

BY: Finance Committee

AMENDMENTS TO HOUSE BILL NO. 478

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 5 down through “circumstances” in line 10 and substitute “eliminating the jurisdiction of the Public Service Commission over steam heating companies; providing that a steam heating company is an “owner” for purposes of certain underground utility provisions”.

On page 2, strike beginning with “BY” in line 5 down through “1998” in line 9 and substitute:

“BY repealing and reenacting, with amendments,

Article - Public Utility Companies

Section 1-101(p), 4-401, 4-402(a) and (b), 6-202(b), and 12-101(f)

Annotated Code of Maryland

(As enacted by Chapter _____ (S.B. 1) of the Acts of the General Assembly of 1998)

BY repealing

Article - Public Utility Companies

Section 1-101(w)

Annotated Code of Maryland

(As enacted by Chapter _____ (S.B. 1) of the Acts of the General Assembly of 1998)

BY renumbering

Article - Public Utility Companies

Section 1-101(x) through (gg), respectively

to be Section 1-101(w) through (ff), respectively

Annotated Code of Maryland

(As enacted by Chapter _____ (S.B. 1) of the Acts of the General Assembly of 1998)”.

(Over)

AMENDMENT NO. 2

On page 4, strike in their entirety lines 5 through 24, inclusive, and substitute:

“1-101.

(p) “Public service company” means a common carrier company, electric company, gas company, sewage disposal company, [steam heating company,] telegraph company, telephone company, water company, or any combination of public service companies.

[(w) “Steam heating company” means a public service company that manufactures, sells, or distributes steam for use, sale, or distribution.]

4-401.

As it considers necessary, and in accordance with the requirements of §§ 4-402 and 4-403 of this subtitle, the Commission may allow a gas company[,] OR electric company[, or steam heating company] to establish a sliding scale to adjust costs of its fuel, purchased power, or purchased gas.

4-402.

(a) (1) This section applies to:

(i) the electric fuel rate adjustment clause of each electric company that is not subject to § 4-403 of this subtitle;

(ii) [the fuel rate adjustment clause of a steam heating company;

(iii)] purchased power adjustment clauses; and

[(iv)] (III) purchased gas adjustment clauses.

(2) This section does not apply to a small rural electric cooperative.

(b) A [steam heating company,] gas company[,] or electric company that directly passes on to its customers changes in fuel costs, costs of purchased power, or costs of purchased gas shall verify and justify the adjusted costs to the Commission each month.

6-202.

(b) Two public service companies are of the same class, if they are both:

(1) common carrier companies;

(2) electric companies;

(3) gas companies;

(4) gas and electric companies;

(5) sewage disposal companies;

(6) [steam heating companies;

(7)] telegraph companies;

[(8)] (7) telephone companies; or

[(9)] (8) water companies.

12-101.

(f) (1) "Owner" means a person that:

(i) owns or operates an underground facility; and

(ii) has the right to bury an underground facility.

(2) "Owner" includes:

(Over)

(i) a public utility;

(ii) a telecommunications corporation;

(iii) a cable television corporation;

(iv) a political subdivision;

(v) a municipal corporation;

(VI) A STEAM HEATING COMPANY; and

[(vi)](VII) an authority.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 1-101(x) through (gg), respectively, of Article - Public Utility Companies of the Annotated Code of Maryland (as enacted by Chapter _____ (S.B. 1) of the Acts of the General Assembly of 1998) be renumbered to be Section(s) 1-101(w) through (ff), respectively.”.