source(s):** Public Service Commission; Office of People's Counsel; Department of Natural Resources; Frederick County; Department of Legislative Services

**Fiscal Note History:** First Reader - February 10, 2020  
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## Appendix – Renewable Energy Portfolio Standard

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Maryland’s Renewable Energy Portfolio Standard (RPS) was enacted in 2004 to facilitate a gradual transition to renewable sources of energy. There are specified eligible (“Tier 1” or “Tier 2”) sources as well as carve-outs for solar and offshore wind. Electric companies (utilities) and other electricity suppliers must submit renewable energy credits (RECs) equal to a percentage specified in statute each year or else pay an alternative compliance payment (ACP) equivalent to their shortfall. Historically, the requirements have been met almost entirely through RECs, with negligible reliance on ACPs. The Maryland Energy Administration must use ACPs to support new renewable energy sources.

Chapter 757 of 2019 significantly increased the percentage requirements, which now escalate over time to a minimum of 50% from Tier 1 sources, including 14.5% from solar, by 2030. In 2020, the requirements are 28% for Tier 1 sources, including at least 6.0% from solar, plus 2.5% from Tier 2 sources. Tier 2 terminates after 2020.

Generally, a REC is a tradable commodity equal to one megawatt-hour of electricity generated or obtained from a renewable energy generation resource. In other words, a REC represents the “generation attributes” of renewable energy – the lack of carbon emissions, its renewable nature, *etc.* A REC has a three-year life during which it may be transferred, sold, or redeemed. REC generators and electricity suppliers are allowed to trade RECs using a Public Service Commission (PSC) approved system known as the Generation Attributes Tracking System, a trading platform designed and operated by PJM Environmental Information Services, Inc. that tracks the ownership and trading of RECs.

Tier 1 sources include wind (onshore and offshore); qualifying biomass; methane from anaerobic decomposition of organic materials in a landfill or wastewater treatment plant; geothermal; ocean, including energy from waves, tides, currents, and thermal differences; a fuel cell that produces electricity from specified sources; a small hydroelectric plant of less than 30 megawatts; poultry litter-to-energy; waste-to-energy; refuse-derived fuel; and thermal energy from a thermal biomass system. Eligible solar sources include photovoltaic cells and residential solar water-heating systems commissioned in fiscal 2012 or later. Tier 2 includes only large hydroelectric power plants.

### *RPS Compliance*

According to the most recent RPS compliance [report](#) on PSC’s website, electricity suppliers retired 11.1 million RECs at a cost of \$84.8 million in 2018. This is a continuation of the significant REC price reduction first observed in the 2017 compliance data, relative to the previous trend, as shown in **Exhibit 1**.

In 2018, wind (50%), black liquor (15%), small hydroelectric (12%), municipal solid waste (12%), and wood and waste solids (6%) were the primary energy sources used for Tier 1 RPS compliance. Maryland facilities generated 5.4 million RECs in 2018, which were used for compliance in Maryland and also in several other states; likewise, Maryland electricity suppliers used RECs from other states for compliance with Maryland’s RPS.

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**Exhibit 1**  
**RPS Compliance Costs and REC Prices**  
**2014-2018**

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
<b>Compliance Costs (\$ Millions)</b>					
Tier 1 Nonsolar	\$70.6	\$85.1	\$88.2	\$50.0	\$56.4
Tier 1 Solar	29.4	39.1	45.6	21.3	27.4
Tier 2	<u>4.0</u>	<u>2.6</u>	<u>1.4</u>	<u>0.7</u>	<u>1.0</u>
<b>Total</b>	<b>\$104.0</b>	<b>\$126.7</b>	<b>\$135.2</b>	<b>\$72.0</b>	<b>\$84.8</b>
 <b>Average REC Price (\$)</b>					
Tier 1 Nonsolar	\$11.64	\$13.87	\$12.22	\$7.14	\$6.54
Tier 1 Solar	\$144.06	\$130.39	\$110.63	\$38.18	\$31.91
Tier 2	\$1.81	\$1.71	\$0.96	\$0.47	\$0.66

Note: Numbers may not sum to total due to rounding.

REC: renewable energy credit

RPS: Renewable Energy Portfolio Standard

Source: Public Service Commission

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Pursuant to Chapter 393 of 2017, the Power Plant Research Program in the Department of Natural Resources has released its final report on a comprehensive study of the RPS. The report contains historical data but also looks at future scenarios. The report can be found [here](#) or on the department’s website.