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Susan O'Neill, Chair

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Testimony in Support with Amendments
Senate Bill 931 – Public Utilities – Generating Stations – Generating and Siting
(Renewable Energy Certainty Act)
Education, Energy, and the Environment
February 28, 20205

The Rural Maryland Council supports Senate Bill 931 with Amendments - Public Utilities Generating Stations – Generating and Siting (Renewable Energy Certainty Act). This bill aims to streamline the Public Service Commission’s (PSC) approval process for solar and energy storage projects by modifying the required considerations for certificates of public convenience and necessity. It also prohibits local jurisdictions from restricting these projects under certain conditions and requires expedited site development approvals. The bill enables automatic enrollment in community solar programs, sets guidelines for residential rooftop solar installations, and mandates a PSC study to establish renewable energy partnerships. If enacted, the bill would take effect in October 2025.

With Maryland importing about 40% of its electricity and 75% of its renewable energy from out-of-state sources, it is clear why the state is working to reduce this reliance by developing more local renewable energy projects. Senate Bill 931 supports this goal by streamlining the approval process, allowing the state to grant approval for projects that meet specific criteria and bypass the often complex and delayed local procedures. While the Council supports the overall objectives of SB 931, it also recognizes the importance of ensuring that the needs and concerns of rural Maryland are not overlooked. To protect rural communities and land use, the bill requires some amendments.

Rural areas are ideal for renewable energy projects due to factors such as abundant open land, lower population density, and cheaper land costs. These areas often have favorable natural resources, including strong winds and ample sunlight, necessary for energy generation. Additionally, rural regions can accommodate the infrastructure needed, like transmission lines and substations, to connect renewable energy projects to the grid. This combination of resources and space makes rural areas a prime location for large-scale solar and wind energy developments (climatechangewriters.com).

The Council requests amendments to the bill to ensure that local governance is included in the decision-making process. Additionally, the bill should prohibit the construction of renewable energy projects on prime agricultural soils and require that mitigation fees be directed toward restoring the land to its pre-solar development condition once renewable energy use ceases.

The Rural Maryland Council respectfully requests your favorable support with amendments of Senate Bill 931.

On page 5, on line 8, INSERT

(3) (1) OR LOCATED ON PRIME AGRICULTURAL SOILS CLASS I AND II

(2) IF LOCATED ON NON-PRIME AGRICULTURAL SOILS CLASS I AND II, THE COMMISSION SHALL MANDATE DEVELOPERS TO PAY A MITIGATION FEE FOR LAND RESTORATION AS A CONDITION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY APPROVAL. FUNDS ARE ALLOCATED FOR RETURNING THE LAND TO ITS ORIGINAL STATE AFTER THE DECOMMISSIONING OF RENEWABLE ENERGY PROJECTS.

On page 5, after line 17, INSERT,

(3) THE PROJECT HAS ALL OTHER APPLICABLE FEDERAL, STATE, AND LOCAL APPROVALS.