

MARYLAND REGISTER

## Proposed Action on Regulations

<b>Transmittal Sheet</b>  <b>PROPOSED OR REPROPOSED</b>  <b>Actions on Regulations</b>	<b>Date Filed with AELR Committee</b>	<b>TO BE COMPLETED BY DSD</b>
	04/22/2016	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 5/27/2016

2. COMAR Codification

<b>Title</b>	<b>Subtitle</b>	<b>Chapter</b>	<b>Regulation</b>
20	55	04	.01-2, .05

3. Name of Promulgating Authority

Public Service Commission

<b>4. Name of Regulations Coordinator</b>	<b>Telephone Number</b>
Sue Thomas	410-767-8308

**Mailing Address**

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<b>5. Name of Person to Call About this Document</b>	<b>Telephone No.</b>
David J. Collins, Executive Secretary	410-767-8067

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**Title 20**  
**PUBLIC SERVICE COMMISSION**

**Subtitle 55 SERVICE SUPPLIED BY GAS COMPANIES**

**20.55.04 Customer Relations**

Authority: Public Utility Companies Article, §§2-113, 2-121, 5-101 and 7-301,  
Annotated Code of Maryland

**Notice of Proposed Action**

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The Public Service Commission proposes to amend Regulations .01-2 and .05 under COMAR 20.55.04 Customer Relations.

This action was considered by the Public Service Commission at a scheduled rulemaking meeting on Friday, March 18, 2016, notice of which was given under State Government Article, §10-506, Annotated Code of Maryland.

**Statement of Purpose**

The purpose of this action is to establish new regulations that will provide protections in instances where a customer is attempting to reconnect service after it is denied due to meter tampering.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

**I. Summary of Economic Impact.**

Currently, a utility can deny service for unpaid, outstanding debt. When a utility denies an application for service due to an outstanding debt created by meter tampering, but the utility cannot provide the definitive amount owed by the customer, the proposed regulations will allow the Commission to direct that service be reconnected upon payment of any unrelated, prior bill and a proportionate estimated payment towards the debt (to be determined). This regulation also allows a utility to estimate the amount due when service is denied due to an allegation of tampering. The proposed regulations do not require any change to agency, business or utility infrastructure, equipment or computer systems. The public will experience an unquantifiable benefit derived from the proposed additional mechanism to reestablish service.

Revenue (R+/R-)

**II. Types of Economic Impact.**

Expenditure (E+/E-)      Magnitude

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A. On issuing agency:

NONE

- B. On other State agencies: NONE
- C. On local governments: NONE

	Benefit (+) Cost (-)	Magnitude
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- D. On regulated industries or trade groups: NONE
- E. On other industries or trade groups: NONE
- F. Direct and indirect effects on public: (+) Unquantifiable

**III. Assumptions.** (Identified by Impact Letter and Number from Section II.)

F. A utility can deny service for unpaid, outstanding debt. When a utility denies an application for service due to an outstanding debt created by tampering, but the utility cannot provide the amount owed, the Commission may direct that service be reconnected upon payment of any unrelated, prior bill and a proportionate estimated payment towards the debt to be determined. This regulation also allows a utility to estimate the amount due when service is denied due to an allegation of tampering. The public will experience an unquantifiable benefit derived from the proposed additional mechanism to reestablish service.

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to David J. Collins, Executive Secretary, Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, Baltimore, Maryland 21202-6806, or call 410-767-8067, or email to , or fax to 410-333-6495. Comments will be accepted through June 27, 2016. A public hearing has not been scheduled.

**Economic Impact Statement Part C**

- A. Fiscal Year in which regulations will become effective: FY 2017
- B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:  
Special Fund - The Public Utility Regulation Fund

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:  
The proposed regulations do not require any change to agency, business or utility infrastructure, equipment or computer systems. Customers will benefit from the assurance that an application for service will result in utility connection upon payment of an outstanding debt and a portion of a payment towards the estimated usage consumed, but unmeasured because of meter tampering.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

There is minimal or no economic impact on small businesses given that the proposed regulations offer an alternative mechanism for service reconnection between the utility and an individual customer.

G. Small Business Worksheet:

Attached Document:

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## **Title 20 PUBLIC SERVICE COMMISSION**

### **Subtitle 55 SERVICE SUPPLIED BY GAS COMPANIES**

#### **Chapter 04 Customer Relations**

Authority: Public Utilities Article, §§2-113, 2-121, and 5-101, Annotated Code of Maryland

##### **20.55.04.01**

###### **.01 Information for Customers.**

A. - G. (text unchanged)

###### **.01-1 Application for Service.**

A. - E. (text unchanged)

###### **.01-2 Denial of Application for Residential Service.**

A. - F. (text unchanged)

*(G) The Commission's Office of External Relations may direct a utility to connect service, if deemed safe, in a customer's name during the pendency of an investigation if a utility denies an application for service due to an unpaid arrearage for unauthorized use or tampering with equipment furnished and owned by the utility but does not provide the amount necessary to reconnect service within three business days of a filed complaint, provided that the applicant makes a payment to the utility:*

*(1) in an amount that represents 2/12 of the estimated charges for service for the ensuing 12 months; and*

*(2) of any outstanding prior bill or in accordance with an alternate payment plan as described in COMAR*

*20.31.01.08 and agreed to by the utility.*

###### **.02 Customer Deposits.**

(text unchanged)

###### **.03 Bill Forms.**

A. - C. (text unchanged)

**.04 Billing Records.**

(text unchanged)

**.05 Adjustment of Bills.**

A. – F. (text unchanged)

G. *Theft of Service.*

*(1) If a meter is found not to register, in whole or in part, due to tampering or interference with the company's material, equipment or facilities, the utility may issue an estimated bill.*

*(2) The company shall retain all information relied on to calculate the estimated bill for not less than three years or until the conclusion of a Commission investigation, whichever is longer.*