



February 28, 2025



112 West Street
Annapolis, MD 21401

Support with Amendments – Senate Bill 931/House Bill 1036 – Public Utilities – Generating Stations – Generation and Siting (Renewable Energy Certainty Act)

Potomac Electric Power Company (Pepco) and Delmarva Power & Light Company (Delmarva Power) Support with Amendments **Senate Bill 931/ House Bill 1036 – Public Utilities – Generating Stations – Generation and Siting (Renewable Energy Certainty Act)**. Senate Bill 931 and House Bill 1036 proposes changes to how the Public Service Commission (PSC) considers applications for new solar energy generating stations and energy devices. The legislation also orders the PSC to conduct a study to establish a process by which the Commission may establish partnerships between electric companies and electricity suppliers for electricity generation purposes.

Senate Bill 931 and House Bill 1036 proposes to accelerate the deployment of community solar by updating the certification process for new solar energy generating stations and clarifying the regulatory framework for storage devices. Battery storage and community solar are critical components to Maryland’s strategy to address resource adequacy challenges. Energy storage enhances grid reliability by enabling the integration of intermittent renewable energy sources, providing backup power during peak demand, and reducing strain on the grid. While Pepco and Delmarva Power support the overall goal of the bill, we recommend clarifying language via amendments to prevent unintended financial burdens on non-participating jurisdictions, ensure customers are educated about programs before they are signed up, and enable the swift siting of storage projects. Suggested amendments for consideration:

- If a local government elects to establish a community solar program, explicitly state that other jurisdictions should not bear any costs associated with stranded contracts or generation assets. The financial responsibility should be solely on the jurisdiction initiating the project.
- While community solar provides an excellent opportunity for expanded access to renewable energy, automatic enrollment without explicit customer consent raises concerns about consumer protection and informed choice. We propose removing the automatic enrollment provision and instead implementing an opt-in process that ensures customers fully understand the program benefits, costs, and potential impacts before enrollment.
- The Committee should consider that imposing Certificate Public Convenience and Necessity (CPCN) requirements for siting battery storage facilities may create unintended delays to siting battery storage, further delaying deployment of storage.
- We recommend delaying the implementation of these projects until after January 1, 2026, to coincide with the effective date of consolidated billing in Maryland.

Senate Bill 931 and HB1036 takes important steps to resolve the resource adequacy challenges. We urge a favorable vote with the proposed amendments and will continue to work with all stakeholders.

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