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February 2, 2015

VIA HAND DELIVERY

David J. Collins, Executive Secretary
Maryland Public Service Commission
William Donald Schaefer Tower
6 Saint Paul Street, 16th Floor
Baltimore, Maryland 21202

Re: IN THE MATTER OF THE APPLICATION OF
ONEENERGY WYE MILLS SOLAR, LLC FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY TO CONSTRUCT A 10.0 MW SOLAR
PHOTOVOLTAIC GENERATING FACILITY IN
QUEEN ANNE'S COUNTY, MARYLAND

Dear Mr. Collins:

Please find enclosed for filing the Application of OneEnergy Wye Mills Solar, LLC for a Certificate of Public Convenience and Necessity authorizing the construction of the Wye Mills Solar Farm in Queen Anne's County, Maryland. Included for filing is an original and 14 copies of the Application, an electronic copy on compact disc, plus an additional copy of this letter that we ask be date-stamped and returned with the waiting messenger. Also included is a check in the amount of \$10,000 payable to the Public Service Commission as payment for the required filing fee.

Please do not hesitate to contact me if you have any questions.

Very truly yours,



Todd R. Chason

Enclosures

CERTIFICATE OF SERVICE

On this 2nd day of February, 2015, copies of the foregoing Application for Certificate of Public Convenience and Necessity were sent to the below-listed agencies in accordance with COMAR 20.79.02.02:

4 copies to:

Ben Grumbles, Acting Secretary
Maryland Department of the Environment
1800 Washington Blvd., 7th Floor
Baltimore, MD 21230

1 copy to:

David R. Craig, Secretary
Maryland Department of Planning
301 W. Preston Street, Suite 1101
Baltimore, MD 21201-2305

6 copies to:

Frank W. Dawson, Acting Secretary
Maryland Department of Natural Resources
Tawes State Office Building, C4
580 Taylor Avenue
Annapolis, MD 21401

1 copy to:

Mike Gill, Secretary
Maryland Department of Business
and Economic Development
World Trade Center
401 East Pratt Street, 9th Floor
Baltimore, MD 21202-3316

1 copy to:

Peter K. Rahn, Secretary
Maryland Department of Transportation
7201 Corporate Center Drive
P.O. Box 548
Hanover, MD 21076

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1 copy to:

Paul J. Wiedefeld, Executive Director
Maryland Aviation Administration
P.O. Box 8766
Third Floor, Terminal Building
BWI Airport, MD 21240-8766

1 copy to:

Melinda Peters, Administrator
State Highway Administration
Maryland Department of Transportation
707 North Calvert Street, Room C-400
Baltimore, MD 21202

1 copy to:

Devon L. Dodson, Esquire, Acting Director
Maryland Energy Administration
60 West St., Suite 300
Annapolis, MD 21401

1 copy to:

Paula M. Carmody, Esquire
Office of People's Counsel
William Donald Schaefer Tower
6 St. Paul Street, Suite 2102
Baltimore, MD 21202-6806

1 copy to:

Sally Jewell, Secretary
U.S. Department of the Interior
1849 C Street NW
Mail Stop 7229
Washington, DC 20240

1 copy to:

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

1 copy to:

Michael P. Huerta, Administrator
Orville Wright Bldg. (FOB10A)
Federal Aviation Administration National Headquarters
800 Independence Avenue, SW
Washington, DC 20591

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1 copy to:
Daniel M. Ashe, Director
U.S. Fish & Wildlife Service
Main Interior
1849 C Street NW, Room 3331
Washington, DC 20240-0001

1 copy to:
J. Steven Cohoon, Director
Queen Anne's County Planning and Zoning Office
160 Coursevall Drive
Centreville, MD 21617

1 copy to:
Gary R. Stockbridge, President
Delmarva Power Region for Pepco Holdings, Inc. (PHI)
401 Eagle Run Road
Newark, DE 19714-9239

1 copy to:
Queen Anne's County Board of County Commissioners
107 N. Liberty St.
Centreville, MD 21617

A handwritten signature in black ink that reads "Todd R. Chason / VAK". The signature is written in a cursive style and is positioned above a horizontal line.

Todd R. Chason

**BEFORE THE PUBLIC SERVICE
COMMISSION OF MARYLAND**

IN THE MATTER OF THE APPLICATION OF *
ONEENERGY WYE MILLS SOLAR, LLC FOR *
A CERTIFICATE OF PUBLIC CONVENIENCE *
AND NECESSITY TO CONSTRUCT A 10.0 * Case No.
MW SOLAR PHOTOVOLTAIC GENERATING *
FACILITY IN QUEEN ANNE’S COUNTY, *
MARYLAND *

* * * * *

**APPLICATION OF ONEENERGY WYE MILLS SOLAR, LLC
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
AND REQUEST FOR WAIVER OF TWO-YEAR NOTICE REQUIREMENT**

OneEnergy Wye Mills Solar, LLC (“OneEnergy” or “Applicant”), by its undersigned counsel, hereby submits this Application to the Public Service Commission for a Certificate of Public Convenience and Necessity (“CPCN”) to construct a nominally rated 10.0 megawatt (“MW”) solar photovoltaic facility in Queen Anne’s County, Maryland (“Wye Mills Solar Farm” or “Project”) pursuant to section 7-207 of the Public Utilities Article of the Annotated Code of Maryland.

