### WHITEFORD, TAYLOR & PRESTON L.L.P.

11/26/13 Wa

JENNIFER R. BUSSE DIRECT LINE (410) 832-2077 DIRECT FAX (410) 339-4027 jbusse@wtplaw.com TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

BALTIMORE, MD COLUMBIA, MD FALLS CHURCH, VA TOWSON, MD WASHINGTON, DC WILMINGTON, DE\*

<u>WWW.WTPLAW.COM</u> (800) 987-8705

13-428

(800) 987

November 26, 2013

Hand Delivery
Arnold Jablon, Esquire
Director,
Baltimore County Permits, Approvals & Inspections
111 W. Chesapeake Avenue
Towson, MD 21204

Re: BGE Notch Cliff Facility

10650 Harford Road, Glen Arm, MD 21057 SDAT Tax Info: Map 62, Parcel 169, Lot 2 9th Election District; 3rd Councilman District

Request for Spirit & Intent Relief

Dear Mr. Jablon:

This office represents Baltimore Gas & Electric with regard to its property located at 10650 Harford Road in Glen Arm, Maryland. The site is utilized as a propane storage and processing facility and is used to supply gas to BGE customers during the peak winter time months; and as such it plays an important role in BGE's ability to ensure reliable service to the area.

The property comprises approximately 17 acres and is zoned RC 7. The property is triangular in shape. To the north of the property is the Gunpowder Falls, to the south and west is a BGE owned Right of Way for overhead transmission lines, and to the east is a 5.27 acre SHA owned parcel.

Attached hereto is a plan to accompany this request which shows the site and contains an aerial photograph of the area. Due to the need to upgrade certain process systems at the facility, BGE needs to install some new equipment at this facility.

The proposed improvements will all be housed within a single, new  $24' \times 60'$  building to be located on existing impervious area adjacent to other existing buildings and within the existing fence line. The height of this building is 25' along the front and 31' along the rear. The proposed improvements will not generate any detrimental impacts to the area.

A copy of the zoning history for the site is also attached hereto. Specifically, the Zoning Commissioner granted Special Exception approval in Case No. 4970-X dated June 30, 1960, and then again when various improvements were required on September 13, 1968 in Case No. 69-64-X.

BGE has been advised by Colleen Kelly that a DRC approval would not be required for this project.

We respectfully request your agreement that the installation of this equipment falls within the spirit & intent of the previously granted zoning approvals. Enclosed please find a \$150.00 check as payment for this request. Thank you for your kind consideration of this matter.

Sincerely,

Jennifer R. Busse

Attachments

SPIRIT & INTENT APPROVED:

