

## EFFECTS OF COVID-19 ON ENERGY PROJECTS AND PROGRAMS

State	Construction	Program Deadlines / Extensions	Legislation, Agency Announcements, Interconnection, Permitting
CA	<p><a href="#">Executive Order N-33-20</a> exempts essential critical infrastructure sectors and workforce from the general stay-at-home directive. Such essential infrastructure and workers <a href="#">include</a> the energy sector and worker supporting the energy sector, regardless of the energy source, needed for construction, manufacturing, transportation/ logistics, and permitting. The California Energy Commission <a href="#">clarified</a> on 4/27 that essential electricity industry workers include solar photovoltaic and energy storage installers.</p>	<p>No program deadlines or extensions have been announced.</p>	<p>The Public Utilities Commission (“CPUC”) held a <a href="#">workshop</a> on 4/23 on the impacts of COVID-19 on customer-oriented clean energy programs, particularly: mainstream and low-income energy efficiency, behind-the-meter solar and storage, San Joaquin Valley pilots, residential demand response, transportation electrification, and building decarbonization programs.</p>
IL	<p>The stay-at-home <a href="#">order</a> continues through 5/29, and requires all businesses other than Essential Businesses and Operations and businesses providing or supporting Essential Infrastructure to cease operating. Essential Infrastructure, which the <a href="#">order</a> directs must be “construed broadly,” includes “work necessary to offer, provision, operate, maintain, and repair... power generation, distribution and production.”</p>	<ul style="list-style-type: none"> <li>• Approved Vendors under the Adjustable Block Program (“<a href="#">ABP</a>”) may request extensions to energization deadlines and requests for force majeure using <a href="#">procedures established by the Illinois Power Agency</a> (“<a href="#">IPA</a>”).</li> <li>• <a href="#">IPA</a> has <a href="#">suspended</a> all APB and Illinois Solar for All project inspection activity. All in-person marketing and solicitation is currently prohibited.</li> </ul>	<ul style="list-style-type: none"> <li>• Deadline for feedback on the <a href="#">refreshed ABP REC Contract</a> has been <a href="#">extended to 5/12</a>.</li> <li>• <a href="#">ABP’s</a> Marketing Guidelines and Community Solar Disclosure Form may be <a href="#">finalized later than the current 5/18 deadline</a>.</li> <li>• <a href="#">IPA Revised Long-Term Renewable Resources Procurement Plan</a> released on 4/20.</li> </ul>

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MA	Energy construction and development of electric generation, including residential solar, is considered an “essential service.” Executive Order <a href="#">extended</a> through 5/18. Note that some localities may have suspensions in place and health and safety protocols must be followed.	<ul style="list-style-type: none"> <li>Blanket 6-month <a href="#">extension</a> on reservation periods under the state’s Solar Massachusetts Renewable Target (“SMART”) program due to COVID-19. All new applications received between 4/15 and 7/1 will also have their initial reservation period <a href="#">extended</a> by 6 months.</li> </ul>	<ul style="list-style-type: none"> <li>On 4/14, DOER <a href="#">announced</a> a SMART emergency <a href="#">rulemaking</a> and associated guidelines that will go into effect immediately which increase the program size from 1.6 GW to 3.2GW. DOER will accept comments on the regulation and guidelines until 5/22. DOER will also hold a <a href="#">virtual public hearing</a> on the regulations and guidelines on 5/22.</li> <li><a href="#">Utilities have invoked</a> the “Force Majeure Event” provisions of their tariffs which may cause delays or suspensions applicable to distributed generation projects; however, they are still processing interconnection applications and advance studies.</li> </ul>
MD	<a href="#">Guidance</a> on Executive Order No. 20-03-23-01 includes a list of examples of “exempt” businesses that may continue to operate, which includes construction and companies engaged in energy production.	<ul style="list-style-type: none"> <li>Maryland Public Service Commission (“PSC”) <a href="#">temporarily waived</a> the regulatory operational deadlines for community solar projects. The waiver will be in effect until the earlier of 30 days after the state of emergency is lifted or the 3/27 community solar regulations are final.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">PSC</a> is continuing to work remotely.</li> <li>Municipal permitting delays are possible.</li> </ul>
ME	Executive Order 28 FY 19/20 issued 4/1 to close all non-essential operations. Essential industries <a href="#">include</a> the construction industry and utilities. No specific guidance has been given on renewable work.	<ul style="list-style-type: none"> <li>The Public Utilities Commission (“MPUC”) is undergoing its first <a href="#">procurement process</a> for distributed generation resources (this first round seeks 25 MW in the commercial &amp; industrial project sector and 50 MW in the Shared DG sector). Due to the COVID-19 emergency, the MPUC <a href="#">extended</a> the deadline by which applicants must submit all final nonministerial permits must be obtained, to June 11, 2020. The Project Qualification Window closed April 17, 2020.</li> </ul>	<ul style="list-style-type: none"> <li>Utilities are working remotely and continuing to process interconnection applications.</li> <li>Municipal permitting delays are possible.</li> </ul>

