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## PUBLIC SERVICE COMMISSION

April 16, 2020

Revisions to COMAR 20.79.01, 20.79.02,  
and 20.79.03

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Administrative Docket  
RM69

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### **NOTICE INITIATING RULEMAKING (RM69) AND**

### **NOTICE OF VIRTUAL RULEMAKING SESSION**

The Maryland Public Service Commission hereby initiates an Administrative Docket, RM69, to consider revisions to the Code of Maryland Regulations ("COMAR") 20.79.01, 20.79.02, and 20.79.03. On April 7, 2020, the Commission's Technical Staff ("Staff") submitted a Petition to Establish a Rulemaking for the Adoption of Regulations Governing Additional Notice, Pre-Application, and Application Requirements for Construction of Certain Fossil Fuel Generating Stations. The purpose of the proposed regulations is to align the Commission's Certificate of Public Convenience and Necessity (CPCN) regulations with federal requirements under Title VI to ensure that affected communities are given a meaningful opportunity to participate in the permitting process that would authorize the construction of a large fossil fuel generating station. The petition includes a description of the history and background underlying the proposed regulations, including the Informal Resolution Agreement the Commission entered into with the U.S. Department of Transportation to resolve the Title VI Complaint concerning the CPCN issued to Mattawoman Energy, LLC (Case No. 9330) in 2015, and includes two attachments.

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Comments on the proposed revisions to 20.79.01, 20.79.02, and 20.79.03 shall be e-filed by May 16, 2020.<sup>1</sup> The comments should be addressed to Andrew S. Johnston, Executive Secretary, Maryland Public Service Commission, William Donald Schaefer Tower, St. Paul Street, 16<sup>th</sup> Floor, Baltimore, Maryland 21202. The applicable Administrative Docket number (RM69) must appear in the subject line of the cover letter.

The Commission also gives notice that it will conduct a virtual rulemaking session on May 21, 2020 beginning at 10:00 a.m. The purpose of the rulemaking session is to consider whether to publish the proposed revisions to COMAR 20.79.01, 20.79.02, and 20.79.03 as initially submitted, or as revised based on comments received. If the Commission approves the proposed regulations for publication, the proposed regulations will be published in the *Maryland Register* for notice and comment as provided for by the Maryland Administrative Procedures Act.

If you would like to actively participate in the virtual rulemaking, please contact Tonya Johnson at [tonya.johnson3@maryland.gov](mailto:tonya.johnson3@maryland.gov) by 12 Noon on Tuesday, May 19, 2020.<sup>2</sup> Otherwise, you may watch the live stream of the rulemaking session on the Commission's YouTube channel.<sup>3</sup> Please also direct any questions about the rulemaking to Tonya Johnson.

By Direction of the Commission,

/s/ Andrew S. Johnston

Andrew S. Johnston  
Executive Secretary

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<sup>1</sup> Details of the e-File system can be found on the Commission's website, [www.psc.state.md.us](http://www.psc.state.md.us).

<sup>2</sup> The meeting will be conducted through a to-be-determined remote meeting platform. After the 12 p.m. May 19, 2020, deadline, participants will receive instructions on how to participate, which may include a required test run.

<sup>3</sup> <https://www.youtube.com/c/MarylandPSC>.