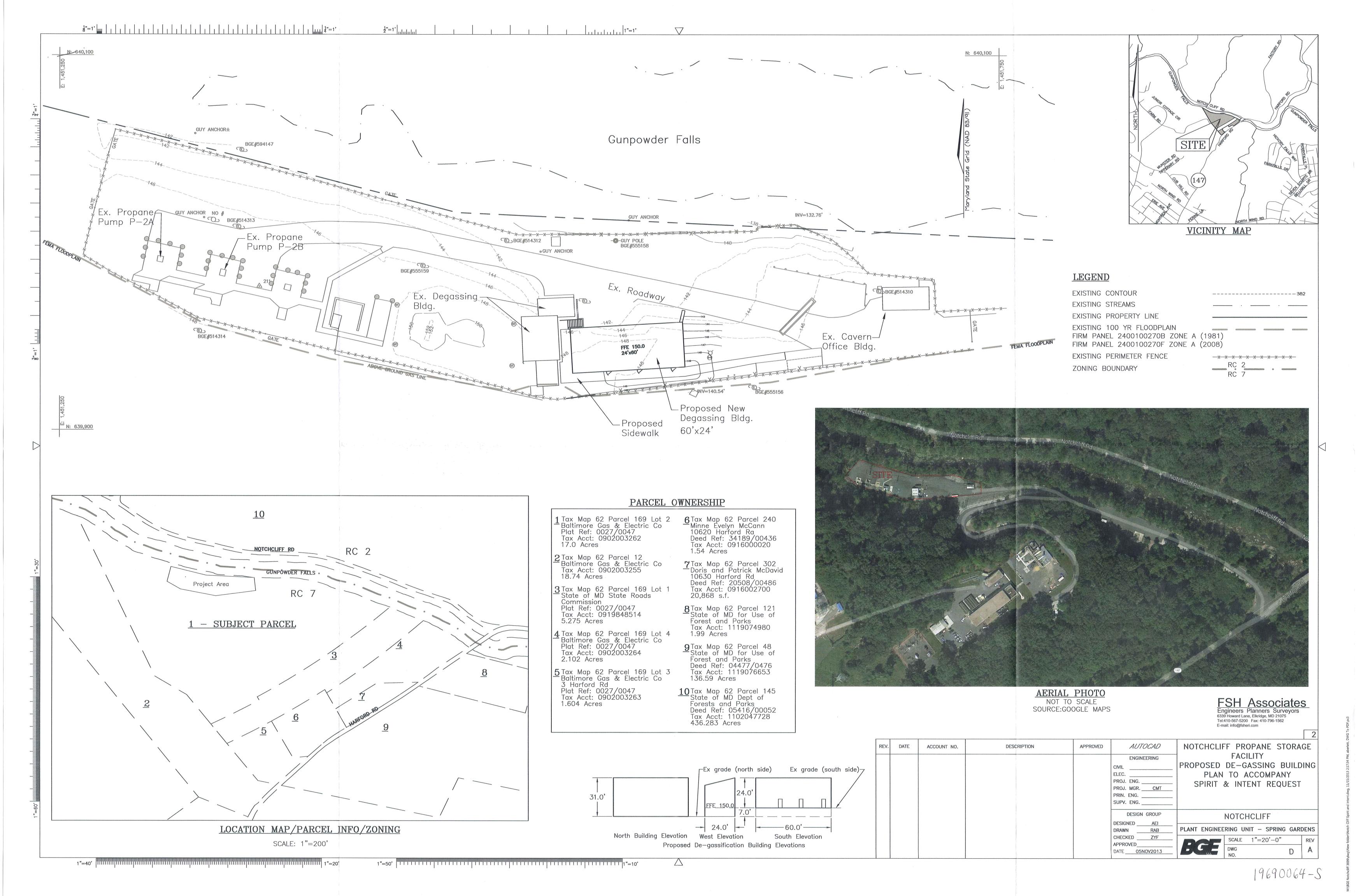
Arnold Jablon, Esq.

Director, Permits, Approvals & Inspections

12/2/13 Date

cc: Carl W. Richards
Collin Tydings
James F. Burkman
Joseph M. Bellew, Esq.
Zacharia Fisch, P.E.
Andy Berlett, P.E.

433457



Mr. L. J. Zimmerman Filing Department

Attached is the Company's Petition for a Zoning Special Exception for the Notch Cliff gas-turbine electric generating peak-shaving plant, together with a copy signed by John Rose, Baltimore County Zoning Commissioner, granting the Special Exception on September 13, 1968.

This zoning case was heard concurrently with the PSG Certificate case, and all the work papers are in the PSG Certificate file. - Felt 101.12

W. Robert Buchanan Legal Department

M Wobert Duchanam

	THE LEWIS CO.	
	N.A. '	
(E)	71121111	

It is not necessary for m Beyerle to see These papers

FILING DEPARTMENT			
FILE No 641.			
PLEASE INITIAL IN SPACE INDICATED			
Dept	Reviewed By	Date	
Elec. Prod.		1,	
Elec.Engr Drafting	TE ELARY	11/4/6;	
,			
Accounting	for	11/5/69	
	MARP	11-6-69	
Tax Accounting	HEL	11/6/19	
Auditing	1,0	1/7/61	

69-64-X	NW/S Harford Road and the South Bank of the Big Gunpowder Falls	9th
8/15/68	Petition for Special Exception for Public Utility uses including construe a gas-turbine electric peak-shaving plant for Baltimore Gas & Electric E \$114.00 cost paid.	uction of Bompany
8/15/68	Hearing date set for 3:30 P.M. 9/11/68	
8/22/68	Certificate of posting filed.	÷
8/22/68	Certificate of publication filed.	
9/13/68	Order for the special exception granted by the Zoning Commissioner.	

