



28 February 2025

Delegate C.T. Wilson, Chair
Economic Matters Committee
Room 231
Taylor House Office Building
Annapolis, Maryland 21401

Senator Brian Feldman, Chair
Education, Energy, and the Environment Committee
2 West
Miller Senate Office Building
Annapolis, Maryland 21401

Oral and Written Testimony

HB1036 / SB931: Public Utilities - Generating Stations - Generation and Siting (Renewable Energy Certainty Act)

Position: Favorable with Amendments

Chair Wilson, Chair Feldman, Members of the Economic Matters Committee and the Education, Energy, and the Environment Committee, thank you for the opportunity to testify on House Bill 1036 / Senate Bill 931, Public Utilities - Generating Stations - Generation and Siting (Renewable Energy Certainty Act).

I am Robin Dutta, the Executive Director of the Chesapeake Solar and Storage Association (CHESSA). Our association advocates for our over 100 member companies in all market segments across the solar and energy storage industries. Many members are Maryland-based. Others are regional and national companies with an interest and/or business footprint in the state. Our purpose is to promote the mainstream adoption of local solar, large-scale solar, and battery storage throughout the electric grid to realize a stable and affordable grid for all consumers.

I am here to provide testimony on HB1036/SB931 Public Utilities - Generating Stations - Generation and Siting (Renewable Energy Certainty Act) that is favorable with suggested amendments that align with the bill's goals. This bill will streamline the ability to build new solar generation in Maryland and strengthen consumer protections in the residential solar sales and installation process. Statewide solar permitting processes will be aligned with local government ordinances that govern how solar can be built. And the

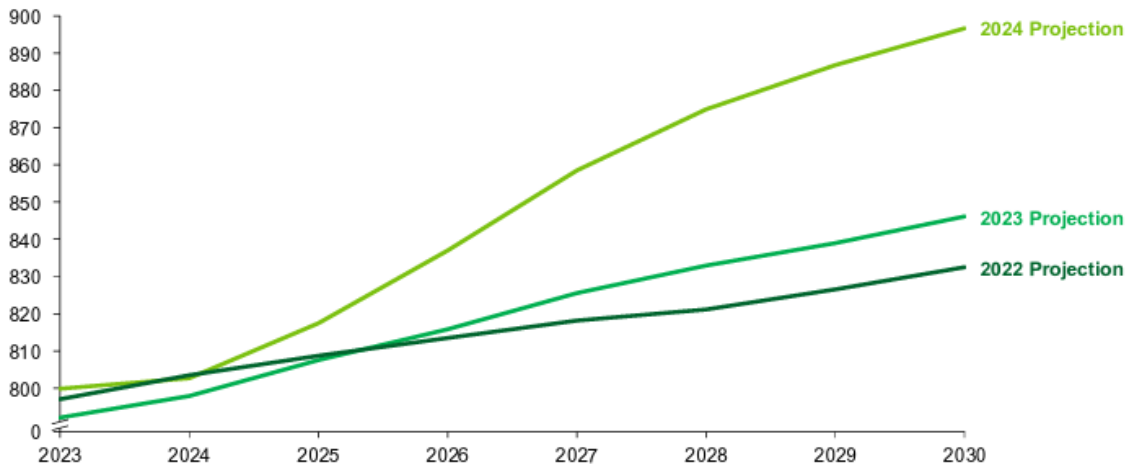
The Problem: Maryland's Widening Energy Gap

Marylanders are becoming much more sensitive to grid disruptions and electric price spikes. The state is on the path to seeing increasing electric demand over the long term. And there is already straining in its electric system. Maryland only generates about 60 percent of the electric

generation it demands¹. But importing electricity isn't an automatic solution. Nine of the 13 states in the PJM Interconnection (where Maryland resides) also must import electricity to serve their electric demand. And the Maryland Energy Administration (MEA) is projecting load growth, potentially as much as 2 percent per year². There's growing demand and competition for an energy supply that needs to increase.

Contributing Problem: Higher Electric Demand Across the County

U.S. summer peak hour demand by year (2023-2030), GW



Source: NERC 2024 Electricity Supply and Demand data

The grid of the not-so-distant future will have the combined roles that today's electricity, natural gas system, and gas stations have. For the grid to serve those roles, it will need to look and act differently. It will have higher statewide electric loads, and greater electric demand in peak periods. And, the higher peak demand gets, the more expensive the electric grid becomes, due to expensive infrastructure expansion and higher peak energy pricing. By lowering peak demand, clean energy can lower the cost of the grid.

