



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary
Charles Glass, Deputy Secretary

March 5, 2020

The Honorable Dereck C. Davis
Chair, Economic Matters Committee
231 House Office Building
Annapolis, MD 21401

The Honorable Kathleen M. Dumais
Vice Chair, Economic Matters Committee
231 House Office Building
Annapolis, MD 21401

Re: Letter of Information – House Bill 1390 - Certificate of Public Convenience and Necessity – Electric Facilities – Study and Procedures

Dear Chair Davis, Vice Chair Dumais and Committee Members:

The bill makes changes to how the state and local governments evaluate applications for Certificates of Public Convenience and Necessity (CPCN) from the Public Service Commission (PSC).

This bill could have substantial impact on the state process, and thus, its assessment. The Power Plant Research Program (PPRP) within the Department of Natural Resources coordinates the state's independent environmental and socio economic review of applications for a CPCN. By placing the language codifying PPRP's review into 3-306(b)(1), this bill would require PPRP to submit its assessment within 60 days of an application for a CPCN. If held to this timeline, the state's assessment would be inadequate. Currently, the PSC currently assigns each case to a Public Utility Law Judge, who then sets a procedural schedule. This schedule can be anywhere from 6 month to a year, depending on the size and complexity of the application. This bill could potentially take the authority away from the PSC to set a reasonable schedule and prevent the state from conducting a full evaluation of the application.

The Maryland Department of Natural Resources respectfully submits to the Committee this information on House Bill 1390.

Respectfully submitted,
James W. McKitrick
Director, Legislative and Constituent Services