# PETITION FOR ZONING RE-CLASSI: 1CATION AND/OR SPECIAL EXCEPTION #69-64×

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY	
Electric Company	map
I, or we, Baltimore Gas andlegal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof	
hereby petitions (the the total parameters and the therein described property here as clearled, pursuan	
to the Zoning Law of Baltimore County, Suppressed Street S	
1	AREA
THE TAXABLE REPORT OF THE PROPERTY OF THE PROP	77.E4 E42-E
· · · · · · · · · · · · · · · · · · ·	.12-F
See attached description	יי אוי
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	100
and: (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore	2 19
County, to use the herein described property, for public utility uses including construct	tion {
of a gaa-turbine electric-generating peak-shaving plant	r Dec
Property is to be posted and advertised as prescribed by Zoning Regulations	35
I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising	
posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning	
regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County	, į ş
County	j.
BALTIMORE GAS AND ELECTRIC COMPANY	. \$
Sams a Buldon A Bri Alen W Hore A	Ž
James A. Biddison, france purchaser Jace President Legal Owner	?
W. Robert Buchanan Address Gas and Electric Building	,
17th Fir. Gas and Electric Bldg. Baltimore, Maryland - 21203 Baltimore, Maryland - 21201	
339-8000	,
Total P. Mild Bulletin and Attamen	•
John & Fued Mathemark Attorney  27 W. Pennsylvania Avenue  Protestant's Attorney	
Address Towson, Maryland - 21204	
ORDERED By The Zoning Commissioner of Baltimore County, this 15th day	,
of August	
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-	
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning	
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore	
County, MG 15 '68 PM Treh day of September , 196_8, at 3:30_o'clock	:
[7] Ansd (0.00 )	
Zoning Commissioner of Baltimore County	
	30
(over)	111/68
OTTAGE SE. PLANTANO & L.	

Pursuant to the advertisement, posting	of property, and public hearing on the above petition and
it appearing that by reason of having cor	nplied with the Baltimore County Zoning Res-
ulations pertaining to public utility	es and having met the requirements of Section
502, 1 of the Baltimore County Zon	ung Regulations,
the abane. Reclassification should be back as	od di fuudhan appointing dinak bir reason of r
	Uses including construction  As electric generating peaks should be granted sioner of Baltimore County this
	the herein described property or area should be and
ibaamada keeby endasided Aremacycyc	ic Utility Uses including
bine granted, from and after the date of this or	electric-generating peak-shaving plant der, subject to compliance and approval by the Bureau of Traffic Engineering, the State Roads nt.  Zoning Commissioner of Baltimore County
Pursuant to the advertisement, posting	of property and public hearing on the above petition
and it appearing that by reason of	***************************************
	***************************************
	fAD, and/or the Special Exception should NOT BE
	sioner of Baltimore County, thisday above re-classification be and the same is hereby
	erty or area be and the same is hereby continued as and
	zone, and/or the Special Exception for

...

4

- -

## BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

September 13, 1968

COUNTY OFFICE BUILDING 111 W CHEBAPEAKE AVE TOWBON, MD 21204 VA 3 3000

GEORGE E. GAVRELIS

JOHN G ROSE

James A. Biddison, Jr., Esquire 1707 Gas and Electric Building Baltimore, Maryland 21021

> RE: Petition for Special Exception NW/S of Harford Road and the South Bank of the Big Gunpowder Falls - 9th District The Baltimore Gas and Electric Company - Petitioner NO. 69-64-X

Dear Mr. Buchanan;

I have this date passed my Order granting the above Special Exception for Public Utility Uses including construction of a gas-turbine electric-generating peak-shaving plant, subject to compliance and approval by the Office of Planning and Zoning, the Bureau of Traffic Engineering, the State Roads Commission, the Health Department and the Bureau of Engineering.

Very truly yours,

Zoning Commissioner

JGR/srl

Enclosure

cc: John E. Mudd, Esquire
22 West Pennsylvania Avenue
Towson, Maryland 21204

Miss Jewel Payne Box 656 Glen Arm, Maryland 21057 Mr. William L. Wilson Box 674, Harford Road Glen Arm, Maryland 21057

Mr. John H. Gontrum Mount Vista Road Kingsville, Maryland

# PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

and: (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore
County, to use the herein described property, forpublic_utility_uses_including_construction
Of a gas-turbine electric-generating peak-shaving plant  Property is to be posted and advertised as prescribed by Zoning Regulations  I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County
James A. Biddison, Contract purchases,  James A. Biddison, Contract purchases,  W. Robert Buchanan  17th Fir. Gas and Electric Bldg.  Baltimore, Maryland - 21203  539-8000  Baltimore, Maryland - 21201
John B. Mudo Belkinner scattomby Protestant's Attorney 22 W. Pennsylvania Avenue Towson Maryland - 21204 VA 3-4111
ORDERED By The Zoning Commissioner of Baltimore County, thisday
of, 196, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on theday of, 196, ato'clock
М
Zoning Commissioner of Baltimore County.

