

**BEFORE THE PUBLIC SERVICE  
COMMISSION OF MARYLAND**

IN THE MATTER OF THE APPLICATION OF \*  
LONGVIEW SOLAR, LLC FOR A \*  
CERTIFICATE OF PUBLIC CONVENIENCE \*  
AND NECESSITY TO CONSTRUCT A 15.0 \* Case No.  
MW SOLAR PHOTOVOLTAIC GENERATING \*  
FACILITY IN WORCESTER COUNTY, \*  
MARYLAND \*

\* \* \* \* \*

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

Longview Solar, LLC (“Longview” 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 nominal 15.0 megawatt (“MW”) alternating current (“AC”) solar photovoltaic facility in Worcester County, Maryland (“LS-Seabeach Solar Farm” or “Project”) pursuant to Md. Public Utilities Article (“PU”) § 7-207.

Longview’s Application is comprised of this petition together with the attached Environmental Review Document (“ERD”). Additionally, Longview 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 PU § 7-207; and Section IV requests waiver of the two-year requirement.

## **I. PROJECT INTRODUCTION**

The LS-Seabeach Solar Farm will be a 15.0 MW alternating current (AC) solar photovoltaic (PV) project on an approximate 125-acre development envelope across three parcels identified as Tax Map 64 Grid 7 Parcel 71, Tax Map 64 Grid 8 Parcel 4, and Tax Map 64 Grid 7 Parcel 72 located on Public Landing Road in Worcester County, Maryland (the “Site”). Approximately 40 to 60 design, management, and construction personnel will work (remotely or on Site) on the Project at the height of construction, which is anticipated in the spring or summer of 2016 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 LS-Seabeach 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.

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

The Project will include significant economic benefits to the State by making more solar power and solar renewable energy credits available, and by ensuring that approximately 40 to 60 temporary design, management, and construction personnel work remotely or on the Site at the height of construction. *See* ERD at § 5.f. At the same time, the esthetic impact to the Site and surrounding area, which is rural and sparsely occupied, will be minimal because the panels are low to the ground. Buffering will be provided as appropriate to limit visibility from the closest properties.

With respect to the stability and reliability of the system, Longview initiated a process to be interconnected with the PJM and Delmarva Power & Light (DPL) systems by filing Interconnection Requests and completing project feasibility, system impact, and facilities study assessments. The Project will connect with the electric distribution grid serving Maryland through a line tap with DPL’s Kenney Substation, which will be directionally drilled under any wet and/or forested areas. Longview has received its Feasibility and System Impact Study results for the Project from PJM. Longview expects to receive its Facility Study in January 2016 and expects to finalize its Interconnection Agreement with PJM and DPL in February 2016. There is no forecasted network impact to DPL’s distribution infrastructure resulting from the 15.0MW connection at the Kenney Substation. *See* ERD at § 4.B. Thus, the Project will 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 Longview Solar, LLC.
- B. The applicant's address is: Longview Solar, LLC, c/o Todd R. Chason, 233 East Redwood Street, Baltimore, MD 21202.
- C. The following persons are authorized to receive notices and communications with

respect to this Application:

Mr. Byron Crawford  
Longview Solar, LLC  
c/o Longview Solar, LLC, a Joint Venture of TUUSSO Energy and Elemental Energy  
1080 W. Ewing Pl #B10  
Seattle, WA 98119  
Phone 206.388.2996  
[byron.crawford@tuusso.com](mailto:byron.crawford@tuusso.com)

Mr. Todd R. Chason  
Mr. David W. Beugelmans  
Gordon Feinblatt LLC  
233 East Redwood Street  
Baltimore, MD 21202  
[tchason@gflaw.com](mailto:tchason@gflaw.com)  
[dbeugelmans@gflaw.com](mailto:dbeugelmans@gflaw.com)

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

Worcester County Development Review & Permitting  
Worcester County Government Center  
1 W. Market St. Room 1201  
Snow Hill, MD 21863

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 ERD portion of this Application.

F. Other than the construction of an underground line tap and upgrades at the Worcester Substation, no significant upgrade to the electric distribution system will be required.

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

H. Implementation schedule:<sup>1</sup>

- Engineering: September 2015 through March 2016.
- Construction: Spring/Summer 2016
- Commercial Operation: Fall/Winter 2016

I. Longview has provided the environmental information for the generating station in Section 6 of the ERD.

#### **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. 9370, Order No. 87012 (May 8, 2015) (granting OneEnergy Dorchester LLC’s request for waiver); Case No. 9375, Order No. 87061 (June 15, 2015) (granting OneEnergy Wye Mills Solar, LLC’s request for waiver); Case

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

No. 9314, Order No. 85683 (May 31, 2013) (granting Church Hill Solar Farm, LLC's request for waiver); Case No. 9272, Order No. 84059 (May 26, 2011) (granting Maryland Solar LLC's request for waiver).

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, Longview submits that good cause exists to support the waiver of the two-year notice requirement.

Longview further requests an expeditious approval of its Application. Ideally, Longview is targeting a construction start in the late-spring of 2016. Longview is now investing significant capital in permitting and project design, and needs to minimize the delay before commercial operation begins. Longview will be as cooperative as possible to help the Commission review and approve this Application within this timeframe.

## **V. CONCLUSION**

Longview respectfully requests that the Commission:

- (1) waive the two-year notice provision of PU § 7-208(c);
- (2) expeditiously approve this Application for a Certificate of Public Convenience and Necessity for the construction of the proposed nominally rated 15.00 MW solar photovoltaic LS-Seabeach Solar Farm in Worcester County, Maryland.

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Respectfully submitted,

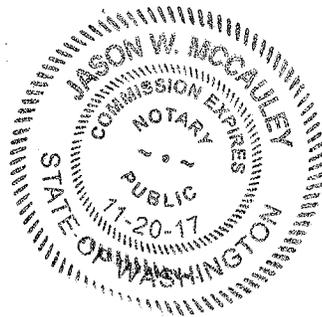
Handwritten signature in black ink, reading "Todd R. Chason / DWB". The signature is written in a cursive style and is positioned above a horizontal line.

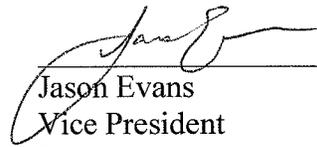
Todd R. Chason  
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Gordon Feinblatt LLC  
233 East Redwood Street  
Baltimore, Maryland 21202  
(410) 576-4145  
(410) 576- 4069

VERIFICATION

Before me, the subscriber, a Notary Public, in and for King County, Washington, this day personally appeared Jason Evans and made oath and due form of law that he is the Vice President of Longview Solar, LLC and the matters and facts set forth in the foregoing Application for a Certificate of Public Convenience and Necessity for LS-Seabeach Solar Farm are true and correct to the best of his information, knowledge and belief.

WITNESS my hand and Notarial Seal this 26<sup>th</sup> day of Oct., 2015.



  
\_\_\_\_\_  
Jason Evans  
Vice President  
Longview Solar, LLC

  
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Jason McCauley  
Notary Public Name (Print)

My Commission Expires: Nov 20th, 2017