

**BEFORE THE PUBLIC SERVICE
COMMISSION OF MARYLAND**

IN THE MATTER OF THE APPLICATION OF *
CITIZENS UB SOLAR, LLC FOR A *
CERTIFICATE OF PUBLIC CONVENIENCE *
AND NECESSITY TO CONSTRUCT A 9.9. MW Case No. 9483
SOLAR PHOTOVOLTAIC GENERATING *
FACILITY IN THE TOWN OF UNION BRIDGE *
AND CARROLL COUNTY, MARYLAND *

* * * * *

**THE TOWN OF UNION BRIDGE'S OPPOSITION TO APPLICATION OF
CITIZENS UB SOLAR, LLC FOR A CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY**

The Town of Union Bridge ("Union Bridge"), by its undersigned Town Attorneys, hereby opposes the request of Citizens UB Solar, LLC ("Applicant") in the within proceedings for a Certificate of Public Convenience and Necessity, and in support thereof states:

1. Union Bridge filed a Petition to Intervene as a party in the above-referenced proceeding on July 5, 2018. The Petition was granted on July 12, 2018.
2. In its Petition to Intervene, Union Bridge cited a variety of interests related to the Applicant's proposed large scale array of solar panels and accessory facilities, including the Town's unique interest in its historic heritage; the impact on numerous personal residences and commercial enterprises located in close proximity to the proposed structures; and its exclusive zoning and planning jurisdiction over the portion of the project lying within its corporate limits. Union Bridge further asserted a material interest in the portion of the project lying just outside the corporate limits in an unincorporated area of Carroll County, but within the Union Bridge Municipal Growth Area under MD CODE ANN., LAND USE ARTICLE, §3-112 and the

Future Annexation Areas and Town Growth Area Boundary on the current Union Bridge Community Comprehensive Plan.

3. The Applicant revised its proposal in this case by amended Environmental Review Document filed on April 12, 2019. Union Bridge has reviewed and considered the amendments.

4. Union Bridge opposes the project as amended (the “Project”) in its entirety, and seeks the denial of Applicant’s request for a Certificate of Public Convenience and Necessity for the Project.

5. In further support of its opposition, Union Bridge has submitted simultaneously herewith the direct testimony of Perry L. Jones, Jr., its Mayor, and Edmund R. Cueman, an expert in Maryland and Carroll County planning and zoning.

6. The record and testimony will establish the following:

- A. Union Bridge’s governing body recommends against approval under MD CODE ANN., PUBLIC UTILITIES ARTICLE, §7-207(e)(1);
- B. The Project provides no economic benefit to the Town and instead weighs substantially against the best interests of the Town and Town property owners under §7-207(e)(2)(ii);
- C. The location of a dense solar array so close to the occupied urban core of Town creates significant adverse esthetic impacts on the Town and its citizens under §7-207(e)(2)(iii);
- D. The proposed solar array denegrates the historic nature of the Town and its

structures due to close proximity of the Project to Union Bridge's Main Street and urban center under §7-207(e)(2)(iv);

- E. The proposal is entirely inconsistent with the joint Carroll County and Union Bridge Comprehensive Plan for this area under §7-207(e)(3)(i); and
- F. The Applicant has failed, refused and/or has been unable to resolve any of the issues recited above under MD CODE ANN., PUBLIC UTILITIES ARTICLE, §7-207(e)(3)(ii).

7. Moreover, this application appears to involve a case of first impression affecting important public policy to the extent that it asks this Commission to compel a Maryland municipality to accept a large scale solar generating facility within its core main street habitat against its will. Approval would send an inappropriate message to speculators such as this Applicant that the many historic and quaint towns of the State are fair game.

WHEREFORE, Union Bridge hereby respectfully requests that the Maryland Public Service Commission deny the application for a Certificate of Public Convenience and Necessity in the above-referenced case for failure to adequately meet the criteria of Section 7-207.

July 3, 2019
Date

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