(over)

Pursuant to the advertisement, posting of property, and public hearing on the above petition and
it appearing that by reason of
the above Reclassification should be had, and it further appearing that by reason of
a Special Exception for ashould be granted
IT IS ORDERED by the Zoning Commissioner of Baltimore County this
day of, 196, that the herein described property or area should be and
the same is hereby reclassified, from azone to a
zone, and/or a Special Exception for ashould be and the same is
granted, from and after the date of this order
Zoning Commissioner of Baltimore County
Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of
the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE
FT IS ORDERED by the Zoning Commissioner of Baltimore County, thisday
of, 196, that the above re-classification be and the same is hereby
DENIED and that the above described property or area be and the same is hereby continued as and
o remain azone, and/or the Special Exception for
be and the same is hereby DENIED
111112
Zoning Commissioner of Baltimore Counts

Door Sire

The Zoning Advisory Committee has reviewed the subject patition and has the

SUREAU of Engineering sure of the site, through a private where - Public water is presently existing to this site, through a private

Water - Full IC water is presently existing to this site, through a private some -in extension and the site of the second some - The Gunpowed interceptor has recently been constructed in the area of Adaquacy of existing undities to be decembed by developer or his engineer.

STATE ROADS COMMISSION:

The right-of-way for the proposed Forring Parkway as indicated on the zoning plat
does not revised in economics our tent then it is requested that
the plat he revised in economics with the attached plan are the proposed that
right-of-way area be excepted from any granting or the patitioned zoning.

AUSEAU OF TAMPIC ENGINEERING:
Clearing of busines and trees along the westelde of Harford Hond, southerly from the
entrance is necessary to improve site distance.

MEALTH GEPARTHER!
The buildings or buildings on this size may be subject to registration and compliance that the Responding to the Company of the Company of

Fire Dureau.
This office will review and make any necessary comments at a later date.

SUILDING ENGINEER:
Any buildings that will be constructed must meet Baltimore County Building Code. ZONING ADMINISTRATION DIVISION: The petitioner's plot plan as se

The patitioner: plot plan as submitted with the original patition just indicates the location of proposed turbine. It will be required that a description of what this office prior to the hearing.

If the petition is granted, no occupancy may be made until such time as the approved plan, and approved and the property inspected for compliance

The above comments are not intended to indicate the appropriations of the obless that appropriations of the obless that appropriation are not intended to indicate the appropriations of the obless that so here a bearing on this case. The Director unifor the definition of the office of Plenning and Joning will submit recommendations on the

RALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO. Mr. John G. Rose, Zoning Commissioner Date. August 30, 1968

FROM Leslie H. Graef, Deputy Director of Planning

SUBJECT Petition 69-64-X. Sprcial Exception for Public Utility Uses including construction of a gast-i rbine electric generating peak-shaving plant.
Northwest side of Harfard Road and the South Bank of the Big Gunpowder
Falls. Baltimore Gas and Electric Company, Petitioners.

9th District

HEARING: Wednesday, September 11, 1968 (3:30 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject

- The location of this proposed utility plant appears in harmony with the existing uses on the subject site and in the vicinity.
- Since special exception approval is needed for the proposed use, a requirement should be made of the user to guarantee performance of zero level emainer: pollution of air and water in the vicinity.
- Access to the specific peak shaving facility on the site is not indicated on the plat. Such should be done, at least to show avoidance of any possible interference with improvements to Harford Road or the building of Perring Parkway.

LHG:bms



RECEIVED

AUG 1 5 1968 BALTIMORE COUNTY

DESCRIPTION TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION

less, to the place of beginning.

db

PROPERTY OF BALTIMORE GAS & ELECTRIC COMPANY

northwest side of Harford Road, thenge on the northwest side of Harford Road southwesterly 430', more or lest, thence loaving the northwest side of Harford Road S77'15', pre 185.00'; N40'00'10'M 3432', more or less; and 554'32'10'E 526.00' to the southernmost bank of

the Big Gunpowder Falls, thence binding on the southernmost bank of

the Big Gunpowder Falls southeasterly and easterly 3540 more or

CONTAINING 44.7 acres of land, more or less.

of land, more or less, which by deed dated December 20, 1960 and recorded among the Land Records of Baltimore County in Liber WJR 2794,

folio 497, was conveyed by the Arundel Corporation to the State of

Maryland to the use of the State Roads Commission, subject to fee

simple title of said 5.275 acres, more or less, vesting in Baltimore

Gas and Electric Company if not used for highway purposes.

SAVING and excepting a strip of land containing 5.275 acres

E. F. RAPHEL & ASSOCIATES

Registerol Land Surreyers 201 COURTLAND AVENUE TOWSON 4, MARYLAND

8/16/68

#69-64X

PIAP

HORTH-

EASTEPH

AREA

NE12-E

NE12-

BEGINNING for the same at the intersection of the north- "X west side of Harrord Road and the south bank of the Big Sunpowder

for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimor County, to use the herein described property, for .. public .utility uses .including .construction gas-turbine electric-generating peak-shaving plant.

