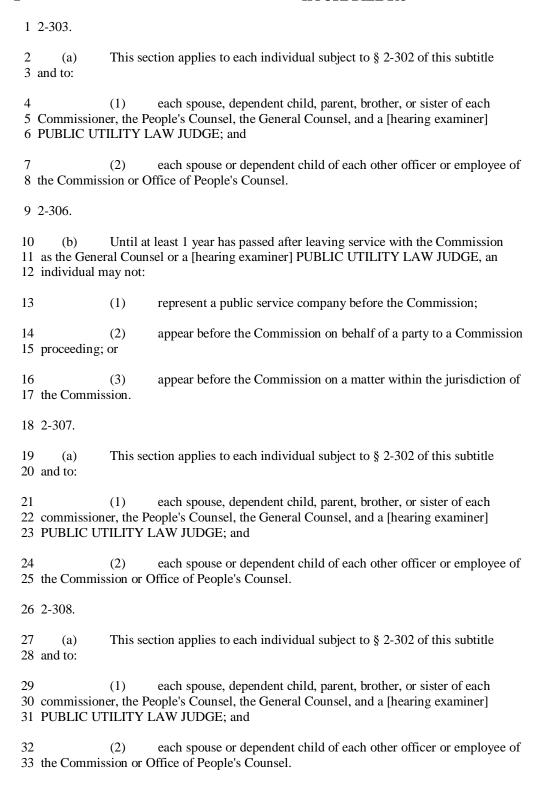
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1998 Regular Session 8lr6066

By: Chairman, Environmental Matters Committee (Departmental - Public Service Commission) Introduced and read first time: January 28, 1998

Assigned to: Environmental Matters

	A BILL ENTITLED					
1	AN ACT concerning					
2	Public Service Commission - Public Utility Law Judges					
3 4	FOR the purpose of altering the title of the hearing examiners of the Public Service Commission to be public utility law judges.					
5 6 7 8 9 10	Section 2-105(c), 2-108(d)(5), 2-303(a), 2-306(b), 2-307(a), 2-308(a), 3-104(a),					
12 13	2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 3 MARYLAND, That the Laws of Maryland read as follows:					
14	Article - Public Utility Companies					
15	2-105.					
16	(c) The Executive Director shall:					
17 18	(1) direct and coordinate the technical staff, except [hearing examiners] PUBLIC UTILITY LAW JUDGES, of the Commission; and					
19	(2) perform the other duties that the Commission prescribes.					
20	2-108.					
21 22	(d) (5) (i) As required, the Commission shall hire [hearing examiners] PUBLIC UTILITY LAW JUDGES.					
23 24	(ii) [Hearing examiners] PUBLIC UTILITY LAW JUDGES are a separate organizational unit and shall report directly to the Commission.					



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(a) A person shall:

1	3-104.					
2 3	(a) (1) The Commission shall institute and conduct proceedings reasonably necessary and proper to the exercise of its powers or the performance of its duties.					
4		(2)	The Cor	nmission shall conduct its proceedings en banc or in panels of:		
5			(i)	at least three commissioners; or		
6 7	(ii) one [hearing examiner] PUBLIC UTILITY LAW JUDGE and a least two commissioners.					
8	panel.	(3)	a quorui	m consists of a majority of the Commission or a majority of a		
	(b) (1) The Commission, a commissioner, or a [hearing examiner] PUBLIC UTILITY LAW JUDGE may conduct hearings, examine witnesses, administer oaths, and perform any other acts necessary to the conduct of proceedings.					
13		(2)	The Exe	ecutive Secretary of the Commission may administer oaths.		
14		(3)	Each rec	cord of a proceeding of the Commission is a public record.		
	(d) (1) The Commission may delegate to a commissioner or to a [hearing examiner] PUBLIC UTILITY LAW JUDGE the authority to conduct a proceeding that is within the Commission's jurisdiction.					
18 19	(2) In a delegated proceeding, the commissioner or [hearing examiner] PUBLIC UTILITY LAW JUDGE shall:					
	(i) conduct the hearing and any other proceeding that the commissioner or [hearing examiner] PUBLIC UTILITY LAW JUDGE considers necessary; and					
23 24	parties, a pro	oposed or	(ii) der and f	file with the Commission, and simultaneously serve on all indings of fact.		
25 26	(3) the proposed order shall become final unless appealed as provided in § 3-113(d) of this subtitle.					
27	3-108.					
30	Unless notice is provided to each other party in a case before the Commission, a party or person acting on behalf of a party may not contact ex parte a commissioner or a [hearing examiner] PUBLIC UTILITY LAW JUDGE regarding the merits of the case. 3-110.					

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- 1 (1) attend a proceeding before the Commission, if ordered by the 2 Commission, a Commissioner, or the Executive Secretary of the Commission; and
- 3 (2) give any relevant testimony or produce any relevant evidence, if 4 ordered by the Commission, a commissioner, or an authorized [hearing examiner]
- 5 PUBLIC UTILITY LAW JUDGE.
- 6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 7 October 1, 1998.