

SENATE BILL 623

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2000 Regular Session  
0lr2109  
CF 0lr1991

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By: **Senator Teitelbaum**

Introduced and read first time: February 4, 2000

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Electricity - Certificate of Public Convenience and Necessity**

3 FOR the purpose of altering certain requirements for certificates of public  
4 convenience and necessity in connection with construction of certain generating  
5 stations; and generally relating to electricity regulation and certificates of public  
6 convenience and necessity.

7 BY repealing and reenacting, with amendments,  
8 Article - Public Utility Companies  
9 Section 7-207(a) and (b)  
10 Annotated Code of Maryland  
11 (1998 Volume and 1999 Supplement)

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

14 **Article - Public Utility Companies**

15 7-207.

16 (a) (1) In this section and § 7-208 of this subtitle, "construction" means the  
17 clearing of land, excavation, or other action that affects the natural environment of a  
18 site or route of a bulk power supply facility.

19 (2) "Construction" does not include:

20 (I) a change that is needed for the temporary use of a site or route  
21 for nonutility purposes or for use in securing geological data, including any boring  
22 that is necessary to ascertain foundation conditions; OR

23 (II) THE EXPANSION, MODIFICATION, OR RENOVATION OF AN  
24 EXISTING GENERATING STATION.

25 (b) (1) Unless a certificate of public convenience and necessity for the  
26 construction is first obtained from the Commission, a person may not begin  
27 construction in the State of a generating station OTHER THAN A GENERATING

1 STATION THAT IS TO BE USED ONLY FOR THE PRODUCTION OF ON-SITE GENERATED  
2 ELECTRICITY.

3           (2)       Unless a certificate of public convenience and necessity for the  
4 construction is first obtained from the Commission, and the Commission has found  
5 that the capacity is necessary to ensure a sufficient supply of electricity to customers  
6 in the State, a person may not exercise a right of condemnation in connection with the  
7 construction of a generating station.

8           (3)       Unless a certificate of public convenience and necessity for the  
9 construction is first obtained from the Commission, an electric company may not  
10 begin construction of an overhead transmission line that is designed to carry a voltage  
11 in excess of 69,000 volts or exercise a right of condemnation with the construction.

12       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2000.