

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF MARYLAND**

**In the Matter of the Application of)
Cherrywood Solar I, LLC for a)
Certificate of Public Convenience and)
Necessity to Construct a)
202 MW Solar Photovoltaic Generating Facility)
in Caroline County, Maryland)**

Case No. 9477

**DEPARTMENT OF NATURAL RESOURCES/ POWER PLANT RESEARCH
PROGRAM'S MOTION TO AMEND THE PROCEDURAL SCHEDULE**

The Maryland Department of Natural Resources, Power Plant Research Program (hereafter, PPRP), through undersigned counsel, respectfully moves to amend the Procedural Schedule for this case that was issued on March 12, 2018.

Based on the current Procedural Schedule, all parties other than Applicant must file their direct testimony and recommended licensing conditions by August 21, 2018. PPRP continues to prepare its review of the Cherrywood Solar CPCN application, and has determined that it cannot meet the August 21, 2018 filing date for direct testimony. The Cherrywood Solar project, if approved and built, will be the largest nameplate (202 MW) solar generating facility in the State, and the first such facility in Caroline County. The proposed facility will be sited on at least 16 parcels on over 1,083 acres of land. *See* Cherrywood Solar Application, p.1, and ERD, p. 1, filed January 23, 2018 under mail-log number 218651. It is possible that the project will include a battery storage component at some time. *Id.*

PPRP has been working diligently to assemble the facts necessary to complete its review of the CPCN application, and then forward a package of direct testimony, Project Assessment Report, and recommended licensing conditions to the seven reviewing State agencies for review and sign off, a review process that takes at least six weeks. After careful consideration of the

application, including ongoing discovery, PPRP is requesting a delay of approximately 3 months until November 22, 2018 for the filing of necessary documents.

PPRP's need for further time is based on the extensive nature of the Applicant's June 1st direct testimony (which contained a significant amount of new and revised material); and the fact that the Site Plan may change again as a result of the County approval process, which will not culminate until July 17, 2018. PPRP also first learned of the existence of the subsurface drainage features on several site parcels at a technical meeting held on June 7, 2018. These facts were not known at the time that the initial procedural schedule was set. There are additional issues that have arisen that require more time for careful review. A follow-up site visit was conducted on June 28, 2018, to allow PPRP an additional opportunity to view key parcels.

To provide adequate time to evaluate the evolving site information, PPRP respectfully asks that the remaining dates on the current Procedural Schedule be amended as follows:

Parties direct testimony: November 22, 2018

Settlement update: December 4, 2018

Second public hearing: December 11, 2018

Evidentiary hearing: December 12, 2018.

Proposed Order: December 28, 2018.

This proposal was provided to all parties on July 9, 2018. Applicant has proposed the following alternate dates:

- October 15, 2018 Direct Testimony and Conditions Due (Other Than Applicant)
- November 2, 2018 Applicant Rebuttal Testimony
- November 7, 2018 Second Public Comment Hearing

- November 13, 2018 Evidentiary Hearing
- December 17, 2018 Proposed Order Target Date

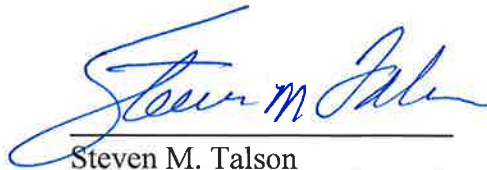
PPRP does not believe that this counter proposal affords adequate time for the project review, and then the additional six weeks needed for State agencies to review and comment on PPRP's proposed filing. PPRP has not received a response from Staff, and Caroline County and OPC do not oppose PPRP's proposed schedule amendment. We note that if PPRP's proposed schedule is adopted, and the appeal time is shortened, a decision will be issued within two weeks of the date suggested by the Applicant.

For good cause shown, PPRP respectfully requests that the Procedural Schedule be amended to reflect a filing date for non-Applicant parties of November 22, 2018, with the other dates adjusted as indicated above.

I hereby certify that copies of this motion were served electronically on all parties of record this date.

Dated: July 12, 2018.

Respectfully submitted,



Steven M. Talson
Assistant Attorney General
Counsel for the Department
Of Natural Resources, Power plant Research
Program
1800 Washington Blvd., Suite 755
Baltimore, MD 21230
Tel: 410-537-4088
steven.talson@maryland.gov

Counsel for DNR/PPRP