

**PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA  
1325 G STREET, N.W., SUITE 800  
WASHINGTON, DC 20005**

**ORDER**

**September 30, 2021**

**RM29-2021-01, IN THE MATTER OF 15 DCMR CHAPTER 29 – RENEWABLE ENERGY PORTFOLIO STANDARD, Order No. 21025**

**I. INTRODUCTION**

1. By this Order, the Public Service Commission of the District of Columbia (“Commission”) adopts, on an emergency basis, revisions to Subsection 2902.12 of Chapter 29, “Renewable Energy Portfolio Standard (‘RPS’),” of Title 15 of the District of Columbia Municipal Regulations to no longer permit “deemed approval” of amendments to solar energy system capacity or orientation within 15 business days after receipt of an amendment application or within 15 business days after a request for more information is satisfied. Specifically, any person or entity seeking an amendment to a certified solar energy system’s capacity and/or orientation shall submit as-built construction drawings that include the tilt and azimuth measurements. These amendment applications will be subject to an action by the Commission approving or disapproving the amendments.

**II. DISCUSSION**

2. Pursuant to D.C. Official Code § 34-1439(c) and (d), the Commission has authority to determine the certification requirements for renewable generators seeking to participate in the District’s RPS Program. Furthermore, Subsection 2902.12 allows the Commission to request any additional information it may need to review proposed changes to a solar energy system that has already been certified. Currently pending before the Commission is a large number of amendment applications, seeking changes to solar energy system capacity and/or orientation. In an effort to address these requests, the Commission has determined that providing construction drawings for amendments to system capacity and/or orientation will help ensure accuracy in production reporting. These documents help verify claims of capacity, tilt, and azimuth, which are then used by the PJM-Environmental Information Service Generation Attribute Tracking System (PJM-EIS GATS) to confirm whether reported production falls within a range of reasonableness. Requiring this additional documentation necessitates more oversight by the Commission. Therefore, the Commission finds good cause exists to immediately adopt changes to Subsection 2902.12 to no longer have amendments to solar energy system capacity and/or orientation deemed approved within 15 business days due to Commission inaction.<sup>1</sup>

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<sup>1</sup> 15 DCMR § 2902.12 (2021) states, in pertinent part:  
In addition, applicants and District-certified generating facilities shall notify the Commission of any substantive changes in information provided in an original or amended application within thirty

**THEREFORE, IT IS ORDERED THAT:**

3. The Commission **ADOPTS**, on an emergency basis, revisions to Subsection 2902.12 of Chapter 29, “Renewable Energy Portfolio Standard (‘RPS’),” of Title 15 of the District of Columbia Municipal Regulations to no longer permit deemed approval of amendments to solar energy system capacity and/or orientation within 15 business days after receipt of an amendment application or within 15 business days after a request for more information is satisfied; and

4. Any person or entity seeking an amendment to a certified solar energy system’s capacity and/or orientation shall submit as-built construction drawings that include the tilt and azimuth measurements.

**A TRUE COPY:**

**BY DIRECTION OF THE COMMISSION:**



**CHIEF CLERK:**

**BRINDA WESTBROOK-SEDGWICK  
COMMISSION SECRETARY**

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(30) days. If a system is already certified, the changes to the system or facility **shall be deemed approved unless the Commission requests additional information within fifteen (15) business days**. If a request for additional information is issued for a system that is already certified, the changes to the system or facility **shall be deemed approved within fifteen (15) business days after a response is received**, unless further information is requested. (emphasis added).