Property is to be posted and advertised as prescribed by Zoning Regulations.

PETITION FOR ZONING RE-CLASSI ICATION

AND/OR SPECIAL EXCEPTION

Electric Company

County and which is described in the description and plat attached hereto and made a part hereof, 4-C

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

to the Zoning Law of Baltimore County, FORFEROXXXXXXXXXXX

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising. posting etc., upon filing of this petition, and further agree to and are to be bound by the rosing regulations and restrictions of Baltimore County adopted pursuant to the Zening Law for Baltimore

BALTIMORE GAS AND ELECTRIC COMPANY. us A. Biddison, terminate precision

us A. Biddison, terminate precision

by the president Light of Microscopic and Electric Rei

l'effect Bachanan

l'effect, Gas and Electric Rei

l'effect, Gas and Electric Rei Address \_\_ Gas and Electric Building \_ 17th Pir. Gas and Electric Bldg. Balrimore, Maryland - 21203. 539-8000 Baltimore, Maryland - 21201

John S. Mudd Bulking Attor 27 W. Pennsylvania Avenue Touson, Maryland - 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day ..., 198.8., that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Buildir g in Towson, Baltimo ., 196\_B., at 3:30\_o'clock County, Win life '68 PM - Tth Lay of September

\*\*\*

1000 Baltimore County 30 porge

Date of Posting AUG, 22-68

97R

E. F. Raphel

Reg. Prof. Land Surveyor #2246

ass of the requested zoning 10 days before the Zoning Commission

Wery truly yours,

0 2

#69-64X

EA STEE

NE 12-E NE 12-F

AREA

"X

ess Carlyle Bream-Bur. of Engr. John Neyers-State Roods Commission Jestein Riss-Bur. of Traffic Engr.

STATE OF MARYLAND CITY OF BALTIMORE

69

I HEREBY CERTIFY that on this 14th day of August, 1968, before m a notary public of the said State and City, personally appeared C. E. Utermoble, Jr., President of Baltimore Gas and Electric Company, and made oath in due form of law that he is authorized to make an affidavit on behalf of said Company that the matters and facts set forth in the foregoing Appli cation are true to the best of his knowledge, information, and belief.

- 5 -

by commission expires July, 1969. Migant & Kashill Notary Public

I HEREBY CERTIFY that on this 14th day of August, 1968, a copy of the foregoing Analication has been mailed to the following agencies: County Baltimore County Office B .ding. Touson, Miryland 21204; Office of Planning and desing of B. Itimore County, County Office Building, Resources, State Office Audiding, Annapolis, Maryland 21204; Maryland Board of Natural Resources, State Office Building, Annapolis, Maryland 21204; 21201; United States Department of Interior, Office of the Secretary, Washington, D. C. 20240; releast Power Commission, General Accounting Office Building, 441 G Street, M.W., Washington, D. C. 20426.

James A. Biddison, Jr.
Counsel for
Baltimore Gas and Electric Comp

The Zoning Commissioner of Balti-more County, by authority of the Loning Act and Regulations of Balti-more County, will hold a public hear-

PETITION FOR SPECIAL

Department.
Hearing Dale: Wednesday, September 11, 1948 at 3:30 P.M.
Public Hearing: Room 188, Courts
Office Building, 111 W. Cheargethe
Avenue, Tource, Md.

plani.
LOCATION: Northwest side of Her-ford Reed and the South Bank of the Big Gunpowder Falls.
DATE a TIME: Wedcostay, Septem-ber 11, 1945 at 213 P.W. PUBLIC REALING: Reom 185, Coun-ty Office Rudding, 111 W. Chee-peake Armos, Townes, Md. seem of the seem o

CERTIFICATE OF PUBLICATION

TOWSON, MD. AUG 22 1958. THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each day of Sentember 19.68., the first publication appearing on the \_\_\_ 22nd \_\_\_ day of \_\_\_\_ August \_\_\_\_

> THE JEFFERSONIAN, G. Leank Strutter

Location of Signs (2) 1 Period facing Barford Rd. And 1 posted on bank Of Gunpowder Falls Remarks: Date of return: AUG. 29, 1968 Posted by ..... M. H. Hours

Posted for Hearing Will. SET. 11, 1968 at 3: 30 P.M.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Townson, Maryland

2 SIGNS

Petitioner: BALTO, GAS & ELEC CO. Location of property May 3 of Marford Rd. and the South Bank of the Big Gunpowder Falls.

