



Senate Finance Committee
February 25, 2020

Certificate of Public Convenience and Necessity – Electric Facilities – Study and Procedures (SB 741)

Favorable

Mr. Chairman and members of the Committee, Urban Grid Solar is a developer of utility-scale solar farms. Since our founding in 2011, we have been working and investing in Maryland. Urban Grid Solar is strongly committed to enhancing economic opportunities and bringing clean energy to Maryland.

On behalf of the Urban Grid Solar team, we wish to express our **support for SB 741**, which streamlines and clarifies the CPCN process in order to meet our in-state solar deployment goals, while also preserving and expanding the local voice on a project’s consistency with local zoning and comprehensive planning.

Under current law, as has been reaffirmed by the Court of Appeals’ recent *Perennial* decision, the PSC holds final siting authority for projects greater than 2MW in size. The PSC is required to give due consideration to local planning and zoning during their fact-based review process administered by the DNR’s PPRP. Despite that, certain elements of the CPCN process have become muddled and overlapping, leading to unnecessary costs and complexities. **SB 741 ensures that the CPCN process is as fair and timely as possible so that Maryland can meet its solar deployment goals.**

In the CPCN process, the PSC is required to give due consideration to a project’s consistency with local zoning and comprehensive planning as well as the applicant’s work towards addressing local concerns. The PSC gives significant consideration to recommendations made by the local jurisdiction in streamlining the CPCN process, **SB 741 does not make changes that would jeopardize local voices in the CPCN process.**

Currently, the PSC holds the authority to make the ultimate siting decision, but places significant weight on the PPRP’s environmental review and recommended permitting conditions to help give the PSC a full picture on a project’s impacts, if any. However, PPRP is not required by law to submit their review and proposed permitting conditions for all projects. Historically, PPRP has elected to not submit their environmental review or proposed permitting conditions for projects on which the PPRP recommends denial. This means that any facts within the environmental review that might be favorable towards the project in other aspects of the CPCN review are withheld from the PSC. **To ensure that the PSC receives a wholistic view of an applicant’s project, SB 741 would require PPRP to provide the PSC with an independent environmental review and proposed permitting conditions in all cases, regardless of PPRP’s stance on an applicant’s approval or denial.**

Even though the *Perennial* decision affirms that the PSC’s holds final authority on siting projects, PPRP continues to require that applicants pursue a local permitting decision. This parallel process means that applicants must spend significant time and resources in pursuing a CPCN in a way that the Court of Appeals found would “engender chaos and confusion.” **SB 741 would resolve this by creating a process allowing local officials to report to PPRP and the PSC on a project’s consistency with local planning and zoning, and automatically adding a local government’s planning department to the PSC’s notice list as an interested party.**



For these reasons, we thank you for your consideration and support SB741.

Sincerely,

James A Crawford Jr

James Crawford
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