

Re: HB 827 – Public Utilities – Distributed Generation Certificate of Public Convenience and Necessity (FAVORABLE)

Chair Wilson and members of the House Economic Matters Committee,

Pivot Energy submits testimony in support of House Bill (HB) 827, a targeted and pragmatic solution to modernize Maryland's permitting approach for community solar projects between 2 and 5 megawatts (MW), while ensuring responsible siting and continued community engagement. We respectfully urge a favorable report on HB 827.

About Pivot Energy

Pivot Energy is a renewable energy provider and independent power producer that develops, finances, builds, owns, and manages solar and energy storage projects. We have been participating in Maryland's community solar market since 2017 and maintain an office in Elkridge, Maryland. Nationally, Pivot has over 3.5 gigawatts (GWs), nearly 1,800 solar projects completed or under development. Pivot is a US-based, Certified B-Corporation that proudly follows a corporate strategy aimed at providing a positive impact on society as measured by Environmental stewardship, Social leadership, and responsible Governance factors.

The Challenges with Maryland's Current CPCN Process

Maryland's Certificate of Public Convenience and Necessity (CPCN) process, while effective for large utility-scale projects, is creating significant barriers for community solar development. Despite their relatively uniform size and design, all community solar projects must undergo the CPCN's adjudicated review process, requiring extensive evidentiary proceedings, legal filings, and procedural hurdles. This process often takes nearly a year, driving up costs, creating uncertainty for developers like us, and straining state agencies responsible for application reviews.

The recent growth of community solar, and associated rise in the number of CPCN applications for such projects, is compounding these challenges. Prior to July 2024, Pivot Energy had not developed any projects that qualified for review under Maryland's CPCN process. As of March 2025, Pivot has submitted three CPCN applications and plans to submit ten more in the coming months, all for community solar projects sized between 2 and 5 MW. The increasing volume of applications is further slowing development and overburdening regulators. Without reform, the CPCN process will remain an obstacle to developers, strain state agencies, and hinder Maryland's ability to meet its renewable energy goals.

HB 827: Right-Sizing the Permitting Process for Community Solar

HB 827 creates a Distributed Generation Certificate of Public Convenience and Necessity (DGCPCN), providing a streamlined permitting path for community solar projects between 2-5 MW that adhere to high-bar standards. The bill does not reduce oversight. Rather, it ensures that qualifying projects that meet predetermined standards can proceed efficiently while maintaining ample opportunities for public input.

Key provisions of HB 827:

- **Standards for High-Quality Development:** The Power Plant Research Program (PPRP) will develop standard siting and design requirements, as well as standard licensing conditions, through a stakeholder engagement process. These standards, once adopted by the Public Service Commission (PSC) through a formal and public process, will guide the regulations and application requirements for a DGCPN, ensuring consistency and accountability.
- **A More Efficient Pathway for Qualified Projects:** Projects that meet these rigorous standards will have a clearer, more predictable permitting process—reducing administrative burdens while maintaining necessary regulatory oversight and public input.
- **Incentivizing Best Practices:** Developers like us will be motivated to meet PPRP's high standards in order to access the streamlined process, fostering responsible solar development across Maryland.
- **Maintaining Oversight and Accountability:** The PSC will retain full discretion in granting DGCPNs, ensuring that only projects aligned with Maryland's energy and environmental goals are approved, and considering public input in their decision. Projects that fail to meet the criteria will revert to the traditional CPN process.
- **Continued Public Engagement:** The development of standards and the DGCPN process itself will include opportunities for public input via comments and hearings.

Conclusion

HB 827 represents a smart and necessary step forward, ensuring that Maryland's permitting framework evolves to meet the needs of today. By balancing efficiency with strong environmental and community safeguards, this bill will create regulatory certainty, reduce administrative burdens, and accelerate the responsible growth of community solar in Maryland.

For these reasons, I respectfully urge the Committee to issue a favorable report on HB 827.

Thank you for your time and consideration.

Sincerely,

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