#### PUBLIC SERVICE COMMISSION

ORDER NJ. 57398

THE TAR MATTER OF THE APPLICATION OF NATIONAL BASE SHAPE OF THE APPLICATION OF A SHAPETH OF THE CONTENTION OF A SHAPETH FOR THE CONTENTION OF A SHAPETH SHAPETH PART SHAPETH SHAPETH SHAPETH SHAPETH PART SHAPETH SHAP

PUBLIC SERVICE CONSCISSION OF MARYLAND

CASE NO. 6224

On August 15, 1968, Baltimore Gas and Electric Company, hereinafter celled the Gampany, filed an application with the Commission, pursuant to the provisions of Section 344 of the Public Service Commission Law, for a certificate of public convenience and necessity for the construction of a gesturbine electric-generating peak-chaving plant (the project) at Notch Cliff, Beltimore County, Maryland. Copies of the application were served on all agancies specified by the Commission in its rules implementing Section 344 and notice to the public of the hearing, held on September 11, 1965, was duly published. The governing body of Beltimore County was represented by John G. Rose, its looing Commissioner who participated in the hearing both as a representative for the County Council and in his official capacity.

The project consists of eight gas-turbine electric-generating units aggregating a maximum expublility of 133,000 KW. Each of the generating units will be housed in equipment-type exclosures and will be arrenged in two groups of four units, each group being connected to a transformer to increase the voltage from 15 KV to 115 KV. The transformers will be connected to existing separate 115 MV circuits running adjacent to the project cite, on which is located an existing propose storage cavern. The unite will burn actural gas fuel which will be taken from a gam transmission line owned by the Company which crosses the project site. The installation will occupy an area

#### PUBLIC SERVICE COMMISSION

approximately 150 by 500 feet. The estimated cost of the project is \$15,800,000 and will be financed by funds provided from internal sources, short-term borrowings and through the issuence of securities.

The Company supported its application by the testimony of five witnesses. The first witness, Thomas V. Trice, vice President of Slectric Operations, testified that the Company supplies electric service to an area of about 2,500 square miles containing about 2,000,000 persons. He stated that the present installed generating capacity of the Company was about 2,513,000 kilowatts. Through this witness the Company explained that it was a member of the FUH Interconnection System. FUH is made up of nine electric utility companies serving all or parts of the States of Fennsylvania, New Jersey, Maryland, Delawars, Virginia and the District of Columbia. The total area served by the NAN Interconnection is about 55,000 square siles containing about 20,000,000 people.

According to Mr. Trace the FUH mystem operates virtually as a single entity with the power running freely from generator to load regardless of where the generator is located. During the summer of 1968 the system had anticipated r reserve of 13.6%, however an unprecedented load growth complete with a delay in the completion of the installation of a large generating unit in Western Pennsylvania, in which the Company has a substantial interest, resulted in an actual reserve of only 4.4% during the past susmer. The reserve of the Company's facilities for its oustoners during the past summer was minus 3/10 of 15.

This witness further testified that the installation of the 153,000 KW of capacity involved in this application, plus some saditional capacities

PUBLIC SERVICE COMMISSION

which will be added, should 'serease the Company's reserve next summer to a plus 9.6%. Without the 153,000 KW facility proposed in this proceeding the Company's reserve is estimated at 4.2%.

the next witness for the Corpany was wallace MacWilliams, Jr., the Manager of its Electric Engineering Department. This witness gave a concise general description of the project and testified that the nearest residence was about 1,000 feet from the gite. Mr. MacVillians stated that the installation would be screened from Gunpowder Falls and Harford Road by trees that are already on the mite. It was established through this witness that there would be no air pollution from the burning of the natural gas and the project will not take water from nor discharge water into the Big Gunpowder Falls.

The third Company witness was John Alexander Magee, President of William Marties and Company, a firm of commercial and industrial realtors. Mr. Nagee testified that from his inspection of the site and surrounding area. the proposed plant in his opinion would have no material effect on the value of any of the properties in the neighborhood nor impair their use.

Frederick D. Hiller, Jr., Supervisor of Flant Accounting for the Or many, then testified that the estimated effecteof the project with reference to expenses would be a depreciation expense of \$393,000 per year, taxes other than income taxes of \$544,000 per year and for operation and maintenance \$886,000 per year or a total of \$1,623,000 per year.

