

HOUSE BILL 1097

C5

71r2487
CF SB 760

By: **Delegate Davis**

Introduced and read first time: February 14, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Telephone Companies – Competitive Services – Tariffs – Exception**

3 FOR the purpose of providing an exception for certain competitive services to the
4 requirement that a public service company shall file a certain tariff schedule;
5 requiring a telephone company to publish terms, conditions, and rates of certain
6 competitive services in a certain way under certain circumstances; providing an
7 exception for certain competitive services to the prohibition that a public service
8 company may not establish a new rate or change a rate under certain
9 circumstances; allowing a telephone company to establish a new term,
10 condition, or rate or change a term, condition, or rate of certain competitive
11 services by providing a certain notice by a certain date; and generally relating to
12 tariffs and competitive services offered by telephone companies.

13 BY repealing and reenacting, with amendments,
14 Article – Public Utility Companies
15 Section 4–202 and 4–203
16 Annotated Code of Maryland
17 (1998 Volume and 2006 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Public Utility Companies**

21 4–202.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) **[A] EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (C) OF THIS**
2 **SECTION, A** public service company shall file with the Commission a tariff schedule of
3 its rates and charges for its regulated services and for standard offer service as
4 provided in § 7–505(b)(8) of this article.

5 (b) As ordered by the Commission, a public service company shall:

6 (1) plainly print the tariff schedule of its rates and charges for its
7 regulated services;

8 (2) make available the tariff schedules for public inspection; and

9 (3) post the tariff schedules to make the tariff schedules readily
10 accessible to and convenient for inspection by the public.

11 (c) **(1) A TELEPHONE COMPANY IS NOT REQUIRED TO FILE WITH THE**
12 **COMMISSION A TARIFF SCHEDULE OF SERVICES THAT THE COMMISSION HAS**
13 **DECLARED TO BE COMPETITIVE BY ORDER OF REGULATION.**

14 **(2) A TELEPHONE COMPANY:**

15 **(I) SHALL PUBLISH ON ITS PUBLICLY ACCESSIBLE WEBSITE**
16 **THE GENERALLY AVAILABLE TERMS, CONDITIONS, AND RATES FOR EACH OF ITS**
17 **SERVICES THAT HAS BEEN DECLARED COMPETITIVE UNDER PARAGRAPH (1) OF**
18 **THIS SUBSECTION; BUT**

19 **(II) NEED NOT PUBLISH A TERM, CONDITION, OR RATE THAT**
20 **THE TELEPHONE COMPANY MAKES AVAILABLE ONLY ON AN INDIVIDUALLY**
21 **NEGOTIATED CONTRACT BASIS.**

22 4–203.

23 (a) **[Unless] EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (C) OF**
24 **THIS SECTION OR UNLESS** otherwise ordered by the Commission, a public service
25 company may not establish a new rate or change in rate unless the public service
26 company:

27 (1) provides to the Commission notice of the new rate or change in rate
28 at least 30 days before the new rate is established or current rate is changed; and

1 (2) publishes the new rate or change in rate in accordance with §
2 4-202 of this subtitle during the entire 30 day notice period in new schedules or
3 plainly indicated amendments to existing schedules.

4 (b) The public service company shall plainly set forth in the notice and
5 publication:

6 (1) the changes that it proposes to the rate schedules currently in
7 force; and

8 (2) the effective date of the changes.

9 **(C) A TELEPHONE COMPANY MAY ESTABLISH A NEW TERM, CONDITION,**
10 **OR RATE OR CHANGE A TERM, CONDITION, OR RATE FOR ANY SERVICE**
11 **DECLARED TO BE COMPETITIVE IN ACCORDANCE WITH § 4-202(C) OF THIS**
12 **SUBTITLE BY NOTIFYING THE COMMISSION OF THE NEW OR CHANGED TERM,**
13 **CONDITION, OR RATE AT LEAST 1 DAY BEFORE THE NEW OR CHANGED TERM,**
14 **CONDITION, OR RATE TAKES EFFECT.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2007.