

HOUSE BILL 335

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1999 Regular Session
9r1643
CF 9r2139

By: **Delegates Morhaim, Hubbard, Nathan-Pulliam, DeCarlo, Clagett,
Dembrow, Frush, Bobo, Mandel, Oaks, Hammen, Stull, Cane,
Mohorovic, Pendergrass, and Sher**

Introduced and read first time: February 5, 1999

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Electric Utility Restructuring - Prior Approval**

3 FOR the purpose of prohibiting the Public Service Commission from implementing
4 retail customer choice in the electric utility industry of the State without certain
5 prior approval of the General Assembly; allowing the Commission to conduct
6 certain proceedings and adjudications in connection with electric utility
7 restructuring; prohibiting the implementation of deregulation and certain rates
8 of certain electric utility industry components; and generally relating to
9 restructuring of the electric utility industry.

10 BY adding to

11 Article - Public Utility Companies

12 Section 7-501 to be under the new subtitle "Subtitle 5. Electric Restructuring"

13 Annotated Code of Maryland

14 (1998 Volume)

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

17 **Article - Public Utility Companies**

18 **SUBTITLE 5. ELECTRIC RESTRUCTURING.**

19 7-501.

20 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, AND EXCEPT AS
21 REQUIRED TO ADDRESS ISSUES OF DEREGULATION OF THE WHOLESALE ELECTRIC
22 UTILITY INDUSTRY AS REQUIRED BY FEDERAL LAW, THE COMMISSION MAY NOT
23 ALLOW RETAIL CUSTOMER CHOICE IN THE ELECTRIC UTILITY INDUSTRY IN THE
24 STATE WITHOUT THE PRIOR APPROVAL OF THE GENERAL ASSEMBLY THROUGH
25 ENACTED LEGISLATION.

26 (B) THE COMMISSION:

1 (1) MAY CONDUCT PROCEEDINGS TO:

2 (I) OBTAIN FACTS AND INFORMATION NECESSARY TO IMPLEMENT
3 RESTRUCTURING OF THE ELECTRIC UTILITY INDUSTRY IN THE STATE, INCLUDING
4 FACT-FINDING PROCEEDINGS AND ADJUDICATIONS NECESSARY FOR THE ANALYSIS
5 AND IMPLEMENTATION OF ELECTRIC RESTRUCTURING AND ROUNDTABLES AND
6 OTHER APPROPRIATE FORUMS FOR THE DEVELOPMENT OF INFORMATION
7 NECESSARY TO OR USEFUL IN REFINING ELECTRIC RESTRUCTURING; AND

8 (II) IDENTIFY AND REGULATE SEPARATE COMPONENTS OF THE
9 RETAIL ELECTRIC UTILITY INDUSTRY; BUT

10 (2) MAY NOT IMPLEMENT DEREGULATION OF A COMPONENT OF THE
11 ELECTRIC UTILITY INDUSTRY, OR IMPLEMENT FINAL RATES OR OTHER REGULATORY
12 CONTROL MECHANISMS FOR A DEREGULATED COMPONENT OF THE ELECTRIC
13 UTILITY INDUSTRY, OTHER THAN ON A WHOLESALE LEVEL.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 June 1, 1999.