The final witness for the Company was Paul B. Catercaard who is employed by Goodfriend-Cetergaard Associates, Consulting Engineers in Acoustics. This witness testified that the operation of the generators should be barely audible at the nearest remidence by gomeone who was deliberately

#### PUBLIC SERVICE COMMISSION

listening for the noise and that the sound would disinish with distance. On the site, according to Er. Getergaard, there would be a nuffled roar-

John H. Gontrum, testifying on his own behalf and as a member of the Governor's Advistry Countities for the Sunpowder Valley Park, expressed his concern over the use of the site for an electric generating facility mince it was originally intended for gas storage. He stated his concern that the Company should (word any possible pollution of the mir and water. and he also consented on the possible effect of noise.

The final witness at the hearing was william I. Wilson, a resident of the area who lives about a quarter of a sile from the location of the project. Mr. Wilson's interest was in what soice level he would experience

In this proceeding the Company has clearly established the need for the project in meeting present and future demands for service on shown by the unexportedly high load growth during the 1968 summer and the shortage in both the Company's reserve capacity and that of the FJM system. By adding this new generation the Company will issrove the reliability of the system and will accordingly increase stability. Through its representative, the County Council of Bultimere County has recommended the insunnce of a certificate of public convenience and neconsity.

After due consideration of the recommendation of Baltimore County. the need to must present and future demands for service, the effect on system stability and reliability, orangeles, esthetics and the effect on air and water pollution, the Commission is of the opinion and so finds that the proposed gas-turbine electric-generating peak-shaving plant at Notch Cliff.

#### PUBLIC SERVICE COMMISSION

Baltimore County, Maryland is in the public interest and that a Certificate of Public Convenience and Heccasity should be ignued for its construction.

IT IS, TRESEPORE, this 9th May of October, in the year Riceteen Sundred and Sixty-eight, by the Public Service Commission of Maryland,

OMDERED: That a certificate of public convenience and necessity be, and the same is horeby, granted to Baltimore Can and Electric Company for the construction of a gas-turbine electric-generating peak-shating plant at Notch chiff, Seltimore County, Maryland as set forth in this proceeding.

_ Charles E - Siscalott
- H. Hoos Shoomhery Jro

Shtate of Albertanh Office of Public Service Commission

The preceding copy has been compared with the original

ORDER NO. 57398, CASE NO. 6224 - IN THE MATTER OF THE APPLICATION OF BALTIMORE GAS AND ELECTRIC COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE CONSTRUCTION OF A GAS-TURBINE ELECTRIC PEAK-SHAVING PLANT AT NOTCH CLIFF, BALTIMORE COUNTY, MARYLAND,

on file in this office and I do HEREBY CERTIFY the same to be a correct transcript therefrom and of the whole thereof.

> Witness, my hand and the Seal of Office of the Public Service Commission, at the city of Baltimore, this 9th October, one thousand nine hundred and Sixty-eight.

> > Male & Container



OFFICE OF TOWSON TIMES TOWSON, MD. 21204 August 26,

THIS IS TO CERTIFY, that the annex-d advertisement of

John G. Mose, Moning Commissioner of Baltimore County was inserted in THE TONSON TIMES, a weekly newspaper published in

Baltimore County, Maryland, once a week for One week/ before the 26th day of Aug. , 19 68 that is to say, the same

was inserted in the issue of August 22, 1968.

STROMBERG PUBLICATIONS, Inc.

By Reth Mayer

IN THE MATTER OF THE APPLICATION OF :
MAINTMER GAS AND ELECTRIC GUPANY
FOR A CERTIFICAT: OF FURILIC COMPAN:
INCRE AND MESSESS TY FOR THE SASTROCTION OF A GAS TURBINE ELECTRIC FRAKSHAVING PLANT AT NOTICE CLIFF,
RAITHERE COUNTY, MAINTAND

Case No.

REPORE THE PUBLIC SERVICE COMMISSION

OF MARYLAND

APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

TO THE HONORABLE, THE PUBLIC SERVICE COMMISSION OF MARYLAND:

Baltimore Gas and Electric Company (the "Applicant") hereby aubusits this Application for a Certificate of Public Convenience and Necessity pursuant to the provisions of Section 54A of Article 78 of the Annotated Code of Maryland (1965 Replacement Volume), and respectfully

- 1. The Applicant is Baltimore Cas and Electric Company, Maryland corporation engaged in the generation, transmission, and distri-
- 2. The name, title, and address of the person authorized to receive notices and communications in respect to this Application is James A. Biddison, Jr., Esq., General Counsel of the Applicant, 17th Floor Gas
- 3. This Application is submitted for the construction of a gasturbine electric-generating peak-shaving plant (the "Project") at Notch Cliff in the Ninth Election District of Baltimore County, Maryland, its location being shown on a plat marked Exhibit A attached hereto as a part

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- bution  $\upsilon_{\ast}$  electricity to the general public, the address of its principal business office being Gas and Electric Building, Baltimore, Maryland 21203.
- and Electric Building, Baltimore, Maryland 21203.

