



TO: Members, Senate Education, Energy, and the Environment Committee
FROM: Paul Pinsky Director, MEA
SUBJECT: SB 931 - Public Utilities - Certificate of Public Convenience and Necessity - Solar Photovoltaic Systems
DATE: March 15, 2023

MEA Position: [FWA](#)

Senate Bill 931 would limit the need to obtain a certificate of public convenience and necessity (CPCN) from the Public Service Commission (Commission) by eliminating colocated 2 MW systems from the full application process (a combination of multiple systems with individual nameplate capacity not exceeding 2 MW each, but with an indeterminate cumulative generation capacity measured in alternating current at the inverter). **The Maryland Energy Administration (MEA) is strongly supportive of efforts that will streamline the administrative side of renewable energy development**, and with its proposed bill amendments, will ease that regulatory process while still offering meaningful project review.

The CPCN process is not simply a hurdle to development. **The CPCN process, conducted by the Power Plant Research Project (PPRP) within the Maryland Department of Natural Resources (DNR) is a comprehensive, objective assessment based on sound science of electrical generation and transmission lines.** PPRP also coordinates a consolidated State Agency review process including review by the Maryland Department of the Environment (MDE).

Large solar installations should still undergo some level of scrutiny (e.g. glare and glint analysis) that are performed under a CPCN, and not necessarily completed under a county planning process alone. MEA believes that colocated projects on brownfields, landfills, parking lots and garages, rooftops, etc. should, however, benefit from a significantly expedited CPCN process. This is especially true if the project will offer subscriptions under a community solar regime. It is also possible that the CPCN application fee for these projects could be reduced or waived altogether, because their specific placement and general deployment align so closely with State goals.

In the spirit of further promoting community solar on brownfields, **MEA has partnered with the Maryland Environmental Service to study the potential of landfill and brownfield sites in the State suitable for hosting community solar projects.** This study will highlight the most feasible hosts sites for solar, evaluating nearly 2,000 landfill, rubble fill, brownfield, and superfund sites. In addition to the study, a geographic information system layer is being developed, outlining the data.

Recommended Amendments:

- Require that colocated projects must be sited on brownfields, landfills, parking lots and garages, rooftops, etc. to avoid the full CPCN process
- Eliminate the CPCN filing fee for colocated solar generation with gross capacity over 2 MW that will serve as community solar if located on brownfields, landfills, parking lots and garages, rooftops, etc.
- Create a limited CPCN process for these projects that allows for review of some of the factors that would normally be reviewed in the CPCN process, such as grid impacts and a glint/glare review.

The MEA amendments would create a more streamlined process for the most desirable placement of solar generation assets, while maintaining a reasonable level of oversight and State Agency involvement. MEA requests that the Committee humbly asks the Committee adopt the proposed amendments, and issue a **FAVORABLE AS AMENDED** report.