

HB0469/853197/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 469  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 5 and 6, strike “a person rather than only an electric company;” and substitute “an electric company or a person who is or will be subject to regulation as a public utility by an officer or an agency of the United States;”; in line 6, after “Commission” insert “from issuing a certificate of public convenience and necessity for the construction of a certain overhead transmission line to an applicant other than an electric company under certain circumstances; requiring the Commission to require as an ongoing condition of the certificate of public convenience and necessity that a certain applicant complies with certain agreements related to the ongoing operation and maintenance of the overhead transmission line and all obligations imposed by certain entities related to the ongoing operation and maintenance of the overhead transmission line; prohibiting the Commission”; and in line 9, after “runway;” insert “providing that, as of a certain date and until the Commission adopts certain regulations, certain Commission rules, regulations, and requirements shall apply to certain persons who may apply to obtain a certificate of public convenience and necessity for the construction of an overhead transmission line;”.

AMENDMENT NO. 2

On page 3, after line 36, insert:

**“(III) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH AND SUBJECT TO SUBPARAGRAPH (IV) OF THIS PARAGRAPH, THE COMMISSION MAY ISSUE A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE CONSTRUCTION OF AN OVERHEAD TRANSMISSION LINE ONLY IF THE APPLICANT FOR THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY:**

(Over)

**1. IS AN ELECTRIC COMPANY; OR**

**2. IS OR, ON THE START OF COMMERCIAL OPERATION OF THE OVERHEAD TRANSMISSION LINE, WILL BE SUBJECT TO REGULATION AS A PUBLIC UTILITY BY AN OFFICER OR AN AGENCY OF THE UNITED STATES.**

**(IV) THE COMMISSION MAY NOT ISSUE A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE CONSTRUCTION OF AN OVERHEAD TRANSMISSION LINE IN THE ELECTRIC DISTRIBUTION SERVICE TERRITORY OF AN ELECTRIC COMPANY TO AN APPLICANT OTHER THAN AN ELECTRIC COMPANY IF:**

**1. THE OVERHEAD TRANSMISSION LINE IS TO BE LOCATED SOLELY WITHIN THE ELECTRIC DISTRIBUTION SERVICE TERRITORY OF THAT ELECTRIC COMPANY; AND**

**2. THE COST OF THE OVERHEAD TRANSMISSION LINE IS TO BE PAID SOLELY BY THAT ELECTRIC COMPANY AND ITS RATEPAYERS.**

On page 4, in line 5, strike “electric company” and substitute “**PERSON**”; and in lines 12 and 14, in each instance, strike “an electric company” and substitute “**A PERSON**”.

On page 6, in line 7, after “shall” insert “**:**”

**(1)**”;

in line 9, after “service” insert “**;** **AND**”

**(2) REQUIRE AS AN ONGOING CONDITION OF THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY THAT AN APPLICANT COMPLIES WITH:**

**(I) ALL RELEVANT AGREEMENTS WITH PJM INTERCONNECTION, L.L.C., OR ITS SUCCESSORS, RELATED TO THE ONGOING OPERATION AND MAINTENANCE OF THE OVERHEAD TRANSMISSION LINE; AND**

**(II) ALL OBLIGATIONS IMPOSED BY THE NORTH AMERICA ELECTRIC RELIABILITY COUNCIL AND THE FEDERAL ENERGY REGULATORY COMMISSION RELATED TO THE ONGOING OPERATION AND MAINTENANCE OF THE OVERHEAD TRANSMISSION LINE”;**

after line 20, insert:

**“SECTION 2. AND BE IT FURTHER ENACTED, That, as of October 1, 2015, and until the Public Service Commission adopts regulations to implement this Act, all Commission regulations, rules, and requirements that apply to the application of an electric company to obtain a certificate of public convenience and necessity for the construction of an overhead transmission line under § 7-207 of the Public Utilities Article, as enacted by this Act, shall apply to any person who may apply under this Act to obtain a certificate of public convenience and necessity for the construction of an overhead transmission line.”;**

and in line 21, strike “2.” and substitute “3.”.