

SB0573/187077/2

BY: Finance Committee

AMENDMENTS TO SENATE BILL 573
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “an application” and substitute “applications”; in line 18, after “program;” insert “requiring an investor–owned electric company to solicit proposals and apply for Commission approval of certain projects on or before certain dates; requiring the Commission to make a certain determination on or before a certain date; requiring the Commission to solicit comments from certain stakeholders and hold a hearing on certain applications; requiring the Commission to approve, approve with modification, or reject a certain application; requiring an investor–owned electric company to submit a certain amended application within a certain time period; requiring the Commission to approve, approve with modifications, or reject a certain amended application within a certain period of time; authorizing the Commission to establish certain interim deadlines;”; in line 19, strike “a certain date;” and substitute “certain dates;”; strike beginning with “authorizing” in line 21 down through “date;” in line 23 and substitute “requiring the Commission to determine which data related to the projects may be made available only to certain persons and which data related to the projects may be made available to the public; authorizing the Commission to extend the pilot program and delay by a corresponding amount of time a certain evaluation and report under certain circumstances; requiring the Commission to submit a certain interim report to the General Assembly on or before a certain date;”; in line 24, after “date” insert “under certain circumstances”; and in line 26, after “company;” insert “providing that the termination of the pilot program does not affect certain cost recovery by an investor–owned electric company;”.

AMENDMENT NO. 2

On page 2, in line 11, strike “DISPATCHING” and substitute “DELIVERING”.

On page 3, in line 5, after “WOULD” insert “:

(Over)

(I);

after line 6, insert:

“(II) ALLOW THE THIRD PARTY TO OPERATE THE PROJECT IN WHOLESALE MARKETS OR OTHER APPLICATIONS WHEN THE PROJECT IS NOT PROVIDING GRID SERVICES; AND”;

in lines 14 and 15, strike “AN APPLICATION” and substitute “APPLICATIONS”; in line 17, after “SECTION” insert “, ONE OF WHICH MUST BE FROM A MODEL DESCRIBED IN SUBSECTION (C)(3) OR (4) OF THIS SECTION”; and in lines 29 and 30, strike “OR OTHERWISE OFFERS NET SOCIETAL BENEFITS”.

On page 4, in line 1, strike “EACH” and substitute “THE”; in line 11, strike “AND”; and in line 14, after “BENEFITS;” insert “AND”

(VI) THE ESTIMATED IMPACT OF EACH PROJECT ON THE INVESTOR-OWNED ELECTRIC COMPANY’S RATES FOR EACH CLASS OF CUSTOMER;”.

On page 5, in lines 24 and 25, strike “**FEBRUARY 28, 2020**” and substitute “**JUNE 1, 2019**”; in line 26, after “(2)” insert “(I)”; in lines 26 and 27, strike “**FEBRUARY 28, 2021: (I)**” and substitute “**APRIL 15, 2020,**”; in line 28, strike the semicolon and substitute “**FOR THE FIRST ENERGY STORAGE PROJECT REQUIRED UNDER SUBSECTION (D)(1) OF THIS SECTION.**”

(II) ON OR BEFORE SEPTEMBER 15, 2020, EACH INVESTOR-OWNED ELECTRIC COMPANY SHALL SOLICIT PROPOSALS AND APPLY FOR

COMMISSION APPROVAL FOR THE SECOND ENERGY STORAGE PROJECT
REQUIRED UNDER SUBSECTION (D)(1) OF THIS SECTION.”;

in line 29, strike “(II)” and substitute “**(3) ON OR BEFORE APRIL 15, 2021: (I)**”;

and in line 31, strike “(III)” and substitute “**(II)**”.

On page 6, after line 1, insert:

**“(4) (I) THE COMMISSION SHALL SOLICIT COMMENTS FROM THE
MARYLAND ENERGY ADMINISTRATION, THE OFFICE OF PEOPLE’S COUNSEL,
AND OTHER STAKEHOLDERS AND HOLD A HEARING ON EACH APPLICATION
SUBMITTED UNDER SUBSECTION (D) OF THIS SECTION.**

**(II) THE COMMISSION SHALL APPROVE, APPROVE WITH
MODIFICATIONS, OR REJECT AN APPLICATION SUBMITTED UNDER SUBSECTION
(D) OF THIS SECTION AFTER:**

**1. RECEIVING COMMENTS FROM THE MARYLAND
ENERGY ADMINISTRATION, THE OFFICE OF PEOPLE’S COUNSEL, AND OTHER
STAKEHOLDERS AND HOLDING A HEARING;**

**2. CONSIDERING THE PROJECTED COSTS AND
BENEFITS OF THE PROJECTS PROPOSED FOR INCLUSION IN THE PILOT
PROGRAM; AND**

**3. DETERMINING WHETHER THE PROJECT IS IN THE
PUBLIC AND RATEPAYER INTEREST.**

(Over)

(5) (I) IF THE COMMISSION REJECTS AN APPLICATION, WITHIN 3 MONTHS AFTER RECEIVING NOTICE OF THE REJECTION OF AN APPLICATION, THE INVESTOR-OWNED ELECTRIC COMPANY SHALL SUBMIT AN AMENDED APPLICATION FOR COMMISSION APPROVAL.

