

HB0408/973594/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 408
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “regulator” insert “in a multifamily residential structure”; in line 7, strike “, meter,”; and strike beginning with “requiring” in line 7 down through “period,” in line 9 and substitute “requiring a gas company, on or before a certain date, to file a plan with the Public Service Commission to relocate any gas service regulator that provides service to a multifamily residential structure; requiring the Commission, on or before a certain date, to approve, disapprove, or approve with modifications a gas company’s plan to relocate any gas service regulator after considering certain factors; authorizing the Commission to exempt a gas service regulator from relocation if the Commission finds that an exemption is warranted after considering certain factors; authorizing the Commission to delegate the authority to grant a certain exemption to the Commission’s technical staff division; requiring a gas company, on or before a certain date each year, beginning in a certain year, to report to the Commission on progress through the end of the immediately preceding calendar year related to implementing a certain plan; requiring the Commission to submit a certain report to the Governor and the General Assembly on or before a certain date each year, beginning in a certain year; providing for the application of this Act; stating the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 2, in line 7, strike “TWO” and substitute “SIX”; in line 23, strike “(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, ANY” and substitute “ANY”; in lines 24 and 25, strike “AN OCCUPIED STRUCTURE” and substitute “A MULTIFAMILY RESIDENTIAL STRUCTURE”; and in line 26, strike “, METER,”.

On pages 2 and 3, strike in their entirety the lines beginning with line 27 on page 2 through line 1 on page 3, inclusive, and substitute:

(Over)

“(3) ON OR BEFORE JANUARY 1, 2021, A GAS COMPANY SHALL FILE A PLAN WITH THE COMMISSION TO RELOCATE ANY GAS SERVICE REGULATOR THAT PROVIDES SERVICE TO A MULTIFAMILY RESIDENTIAL STRUCTURE.

(4) ON OR BEFORE JANUARY 1, 2022, THE COMMISSION SHALL APPROVE, DISAPPROVE, OR APPROVE WITH MODIFICATIONS A GAS COMPANY’S PLAN SUBMITTED UNDER PARAGRAPH (3) OF THIS SUBSECTION TO RELOCATE ANY GAS SERVICE REGULATOR AFTER CONSIDERING:

(I) THE NUMBER OF GAS SERVICE REGULATORS DESIGNATED FOR RELOCATION IN THE GAS COMPANY’S SERVICE TERRITORY;

(II) THE AVAILABILITY OF QUALIFIED PERSONNEL TO SAFELY RELOCATE GAS SERVICE REGULATORS;

(III) THE ENGINEERING AND PERMITTING CHALLENGES WITHIN THE GAS COMPANY’S SERVICE TERRITORY;

(IV) A SCHEDULE FOR RELOCATING GAS SERVICE REGULATORS THAT IS CONSISTENT WITH THE PUBLIC INTEREST;

(V) ANY OTHER GAS COMPANY PROGRAMS, INNOVATIONS, INITIATIVES, PRIORITIES, OR INVESTMENTS THAT IMPROVE THE SAFETY OR RELIABILITY OF THE GAS SYSTEM; AND

(VI) ANY OTHER FACTOR IDENTIFIED BY THE COMMISSION.

(5) THE COMMISSION MAY EXEMPT A GAS SERVICE REGULATOR FROM THE REQUIREMENTS OF THIS SUBSECTION IF THE COMMISSION FINDS THAT AN EXEMPTION IS WARRANTED AFTER CONSIDERING:

(I) WHETHER GRANTING THE EXEMPTION IS CONSISTENT WITH THE PUBLIC INTEREST;

(II) CONFLICTS WITH FEDERAL, STATE, OR LOCAL LAWS OR REGULATIONS;

(III) PHYSICAL OBSTRUCTIONS OR SPACE CONSTRAINTS; AND

(IV) ANY OTHER FACTOR IDENTIFIED BY THE COMMISSION.

(6) THE COMMISSION MAY DELEGATE THE AUTHORITY TO GRANT EXEMPTIONS UNDER THIS SUBSECTION TO THE COMMISSION'S TECHNICAL STAFF DIVISION."

On page 3, after line 12, insert:

"(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON OR BEFORE FEBRUARY 1, 2022, AND EACH YEAR THEREAFTER, A GAS COMPANY SHALL REPORT TO THE COMMISSION ON PROGRESS THROUGH THE END OF THE IMMEDIATELY PRECEDING CALENDAR YEAR ON THE IMPLEMENTATION OF THE PLAN APPROVED UNDER SUBSECTION (B) OF THIS SECTION.

(2) THIS SUBSECTION MAY NOT BE CONSTRUED TO APPLY TO A GAS COMPANY THAT HAS FULLY IMPLEMENTED AN APPROVED PLAN UNDER SUBSECTION (B) OF THIS SECTION.

(Over)

(E) ON OR BEFORE MARCH 1 EACH YEAR, BEGINNING IN 2022, THE COMMISSION SHALL PROVIDE A REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON EACH GAS COMPANY’S PROGRESS IN RELOCATING GAS SERVICE REGULATORS IN ACCORDANCE WITH THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that:

(1) the statutory changes enacted under Section 1 of this Act should be interpreted in light of the significant concerns for public safety raised by the Flower Branch explosion, as investigated by the National Transportation Safety Board, whose recommendations this Act embodies; and

(2) each gas company in the State shall:

(i) use best efforts to identify gas service regulators in the company’s service territory that may fail or are most vulnerable to damage;

(ii) prioritize replacing the regulators identified under item (i) of this item; and

(iii) educate the public on:

1. identifying older, vulnerable, or potentially failing gas service regulators; and

2. procedures for reporting regulators identified under item 1 of this item to gas companies and local authorities.”;

and in line 13, strike “2.” and substitute “3.”.