Re: Subtitle 62 - COMMUNITY SOLAR ENERGY GENERATION SYSTEMS

Dear Mr. Collins:

I am writing on behalf of the Chesapeake Chapter of Physicians for Social Responsibility (CPSR) to support adoption of the regulations for implementation of Maryland’s Community Solar Energy Generating System (CSEGS) pilot program, as published in the Maryland Register of April 29, 2016. This communication formally submits to the Commission the points made in our May 16th letter, submitted during the general comment period that followed publication of those draft regulations.

Why is CPSR a stakeholder in CSEGS regulations? CPSR is a non-profit organization focused on the health dimensions of climate change and clean energy in Maryland, with a particular interest in protecting and improving the health and well-being of vulnerable segments of our population. We have participated in the PSC-led Net Metering Working Group in developing the regulations that will govern this three year CSEGS pilot program. Our focus has been supporting the legislation’s stated intention to include low and moderate income (LMI) households in the implementation of community solar in Maryland.

We commend the Commission for the extensive and broadly participatory process through which these regulations have been developed. That process has included representatives of electric utilities, solar developers, state and local government agencies, energy advocates, technical experts, and non-profit organizations, as well as concerned citizens. Our conclusion at the end of the process is that the draft regulations now released for comment are technically solid, equitable, and forward-looking, and that they should be adopted in their present form.

Promoting participation in the CSEGS pilot by LMI households: From the perspective of promoting participation by LMI households, we especially believe that the following sections are important and should be maintained:
Chapter 01, para. 02.B(12), which broadens the definition of “low income” to include households that are “certified as eligible for any federal, state or local assistance program that limits participation to households whose income is at or below 175 percent of the federal poverty limit;” this operational definition will greatly facilitate identification and enrollment of such households.

Chapter 02, para. 02.A(1)(b), allowing electric companies to accept additional LMI capacity if an electric utility has reached full capacity for projects in the LMI category.

Chapter 02, para. 02.A(3), establishing categories that provide for specific inclusion of LMI households, including a specific carve-out for households from the low income stratum, allowing “small” and LMI projects to use capacity from the “open” category if the specific LMI/small capacities have been filled, and allowing utilities to draw on LMI capacity from subsequent program years if the LMI category in a current year is filled.

Chapter 03, para. 04.C(4), which exempts LMI projects from queue deposits.

Chapter 05, para. 04, which allows the definition of “creditworthiness” to include “separate sets of uniform standards for the purpose of promoting participation” by LMI households; this is important because standard credit rating approaches can represent significant barriers to participation by low-income households.

We also appreciate and support the Commission’s decisions to value community solar subscription credit at the full retail electricity rate and to preclude the establishment of separate surcharges, fees or rates for recovery of program costs, including credit and administrative costs. These provisions are essential to support the feasibility and potential success of the pilot program, since less than full retail credit or the addition of other costs would seriously impede uptake of community solar and reduce the associated savings benefit, especially for LMI households.

Thank you for considering our positions on these regulations. Again, we applaud the approach the Commission has taken in their development, and urge the adoption of the regulations as drafted.

Cordially,

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