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MN	Energy work is <a href="#">permitted</a> as “essential critical infrastructure, regardless of the energy source (including, but not limited to, nuclear, fossil, hydroelectric, or renewable).”	No program deadlines or extensions have been announced.	<ul style="list-style-type: none"> <li>• <a href="#">MN DOC</a> will continue to review permit applications, prepare environmental documents, and review compliance filings.</li> <li>• Utilities are continuing to process interconnection applications and work.</li> </ul>
NJ	Utility projects, including those necessary for energy and electricity production and transmission, and any decommissioning of facilities used for electricity generation, are permitted “ <a href="#">essential construction projects</a> .”	<ul style="list-style-type: none"> <li>• Board of Public Utilities (“Board”) <a href="#">closed</a> the SREC program as of 4/30/20, as legislatively mandated when 5.1% of the retail electricity sold in the state is generated by solar power. Recognizing the COVID-19 emergency, the Board may allow developers and owners that have not yet received PTO status an opportunity to <a href="#">petition the Board</a> for a SREC Registration Program (“SRP”) extension.</li> </ul>	<ul style="list-style-type: none"> <li>• The Board <a href="#">established</a> a Transition Incentive Program (the “<a href="#">TREC Program</a>”) to provide a bridge between the legacy SRP and a Successor Program. The TREC Program will be open to projects that submitted complete SRP registrations after October 29, 2018, have yet to commence commercial operations but otherwise remain in compliance with the Legacy SRP requirements at the time the 5.1% Milestone is attained on April 30, 2020 (i.e., projects in the SRP pipeline on April 30, 2020) or projects that register for TRE TREC after April 30, 2020.</li> <li>• Board is continuing to operate remotely.</li> <li>• Municipal permitting delays are possible.</li> </ul>

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NY	<ul style="list-style-type: none"> <li>Only the energy construction activities related to new renewable energy generation or energy storage that are <i>necessary to continue the operation of critical infrastructure</i> <a href="#">are deemed “essential.”</a></li> <li>Construction related to new power generation, new construction, and new energy storage is a “<a href="#">non-essential</a>” service, subject to very limited exceptions. Therefore, neither utilities nor clean energy developers can proceed with non-essential interconnection –related construction until <a href="#">Governor’s Suspension Orders</a> are lifted.</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">NYSERDA directed</a> a pause (currently through 5/15) on all NYSERDA program activity requiring in-person presence at a project site that is not defined as either essential or emergency-related pursuant the Governor’s orders.</li> <li>NYSERDA <a href="#">extended</a> energy storage project deadlines by 6 months.</li> <li>NY-Sun project completion deadlines are also <a href="#">extended</a> by 6 months for the residential &amp; non-residential and commercial &amp; industrial programs.</li> </ul>	<ul style="list-style-type: none"> <li>PSC <a href="#">suspended</a> the deadline of the Standardized Interconnection Requirements related to the payment of the final 75% of estimated interconnection costs to the utility by the applicant for the length of the COVID-19 emergency (currently 5/15) plus 30 days. Applicants may have the option to continue to make progress on project development (rather than suspend payments) under limited circumstances.</li> <li>PSC ordered that utilities must continue all interconnection activities that can be conduct in accordance with the Governor’s orders relating to essential work.</li> <li>Municipal permitting delays are possible.</li> </ul>
PA	<ul style="list-style-type: none"> <li>The Philadelphia Mayor <a href="#">ordered</a> that as of 5/1, construction work in Philadelphia is permitted under certain circumstances.</li> </ul>	No program deadlines or extensions have been announced.	<a href="#">Deadlines have been suspended</a> on expirations of zoning and building permits and for municipal agencies to act on applications before they are automatically deemed to have been approved.

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VA	<p><a href="#">Executive Order 53</a> directs the closure of all non-essential businesses through 5/8. The energy industry was not specifically mentioned in the Order. Professional businesses <a href="#">not listed in the order</a> must utilize telework as much as possible and where telework is not feasible, such businesses must adhere to social distancing recommendations, enhanced sanitizing procedures, and apply relevant workplace guidance from state and federal authorities, including <a href="#">CDC</a>, <a href="#">OSHA</a>, and the Virginia <a href="#">Department of Labor and Industry</a>.</p>	<p>No program deadlines or extensions have been announced.</p>	<ul style="list-style-type: none"> <li>• Virginia enacted <a href="#">legislation</a> in April creating a community solar program for Dominion Energy customers. The Virginia State Corporation Commission is directed to establish regulations implementing the new law by 1/1/21.</li> <li>• <a href="#">Virginia Clean Economy Act</a> was signed into law on 4/12. It requires Dominion Energy Virginia to be 100 percent carbon-free by 2045 and Appalachian Power to be 100 percent carbon-free by 2050. It requires nearly all coal-fired plants to close by the end of 2024.</li> </ul>