

Attachment B

Case No. 9477

Staff Recommended Licensing Conditions

Direct Testimony of Kevin Zhong

November 13, 2018

Q. What is your recommendation in this matter?

A. Staff recommends that the Commission grant a CPCN to Cherrywood for a 202 MW solar generating facility, but only after the PJM Facilities study for queue AB2-037 is completed. Staff recommends that the Commission include the following conditions if the Commission authorizes the Project:

- (1) Require the filing of a request for CPCN amendment with the Commission for any generation capacity in excess of 202 MW; and
- (2) Require the signed ISA executed by Cherrywood, PJM and DPL be filed with the Commission prior to the commencement of construction; and
- (3) Require that Cherrywood, its successors and assigns, provide sixty (60) days written notice to the Commission of any non-wholesale electricity sale to a Maryland retail electric customer and comply with all regulations regarding such sale including obtaining any requisite ISA and retail supplier approval(s) prior to delivering electricity into the respective systems of Maryland electric companies; and
- (4) Require that Cherrywood, its successors and assigns, provide written notice of any change in ownership of all, or any portion of the Project, at least thirty (30) days prior to the closing date of any sale to a third party. The written notice should include, but not be limited to identifying the third party, providing contract information to receive any Commission inquiries, the proposed effective date of any change in ownership and providing documentation that demonstrates the capability of the prospective owner to operate and maintain the Project to perform in accordance with any CPCN issued in this proceeding; and
- (5) Include any additional conditions proposed by the other State agencies having jurisdiction in this proceeding.