

Renewable Energy Development and Siting Task Force
Sept. 20, 2019
2:30 p.m.

Minutes

- Welcome
 - Welcome and attendance taken by Chair Greg Snook at 2:33 p.m.

- From the Chair
 - Snook introduced John Finnerty to the task force as they solar energy representative.
 - Snook introduced Andrew Gohn to the task force as the wind energy representative.
 - Snook introduced the Maryland Public Service Commission's (PSC) Joey Chen, who then reviewed Certificate of Public Convenience (CPCN) considerations.
 - After the presentation, Snook opened up the call to questions from task force members and interested stakeholders.

- Presentation by Joey Chen, PSC
 - Key takeaways
 - The Maryland PSC is recognized under existing law as the ultimate authority for generation and solar facilities over 2 megawatts.
 - The granting of the CPCN requires the Commission or the assigned Public Utility Law Judge to give due consideration of several factors that includes the recommended position of the locals and government, the consistency with zoning policies, and a recommended comprehensive plan.
 - The Commission gives significant weight to the local government's position.
 - CPCNs are subject to specific licensing conditions as adopted by the Commission, and interested parties can offer recommended conditions.
 - Once the CPCN is issued, it does not mean it is a done-deal.
 - If one of the conditions is not satisfied, that can jeopardize the project.

- Snook opened up the call for questions from task force members
 - Janet Christensen-Lewis asked what enforcement body oversees the licensing conditions, such as the county, Power Plant Research Program (PPRP), or PSC.
 - Chen explained licensing conditions often involve compliance filings, which are submitted to the Commission. The Commission can take appropriate action depending on the status of or issues raised concerning the compliance filing.
 - David Tancabel with PPRP explained that PPRP is not an enforcement agency. They are more than happy to respond to people who feel there are potential violations. PPRP has been fielding more and more calls and emails regarding potential violations.
 - PPRP has recommended that an applicant for a CPCN designate a point of contact, which stays on file with the PSC in order to answer potential complaints or questions.
 - Chen noted that the Commission has the authority to suspend or revoke a CPCN, which is the prerequisite before construction can begin for modification of a generation facility.
 - Snook asked if most projects require a performance bond from the applicant to assure the projects to get done.
 - Tancabel with PPRP said that PSC usually places conditions for potential decommissioning plan. Decommissioning plans help protect county and state government.
 - Jason Dubow from Maryland Department of Planning (MDP) asked what are the reasons for the county or municipality not being a party to the proceeding from the beginning, and

what change would have to happen in order to make local government be parties to the proceeding by default.

- Chen explained that the counties do not always want to participate.
 - During some public comment hearings, there is not always full interest or participation from the local level.
 - If there is some policy shift that needs to happen, it would come from the legislative level.
- Billy Bishoff suggested that all complaints should be going directly through the PSC, as they have the authority to set the standard.
 - Chen explained that the licensing conditions can touch on different subject areas. Sometimes the PSC cannot go out to see if the condition has been satisfied, which means there needs to be a partnership between other agencies, be it state or local.
 - Tancabel said that they have somewhat modified recommendations over the past year. First, PPRP will try to help resolve issues, and if it cannot be resolved with PPRP, then they will bring it to PSC.
- Finnerty asked if there is a measure in place to record the projects that make it through the CPCN process and are operating successfully. He also commented that the state CPCN process is rigorous and structured.
 - Chen noted that they have a list of the CPCN's that have been issued.
- Terry McGean asked if the preemption and PSC's ultimate siting authority covers the related equipment like substations and transformers.
 - Chen explained that substations and other types of grid assets takes you into the domain of the utilities, but the Commission has recognized that the counties should be able to enforce their own ordinances. .
 - Tancabel noted that often times applications include the small substation and interconnection line as one package/one CPCN.
- Other Business
 - Snook opened up the call for interested stakeholders to ask questions and comment.
 - Kristen Harbeson with the Maryland League of Conservation Voters thanked the chair for including interested stakeholders.
 - Snook welcomed thoughts and suggestions.
 - Snook said he is looking at hosting another call in the next 1-2 weeks.
 - Lewis acknowledged that Secretary Grumbles is working with PPRP on the need for more information on brownfields and landfills. She also brought up that more information is needed on distribution lines and grid congestion to better understand where rooftop solar would be of benefit.
 - Bishoff brought up incentivizing development.
- Adjournment
 - Snook adjourned the call at 3:48 p.m.

Attendees

- Abigail Peryea, Maryland Energy Administration (MEA)
- Adam Gruzs, MDP
- Allison Cordell, Governor 's Office
- Andrew Gohn, Wind Energy representative
- April King, Maryland Environmental Service (MES)
- Billy Bishoff, Maryland Farm Bureau representative
- Cassie Shirk, Maryland Department of Agriculture (MDA)
- David Comis, Maryland Energy Administration (MEA)
- David Tancabel, PPRP, Maryland Department of Natural Resources (DNR)
- Devon Dodson, Maryland Department of the Environment (MDE)

- Dorothy Morrison, Maryland Department of Transportation (MDOT)
- Eddie Lukemire, MDOT
- Ewing McDowell, Maryland Department of Commerce (Commerce)
- Greg Snook, Chair
- Hannah Schaeffer, Governor's Office
- Helen Stewart, PPRP, DNR
- Interested Stakeholders
- James McKittrick, DNR
- Janet Christensen-Lewis, Maryland Farm Bureau representative
- Jason Dubow, MDP
- Jeannie Haddaway-Riccio, DNR
- Joe Bartenfelder, MDA
- Joey Chen, PSC
- John Finnerty, Solar Energy representative
- Julie Oberg, MDA
- Les Knapp, Maryland Association of Counties (MACo) representative
- Lisa Smith, PSC
- Nimisha Sharma, MDOT
- Roy McGrath, MES
- Ryan Opsal, MEA
- Sandra Schrader, MDP
- Stephen Schatz, Governor's Office
- Terry McGean, Maryland Municipal League (MML) representative