

**BEFORE THE PUBLIC SERVICE
COMMISSION OF MARYLAND**

IN THE MATTER OF THE APPLICATION OF *
ONEENERGY BLUE STAR SOLAR, LLC FOR *
A CERTIFICATE OF PUBLIC CONVENIENCE *
AND NECESSITY TO CONSTRUCT A 6.0 MW *
SOLAR PHOTOVOLTAIC GENERATING * Case No.
FACILITY IN KENT COUNTY, MARYLAND *

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

OneEnergy Blue Star 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 nominal 6.0 megawatt (“MW”) alternating current (“AC”) solar photovoltaic facility in Kent County, Maryland (“Blue Star 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 Blue Star Solar Farm will be a 6.0 MW alternating current (AC) solar photovoltaic (PV) project located at 12213 Galena Road, Massey, Maryland 21650, on portion of a 129-acre parcel (Kent County Assessor's Office, Tax Map 16/ Grid 4B/ Parcel 9) near the Village of Massey in unincorporated Kent County, Maryland, approximately one-half mile west of Massey and one-half mile east of Highway 301 and State Route 330 junction. Approximately 50 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 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 Blue Star Solar Farm.

As the Commission is aware, the Investment Tax Credit ("ITC") has contributed to significant growth in solar project in Maryland and around the country. Currently, to qualify for the ITC, projects must be in service before December 31, 2016. The ITC is critical for this Project, and construction must commence in spring 2016 to allow adequate time to begin producing power by year's end.

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 50 temporary design, management, and construction personnel work remotely or on the site at the height of construction. *See* ERD at § 5.F (p. 20). 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 Project Review Form and the required attachments for the Site, which were reviewed and determined by the Maryland Historical Trust that one historic property may be in the area of potential effect. OneEnergy worked with a reputable cultural resource consulting firm to evaluate the property for a Determination of Eligibility to be listed on the National Register of Historic Places and determined that the property is ineligible. The Maryland Historical Trust noted that the project area possesses no archeological research potential and further archaeological investigations are not warranted. *See* ERD, Appendix 8.

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, the first two of which were completed in February 2015 and March 2015, respectively; the facility study has been initiated and is anticipated to be returned in September 2015. *See* ERD at § 5.G (p. 30-31). The Project will interconnect to the Delmarva Power and Light distribution system at DPL's MD 2206 25 kV distribution circuit located on Galena Road and feeding the DPL Massey Substation, which has adequate capacity to accommodate the injection of the Project's power into the distribution system with minimal upgrades. *See* ERD at § 5.H (p. 31). 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 Blue Star Solar, LLC.
- B. The applicant's address is: OneEnergy Blue Star Solar, LLC, 2003 Western Ave, Suite 225, Seattle, WA 98121.
- C. The following persons are authorized to receive notices and communications with respect to this Application:

Mr. Robert Collier
OneEnergy Blue Star Solar, LLC
c/o OneEnergy Renewables
2003 Western Ave, Suite 225
Seattle, WA 98121
Phone (206) 922-7075

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Todd R. Chason
Gordon Feinblatt LLC
233 East Redwood Street
Baltimore, Maryland 21202
mwitherup@gfllaw.com
tchason@gfllaw.com

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

Kent County Planning, Housing and Zoning Office
400 High Street
Chestertown, MD 21620

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 DPL's MD 2206 25 kV distribution circuit located on Galena Road and feeding the Massey 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 Winter 2016.
- Construction: Spring 2016.
- Commence commercial operation shortly following construction completion.

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

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, 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 mean that the Project would likely be unable to qualify for the ITC and would ultimately only serve to 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 the spring of 2016. OneEnergy is now investing significant capital in permitting and project design, and needs to minimize the delay before commercial operation begins. As with its prior three projects OneEnergy will continue to be as

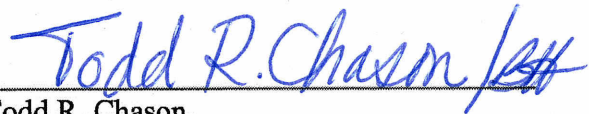
cooperative as possible to help the Commission review and approve this Application within this timeframe.

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 6.0 MW solar photovoltaic Blue Star Solar Farm in Kent County, Maryland.

Respectfully submitted,

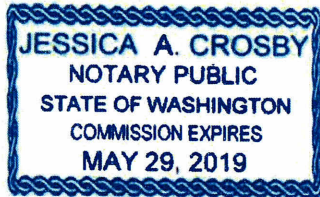


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Counsel for OneEnergy Blue Star Solar, LLC

VERIFICATION

Before me, the subscriber, a Notary Public, in and for King County, Washington, this day personally appeared Kristin Martinez and made oath and due form of law that she is the Chief Financial Officer of OneEnergy Development, LLC, Manager of OneEnergy Blue Star Solar, LLC and the matters and facts set forth in the foregoing Application for a Certificate of Public Convenience and Necessity for the Blue Star Solar Farm are true and correct to the best of her information, knowledge and belief.

WITNESS my hand and Notarial Seal this 9th day of July 2015.



Kristin Martinez
Kristin Martinez
Chief Financial Officer
OneEnergy Development, LLC
Manager, OneEnergy Blue Star Solar, LLC

Jessica A. Crosby
Jessica Crosby
Notary Public Name (Print)

My Commission Expires: 5/29/19