[A January 2025 report from the U.S. Department of Energy](#) shows that projected peak demand growth is only increasing, with electricity supply and demand data from the North American Energy Reliability Council showing the estimates being revised upwards each year since 2022.³ If Maryland's electric future follows the projected national trend, it needs to step up the clean energy build-out throughout the state at the same time as handling fossil fuel retirements. That means scaling up statewide solar adoption of all kinds, as soon as possible.

Layering on the problem are the faults within the PJM Interconnection, both with their capacity markets and their interconnection processes. The recent PJM capacity auction could cause

¹ <https://www.eia.gov/state/analysis.php?sid=MD>

² Maryland Energy Administration. "Reaching 100 Percent Net Carbon-Free Electricity in Maryland". January 2025. p.19

³ U.S. Department of Energy. "Pathways to Commercial Liftoff: Virtual Power Plants 2025 Update". January 2025. p.7

electric bill in Maryland to increase as much as 24 percent, according to [an August 2024 report](#) from the Maryland Office of People’s Counsel. The MEA describes the Baltimore Gas & Electric service area as a “congested territory”.⁴ There are then certain generating units that must run and can drive up capacity prices, as it happened in the most recent PJM capacity auction. The way to relieve congestion and grid strain is to lower peak demand, offset consumer electric load, and build a lot of new Maryland generating capacity.

The Benefits of the Renewable Energy Certainty Act

CHESSA believes that this is a well-crafted bill, designed to address multiple issues impacting clean energy, and the solar industry in particular.

Solar and Storage Siting. One of the biggest benefits of this bill is the creation of statewide siting rules for groundmount solar projects. This creates much greater clarity for developers looking to work with landowners and invest in Maryland to build new solar capacity. And by aligning local government solar ordinances with the same criteria that has to be considered in the Certificate for Public Convenience and Necessity (CPCN) statewide process, the actual installation phase of approved projects will move faster. Local government inspections, and any additional local government processes, would not work counter to the CPCN approval.

Local Government/Community Solar Automatic Enrollment. As a matter of principle, CHESSA supports policies that lowers barriers to solar adoption and allows a broader participation in the clean energy economy.

Residential Solar Consumer Protection. CHESSA supports consumer protection policies that ensure ethical business practices. Residential solar companies selling and installing systems in Maryland are already subject to a number of consumer protection, technical safety, and business practice standards. We welcome the opportunity to make those protections more explicit and to continue to support responsible solar adoption for all energy consumers in Maryland.

Further Considerations for the Legislation

CHESSA respectfully offers amendment on HB1036/SB931 that we believe are aligned with the bill’s intended outcomes and are meant to clarify application of the law on project development and remove unintended complications in the regulatory implementation phase.

Solar and Storage Siting. CHESSA recommends making some clarifications in this section, which are included in the attached redline document. CHESSA also recommends incorporating HB1338 into HB1036/SB931, clearly defining that front-of-meter energy storage systems over 2 MW would be required to receive CPCN approval. We also suggest that HB827/SB983 be included in this section. For projects that have less physical impact than the large systems CPCN was designed to review, that bill would create a “right-sized” process for certain community solar

⁴ Maryland Energy Administration. “Reaching 100 Percent Net Carbon-Free Electricity in Maryland”. January 2025. p.22

projects between 2-5 MW. If combined, both bills could create a new and holistic set of solar siting review and approval criteria aligned with Maryland's need for more in-state generation.

Local Government/Community Solar Automatic Enrollment. While CHESSA supports the principle behind automatic enrollment for those community solar systems associated with local governments, our membership has had a robust set of discussions around this specific section, how it could be implemented, and how it could avoid unintended consequences. The bill language does not take into account how residential consumers would be treated if they already have a community solar subscription or have rooftop solar on their home. Members have brought up the open question of how automatic enrollment would handle relevant household and energy data (including information in utility billing), and the unintended consequences of raising barriers for residential solar adoption for single-family homeowners in an automatic enrollment territory. CHESSA believes that this section of the bill merits further discussion.

Residential Solar Consumer Protection. CHESSA believes that the Department of Labor is the most appropriate state agency to promulgate regulations on technical safety standards for installation and maintenance of residential solar projects. If the Commission and/or Maryland Energy Administration are tasked with implementing this section, we suggest redlines that provide those entities with greater direction to guide their deliberations and regulatory processes, and include the Maryland Home Improvement Commission in the process.

Conclusion

HB1036/SB931 includes a number of good policies all designed to lower barriers to responsible solar adoption in Maryland. We hope that our suggested amendments will strengthen the bills, and look forward to working with the sponsors. We ask for a favorable report.

Please reach out with any questions on solar and storage policy. CHESSA is here to be a resource to the committee.

Sincerely,

Robin K. Dutta

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