

Re: SB 983 – Public Utilities - Distributed Generation Certificate of Public Convenience and Necessity (FAVORABLE)

Chair Feldman, Senator Brooks, and members of the Senate Education, Energy, and Environment Committee,

Pivot Energy submits testimony in support of Senate Bill (SB) 983, 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 SB 983.

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. Pivot has over 3.5 gigawatts (GW), 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. We have been participating in Maryland's community solar market since 2017 and maintain an office in Elkridge, Maryland.

The Challenges with Maryland's Current CPCN Process

Maryland's Certificate of Public Convenience and Necessity (CPCN) process is well suited for large utility-scale and transmission-based projects, where each development is unique and requires an extensive review process. However, the current CPCN approach is misaligned with the permitting needs of most community solar projects, which tend to be similar in size and design.

The existing CPCN framework commonly entails an adjudicated review, requiring extensive evidentiary proceedings, legal filing, and procedural hurdles. This process frequently extends to nearly a year, driving up costs and creating uncertainty for developers, while also placing a significant administrative burden on state agencies tasked with reviewing applications.

The growth of community solar is compounding these challenges. The volume of CPCN applications has surged in recent years, slowing development and overburdening regulators and state agencies. To illustrate this shift, 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 an additional ten in the coming months, all for community solar projects sized between 2 and 5 MW. Without reform, this process will continue to create unnecessary obstacles for developers, burden state regulators, and hinder Maryland's ability to meet its renewable energy goals.

SB 983: Right-Sizing the Permitting Process for Community Solar

SB 983 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 SB 983:

- **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

SB 983 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 SB 983.

Thank you for your time and consideration.

Sincerely,

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