

W. KEVIN HUGHES
CHAIRMAN

MICHAEL T. RICHARD
ANTHONY J. O'DONNELL
ODOGWU OBI LINTON



PUBLIC SERVICE COMMISSION

September 7, 2017

In the Matter of the Application of
Dominion Cove Point, LNG, LP for a
Certificate of Public Convenience and
Necessity to Construct a Generating
Station with a Name-Plate Capacity of
130 MW at the Dominion Cove Point
Liquefied Natural Gas Terminal in
Calvert County, Maryland

Modification to CPCN

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Case No. 9318

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SCHEDULING NOTICE

Denial of AMP's Motion and Request for Comments

To All Parties of Record:

The Public Service Commission ("Commission") has reviewed the Motion to Expand the Scope of Proceedings and Opposition to Dominion Energy Cove Point LNG, LP's ("DECP") Request for Expedited Consideration ("Motion") filed by Accokeek, Mattawoman, Piscataway Creeks Communities Council, Inc. ("AMP") on September 5, 2017 regarding DECP's Motion to Amend Certain Conditions of Its Certificate of Public Convenience and Necessity ("CPCN").¹ The Commission granted DECP's CPCN for a 130-megawatt generating station to serve its liquefied natural gas export facility at Cove Point in Case No. 9318.² DECP seeks to modify its CPCN to remove certain limits set forth in CPCN Condition A-IX-3 and to revise CPCN Condition A-I-3(g).

In its Motion, AMP requests that the Commission deny DECP's motion to expedite the matter in order to allow opposing parties the opportunity to consult with experts and prepare evidence in response to DECP's request. AMP also requests that the Commission expand the scope of this matter to consider whether potentially-increased pollution levels associated with DECP's project modifications should be offset by additional benefits to Maryland from DECP.

¹ "Modification to CPCN" or "Modification".

² Order No. 86372, dated May 30, 2014

In its request, AMP seeks to re-litigate a “balancing test” argument that is not required under the CPCN statute.³ Therefore, AMP’s request to expand the scope of this matter is denied.

The Commission hereby sets DECP’s Modification for consideration at its November 15, 2017 Administrative Meeting.⁴ Written Comments on DECP’s Modification are requested from the Maryland Department of Natural Resources Power Plant Research Program (“PPRP”), and other interested parties by October 30, 2017.⁵ Reply Comments may be filed by all parties no later than Noon on Monday, November 13, 2017. Requests for CPCN modifications are routinely considered at Commission Administrative Meetings, which provide a format for the Applicant and all other parties, including AMP, to raise any concerns appropriate for the Commission’s consideration before making a decision. AMP’s request that the Commission adopt its proposed procedural schedule also is denied.

Written comments in this matter shall be addressed to David J. Collins, Executive Secretary, Maryland Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, 16th Floor, Baltimore, MD 21202, referencing “Case No. 9318 – DECP Modification.”

By Direction of the Commission,

/s/ David J. Collins

David J. Collins
Executive Secretary

³ MD. CODE ANN. Public Utilities Article § 7-207(e) enumerates factors that the Commission must give “due consideration,” but does not require a balancing test, as AMP suggests. See *Accokeek, Mattawoman, Piscataway Creeks Communities Council, Inc. v. Public Service Commission of Maryland*, 227 Md. App. 265 (288) (2016), *aff’d*, 451 Md. 1 (2016).

⁴ A separate Public Input Hearing has been scheduled before the Public Utility Law Judge Division in this matter. Pursuant to the Chief Public Utility Law Judge’s Notice issued August 31, 2017, that hearing will be held on October 2, 2017 at 6:00 p.m., at the Patuxent High School Auditorium, 12485 Southern Connector Boulevard, Lusby, Maryland 20657. Written comments from the public should be submitted to the attention of the Commission’s Executive Secretary by October 16, 2017.

⁵ A copy of DECP’s Motion to Amend Certain Conditions of Its Certificate of Public Convenience and Necessity can be viewed or downloaded from the electronic case jacket in this proceeding available on the Commission’s website at www.psc.state.md.us.