(II) THE COMMISSION SHALL APPROVE, APPROVE WITH MODIFICATIONS, OR REJECT AN AMENDED APPLICATION WITHIN 3 MONTHS AFTER RECEIPT OF THE AMENDED APPLICATION.”;

in line 2, strike “(3)” and substitute “(6)”; after line 7, insert:

“(III) THE COMMISSION MAY ESTABLISH ADDITIONAL INTERIM DEADLINES.”;

in line 8, strike “(4)” and substitute “(7)”; in the same line, strike “FEBRUARY 28, 2023,” and substitute “JULY 1 OF 2023, 2024, AND 2025,”; and in line 9, after “COMMISSION” insert “, THE MARYLAND ENERGY ADMINISTRATION, AND THE OFFICE OF PEOPLE’S COUNSEL”.

On page 9, in line 14, strike “AN” and substitute “SUBJECT TO SUBPARAGRAPH (IV) OF THIS PARAGRAPH, AN”; after line 19, insert:

“(IV) AFTER RECEIVING COMMENTS FROM ALL PARTIES, THE COMMISSION SHALL DETERMINE:

1. WHICH DATA RELATED TO THE PROJECTS SHALL BE MADE AVAILABLE ONLY TO THE TECHNICAL STAFF OF THE COMMISSION AND THE OFFICE OF PEOPLE’S COUNSEL; AND

2. WHICH DATA RELATED TO THE PROJECTS SHALL BE MADE AVAILABLE TO THE PUBLIC.”;

in line 20, strike “2023” and substitute “**2026**”; strike in their entirety lines 23 and 24 and substitute “**PROGRAM, THE COMMISSION MAY EXTEND THE PILOT PROGRAM AND DELAY BY A CORRESPONDING AMOUNT OF TIME THE EVALUATION AND REPORT REQUIRED UNDER SUBSECTION (K) OF THIS SECTION.”**; in line 25, strike “**ON OR BEFORE DECEMBER 31, 2023,**” and substitute “**ON OR BEFORE JULY 1, 2024, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE COMMISSION SHALL SUBMIT AN INTERIM REPORT TO THE GENERAL ASSEMBLY THAT PROVIDES AN INITIAL EVALUATION OF THE PROJECTS APPROVED UNDER THIS SECTION BASED ON:**

(1) PROJECT COSTS;

(2) VALUE STREAMS;

(3) ANY REDUCTION IN SYSTEM COSTS;

(4) ANY ISSUES ENCOUNTERED IN THE EARLY IMPLEMENTATION PHASE; AND

(5) AN ANALYSIS OF ANY FUNDS GENERATED FROM THE WHOLE MARKET.

(K) (1) EXCEPT AS PROVIDED IN SUBSECTION (I) OF THIS SECTION, ON OR BEFORE JULY 1, 2026, IN CONSULTATION WITH THE MARYLAND ENERGY ADMINISTRATION AND THE OFFICE OF PEOPLE’S COUNSEL.”;

(Over)

and in lines 27, 28, and 30, strike “**(1)**”, “**(2)**”, and “**(3)**”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively.

On page 10, in lines 2, 3, 6, 8, 9, and 11, strike “**(4)**”, “**(5)**”, “**(6)**”, “**(7)**”, “**(8)**”, and “**(9)**”, respectively, and substitute “**(IV)**”, “**(V)**”, “**(VI)**”, “**(VII)**”, “**(VIII)**”, and “**(IX)**”, respectively; in line 13, strike “**(K)**” and substitute “**(2)**”; in the same line, strike “**2023**” and substitute “**2026**”; in line 15, strike “**SUBSECTION (J) OF THIS SECTION**” and substitute “**PARAGRAPH (1) OF THIS SUBSECTION**”; after line 19, insert:

“(M) (1) UNLESS THE COMMISSION EXTENDS THE PILOT PROGRAM IN ACCORDANCE WITH SUBSECTION (I) OF THIS SECTION, THE PILOT PROGRAM SHALL TERMINATE ON DECEMBER 31, 2026.

(2) THE TERMINATION OF THE PILOT PROGRAM MAY NOT AFFECT THE COST RECOVERY BY AN INVESTOR-OWNED ELECTRIC COMPANY FOR THE LIFETIME OF AN ENERGY STORAGE PROJECT.”;

and in line 21, strike “October” and substitute “June”.