
By: Senator Madden

Introduced and read first time: February 2, 1996

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Utility Regulation - Public Service Companies - Economic Fairness and Equal Access**

3 FOR the purpose of requiring a public service company that makes available or sells a
4 resource to its nonregulated subsidiary to make that resource available and sell it to
5 any other interested person; requiring that any resource that is sold or made
6 available by a public service company to its nonregulated subsidiary or to any other
7 person be provided at its fair market value; defining a certain term; and generally
8 relating to economic fairness and equal access to certain resources of public service
9 companies.

10 BY adding to

11 Article 78 - Public Service Commission Law
12 Section 54E
13 Annotated Code of Maryland
14 (1995 Replacement Volume)

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

17 **Article 78 - Public Service Commission Law**

18 54E.

19 (A) (1) IN THIS SECTION, "RESOURCE" MEANS ANY ITEM THAT A PUBLIC
20 SERVICE COMPANY SPECIFIES IN ITS COST ALLOCATION MANUAL.

21 (2) "RESOURCE" INCLUDES:

22 (I) MAILING LISTS;

23 (II) CONSUMER NEWSLETTER;

24 (III) TELEPHONE REFERRALS;

25 (IV) CUSTOMER DEMOGRAPHICS;

26 (V) CUSTOMER CREDIT INFORMATION;

27 (VI) CUSTOMER EQUIPMENT;

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1 (VII) CUSTOMER FINANCING;

2 (VIII) PERSONNEL SERVICES;

3 (IX) COOPERATIVE ADVERTISING;

4 (X) COLLABORATIVE ADVERTISING;

5 (XI) MAILING PRIVILEGES;

6 (XII) COMPUTER SOFTWARE;

7 (XIII) COMPANY NAME;

8 (XIV) EQUIPMENT; AND

9 (XV) COMPANY LOGO.

10 (B) IF A PUBLIC SERVICE COMPANY MAKES AVAILABLE OR SELLS TO ITS
11 NONREGULATED SUBSIDIARY A RESOURCE, THE PUBLIC SERVICE COMPANY SHALL:

12 (1) CHARGE THE NONREGULATED SUBSIDIARY THE FAIR MARKET
13 VALUE OF THE RESOURCE; AND

14 (2) MAKE THE RESOURCE AVAILABLE TO ANY INTERESTED PARTY FOR
15 THE SAME PRICE.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 1996.