OneEnergy’s Application is comprised of this petition together with the attached Environmental Review Document (“ERD”). Additionally, OneEnergy requests a waiver of the two-year notice requirement. Section I of this petition provides an overview of the Project; Section II justifies the Commission’s approval of the application; Section III provides the information required by § 7-207; and Section IV requests waiver of the two-year requirement.

I. PROJECT INTRODUCTION

The Wye Mills Solar Farm will be a 10.0 MW alternating current (AC) solar photovoltaic (PV) project on an approximately 95-acre, privately-owned site in Queen Anne's County, Maryland pursuant to a long-term lease from a private landowner. The site is part of a larger, 210.6-acre, leased area located on Owens Road near the intersection of Queen Anne Highway (MD Route 404). Approximately eighty-five to one hundred (85-100) design, management, and construction personnel will work (remotely or on site) on the Project at the height of construction, which is anticipated in Summer 2015 subject to permitting timeframes. Because of the nature of solar installations, environmental impacts from the Project will be minimal and the long-term benefits significant.

Maryland has established one of the most aggressive renewable portfolio standard goals in the country, aiming for 20% of its power to be renewable by 2022, including 2% from solar. In order to meet these goals Maryland needs not only small, residential rooftop installations, but large utility-scale facilities like the Wye Mills Solar Farm.

In summary, there are compelling economic, environmental and legal reasons for the State and the Commission to expeditiously approve this CPCN application, with no countervailing harm. Accordingly, we ask the Commission to expeditiously approve the Project.

II. CPCN STANDARD

When the Commission considers whether to grant a CPCN, it must take into account "the effect of the generating station, overhead transmission line, or qualified generator lead line on:

- (i) the stability and reliability of the electric system;
- (ii) economics;
- (iii) esthetics;
- (iv) historic sites;
- (v) aviation safety as determined by the Maryland Aviation Administration and the administrator of the Federal Aviation Administration;

- (vi) when applicable, air and water pollution; and
- (vii) the availability of means for the required timely disposal of wastes produced by any generating station.

Md. Code Ann., Pub. Util. (“PU”) § 7-207(e)(2). The Environmental Review Document provides significant detail as to all applicable factors, but in summary each such factor weighs heavily in favor of granting OneEnergy’s requested CPCN.

The Project will include significant economic benefits to the State by making more solar power and renewable energy credits available and by ensuring that approximately eighty-five to one hundred (85-100) temporary design, management, and construction personnel work remotely or on the site at the height of construction. *See* ERD at § 5.F (p. 23). At the same time, because the panels are low to the ground the esthetic impact to the site and surrounding area will be minimal. Additionally, buffering will be provided to prevent visibility from the closest residential properties. The Applicant completed a Determination of Eligibility form and the required attachments for the Site, which were reviewed and determined by the Maryland Historical Trust as ineligible for the National Register of Historic Places. The Maryland Historical Trust noted that the project area possesses no archeological research potential and further archaeological investigations are not warranted. *See* ERD, Appendix 10.

With respect to the stability and reliability of the system, OneEnergy initiated a process to be interconnected with the PJM Electricity Grid and Delmarva Power & Light by filing Interconnection Requests and completing project feasibility, system impact, and facilities study assessments, which were completed in August 2012, January 2013, and September 2014, respectively. *See* ERD at § 5.G (p. 24). The Project will interconnect to the Delmarva Power and Light distribution system at the 69/25 kV Wye Mills substation via a new 25 kV distribution

express circuit which is fed from the T2 transformer at the Wye Mills substation. *Id.* Thus, the Project should not have a negative impact on the stability or reliability of the system.

Finally, because of the nature of solar power, the Project will have no impact on aviation (because there is no stack), air or water pollution (there are no emissions or discharges) and there is no wastewater or cooling water for which disposal is required.