- 4 b. Baltimore County Buildings Engineer.

A building permit for the construction of the Project will be applied for in due course before beginning construction.

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- e. Approval by other local, state, or federal govern-mental agencies for the construction or operation of the Project is not required.
- 11. Fo franchise is required for the Project.

12. The Project will require the construction of no transmislines, the only line to be constructed being an extension of an existing bus approximately 1,000 feat in length connecting substations of the Applicant located entirely on its property. There are no historic or scenic

loss along or near the Project of the said line. 13. a. The Project will be constructed near Notch Cliff in the Ninth Election District of Bultimore County.

- b. The Project will not be constructed along any body of water.
- e. The site of the Project is approximately 800 feat south of the Big Gunpowdar Falls but will be sap-erated therefrom by heavily wooded terrain.
- d. The construction and operation of the Project will have no effect upon nir quality or water quality and no effect, therank or otherwise, upon any body of water since the Project will not take water from or discharge water inside Big Gappeder Pails. Hence it will be unnecessive to make any tests to assess the probable effice of the Project on air or water quality or therank effect on water.

MRTFORE, the Applicant prays that this Commission issue

of Public Convenience and hecassity for construction of the

Respectfully submitted. BALTINDRE GAS AND ELECTRIC COMPANY by C.E. Utermoble 2

BALT MORE COUNTY, MAI LAND No. 56232 OFFICE OF FINANCE Division of Collection and Receipts
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IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204 - 2 -

hereof. The Project will consist of eight gas-turbine electric-generating units aggregating a maximum capability of 133,000 km. Each of the general ing units will be housed in equipment-type enclosures and will be arranged in two groups of four units, each group being connected to an electrical transformer to increase the voltage from 13 ky to 115 ky. The transformer rated at 80 rva each, will be connected to existing separate 115-kv circuit running adjacent to the Project site and extending from Windy Edge Switchi Station to Mays Chapel Switching Station. The ten existing oil circuit breakers will be replaced by new breakers of higher capability. New telemetering and relaying equipment will be purchased and installed for prope operation of the new generators.

The units will burn natural gas fuel which will be taken fro a gas transmission line owned by Applicant which crosses the Project site. The units are completely self-contained and will require no other external services. The installation will occupy an area approximately 150 by 300

- 4. The estimated cost of the Project is \$14,515,000.
- 5. The financing of the Project is expected to be achieved by means of funds provided from internal sources, short-term borrowings, and through the issuance of securities, the nature and amount of which will depend upon market conditions and other factors in existence at the time
- 6. The need for the Project in meeting present and future demands for service is shown by the following: as a result of unexpectedly high load growth during this summer of 1968 (necessitating upward revision of estimated peak loads for 1969 and future years), coupled with sev

deterioration of a number of boilers in the Company's low-pressure plant at Westport, the Company's own generating capacity reserves will be well under 10% of the estimated system peak loads in 1969 and 1970 after planned capacity installations are if service, thus urgently requiring the installation of additional generating capacity before the summer peaks of 1969. The proposer installation will restore the Company's reserve generating capacity to a safer position in 1969 and 1970 and will contribute to new capacity requirements for supplying growing peak loads into the long-term future.

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- 7. The estimated effect of the Project will be to increase the Company's operating expenses, maintenance expenses, depreciation expense, and taxes other than income taxes by a total of \$1,900,000 per year.
- 8. The Project will add new generation within the Company's franchise territory directly to its 115-kv system, bringing additional generating capacity close to the load. Thus, reliability of the system is greatly improved and this strengthening of our system will increase stability.
- 9. Since the Project will be constructed on property already owned by the Applicant, the acquisition of any additional land for the Project will not be required.
- 10. Local, state, or federal governmental agencies having requirements which must be met in connection with construction or operation of the Project are as follows:
  - a. Baltimore County Office of Planning and Zoning.

The structures now skiaring at the Project site were erected pursuant on Order of the Zoning Commissioner of Battimore Comy dated June 30, 1960, which Order granted Applicant a special exception authorizing the use of sadd not for public utility purposes. It will be necessar for applicant to obtain a further special exception and operation of the results of the said Zoning Commissioner authorizing construction and operation of the Project, and aspects to file such application within the next few days.