III. CPCN APPLICATION FILING REQUIREMENTS (COMAR 20.79.01.04)

- A. The applicant is OneEnergy Wye Mills Solar, LLC.
- B. The applicant's address is: OneEnergy Wye Mills Solar, LLC, 101 Yesler Way, Suite 401, Seattle, WA 98104.
- C. The following persons are authorized to receive notices and communications with respect to this Application:

Ms. Gia Clark
OneEnergy Wye Mills Solar, LLC
c/o One Energy Renewables
101 Yesler Way, Suite 401
Seattle, WA 98104
Phone (206) 922-7075
Fax (206) 922-7079
gia@oneenergyrenewables.com

Todd R. Chason
Victor A. Kwansa
Gordon Feinblatt LLC
233 East Redwood Street
Baltimore, Maryland 21202
tchason@gfrlaw.com
vkwansa@gfrlaw.com

- D. Copies of this application are being made available for public inspection and copying at:

Queen Anne's County Planning and Zoning Office
160 Coursevall Drive
Centreville, MD 21617

E. A list of each local, state, and federal government agency having authority to approve or disapprove the construction or operation of the Project is set forth in Table 1 of the Environmental Review Document portion of this Application.

F. Other than the physical interconnection to the 69/25 kV Wye Mills substation, no significant upgrade to this substation will be required.

G. A general description of the generating station under COMAR 20.79.03.01 is provided in Section 5 of the Environmental Review Document.

H. Implementation schedule:¹

- Engineering: Ongoing with completion by Summer 2015.
- Construction: Summer 2015.
- Commence commercial operation shortly following construction completion.

I. OneEnergy has provided the environmental information for the generating station in section 6 of the Environmental Review Document.

IV. REQUEST FOR WAIVER AND EXPEDITED REVIEW

Although Maryland law requires the filing of CPCN applications at least two years prior to the commencement of construction, the Commission has authority to waive that notice requirement upon a showing of good cause. PU § 7-208(c). *See also* COMAR 20.79.01.07 (granting the Commission authority to “waive or modify any provision of this subtitle”). The Commission routinely grants such requests. *See, e.g.*, Case No. 9314, Order No. 85683 (May 31, 2013) (indicating grant of Church Hill Solar Farm, LLC’s request for waiver); Case No. 9272,

¹ Dates are subject to change depending on delays, including those associated with permitting, equipment availability and construction.

Order No. 84059 (May 26, 2011) (granting Maryland Solar LLC's request); Case No. 9199 (granting Energy Answers International, Inc.'s request).

Imposing a two-year notice requirement may make sense for certain generating facilities, but not for the type of project proposed here where impacts will not extend beyond the borders of the site. There are no emissions that will impact adjacent properties and the installation of solar cells will not materially impact property values for nearby residents. Requiring a two-year delay of the Project to satisfy this requirement would simply delay Maryland receiving the benefits offered by the Project without corresponding benefit. Accordingly, OneEnergy submits that good cause exists to support the waiver of the two-year notice requirement.

OneEnergy further requests an expeditious approval of its Application. Ideally, OneEnergy is targeting a construction start in summer 2015. OneEnergy is now investing significant capital in permitting and project design, and needs to minimize the delay before commercial operation begins. To help achieve this deadline, the Applicant has engaged in pre-application outreach to the Power Plant Research Program, including conducting a site visit with several members of the PPRP consulting team on January 8, 2015. Other applicable persons and agencies have also been contacted and OneEnergy has endeavored to provide as complete an Application as possible. OneEnergy will continue to be as cooperative as possible to help the Commission review and approve this Application within this timeframe.

V. CONCLUSION

OneEnergy respectfully requests that the Commission:

- (1) waive the two-year notice provision of Section 7-208(c) of the Public Utilities Article of the Maryland Code; and

(2) expeditiously approve this Application for a Certificate of Public Convenience and Necessity for the construction of the proposed nominally rated 10.0 MW solar photovoltaic Wye Mills Solar Farm in Queen Anne's County, Maryland.

Respectfully submitted,

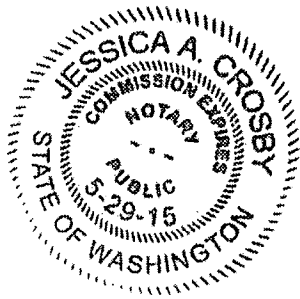
Handwritten signature in black ink, appearing to read "Todd R. Chason / VAK".

Todd R. Chason
Victor A. Kwansa
Gordon Feinblatt LLC
233 East Redwood Street
Baltimore, Maryland 21202
(410) 576-4069
(410) 576-4032
Counsel for OneEnergy Wye Mills Solar, LLC

VERIFICATION

Before me, the subscriber, a Notary Public, in and for King County, Washington, this day personally appeared Travis Bryan and made oath and due form of law that he is the Chief Operating Officer of OneEnergy Development, LLC, Manager of OneEnergy Wye Mills Solar, LLC and the matters and facts set forth in the foregoing Application for a Certificate of Public Convenience and Necessity for the Wye Mills Solar Farm are true and correct to the best of his information, knowledge and belief.

WITNESS my hand and Notarial Seal this 29th day of January, 2015.



Travis J. Bryan
Travis J. Bryan
Chief Operating Officer
OneEnergy Development LLC
Manager, OneEnergy Wye Mills Solar, LLC

Jessica Crosby
Jessica Crosby
Notary Public Name (Print)

My Commission Expires: 5/29/15