

SENATE BILL 49

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(PRE-FILED)

By: **Chairman, Finance Committee (Departmental - Public Service
Commission)**

Requested: October 26, 2000
Introduced and read first time: January 10, 2001
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 7, 2001

CHAPTER _____

1 AN ACT concerning

2 **Public Service Commission - Liquefied Petroleum Gas**

3 FOR the purpose of repealing certain provisions of law pertaining solely to public
4 service companies providing liquefied petroleum gas pursuant to franchises that
5 existed on or before a certain date; clarifying that owners of gas service
6 installations must comply with certain metering requirements; clarifying that
7 consumers of gas service may request an inspection and test of the meter; and
8 generally relating to the Commission's jurisdiction over liquefied petroleum gas.

9 BY repealing and reenacting, without amendments,
10 Article - Public Utility Companies
11 Section 7-301 and 7-302
12 Annotated Code of Maryland
13 (1998 Volume and 2000 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - Public Utility Companies
16 Section 11-102
17 Annotated Code of Maryland
18 (1998 Volume and 2000 Supplement)

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

1 **Article - Public Utility Companies**

2 7-301.

3 (a) A person may not furnish or put in use for revenue billing purposes a gas
4 meter or electric meter unless the Commission has authorized the meter's use.

5 (b) (1) Each gas company and electric company shall maintain suitable
6 equipment, approved by the Commission, for testing the accuracy of a gas meter or
7 electric meter furnished by the company for use by its customers.

8 (2) The gas company or electric company shall test a customer's meter
9 with the equipment in accordance with § 7-302 of this subtitle.

10 (c) (1) This subsection applies to:

11 (i) a new residential multiple occupancy building;

12 (ii) a new shopping center; or

13 (iii) a new housing unit that is constructed, managed, operated,
14 developed, or subsidized by a local housing authority established under Article 44A of
15 the Code.

16 (2) The service restrictions imposed under this subsection do not apply to
17 central hot water.

18 (3) The Commission may not authorize a gas company or electric
19 company to service an occupancy unit or shopping center unit subject to this
20 subsection unless the building or shopping center has individual metered service or
21 submetering as provided under § 7-303 or § 7-304 of this subtitle for each
22 individually leased or owned occupancy unit or shopping center unit.

23 (4) In accordance with its regulations, the Commission may authorize a
24 gas company or electric company to provide service for central heating or cooling
25 systems, or a combination of those systems, to an occupancy unit or shopping center
26 unit subject to this subsection if the Commission is satisfied that the service will
27 result in a substantial net saving of energy over the energy saving that would result
28 from individual metering or submetering as provided under § 7-303 or § 7-304 of this
29 subtitle.

30 (d) The owner, operator, or manager of a residential multiple occupancy
31 building or shopping center subject to this section may not impose a utility cost on an
32 occupancy unit or shopping center unit, except for charges that:

33 (1) the Commission authorizes the gas company or electric company to
34 impose; and

35 (2) the gas company or electric company actually imposes on the owner,
36 operator, or manager.

1 7-302.

2 (a) (1) By written request, a consumer may compel the Commission to
3 inspect and test the consumer's electric meter or gas meter.

4 (2) The consumer is entitled to be present for the test.

5 (b) (1) The Commission shall set a percentage tolerance limit for the
6 accuracy of an electric meter or gas meter.

7 (2) The Commission shall order a gas company or electric company to
8 replace a meter at the company's expense if the meter is incorrect to the prejudice of
9 the consumer by more than the percentage tolerance limit set by the Commission.

10 (c) (1) The Commission shall set a uniform reasonable fee for meter test
11 services under this section.

12 (2) (i) If the test indicates that the meter is within the percentage
13 tolerance limit set by the Commission under subsection (b)(1) of this section, the
14 consumer shall pay the test fee.

15 (ii) If the test indicates that the meter is not within the percentage
16 tolerance limit set by the Commission, the Commission shall refund the fee.

17 11-102.

18 (a) [This section does not limit the jurisdiction of the Commission over a
19 public service company that provides liquefied petroleum gas service under
20 franchises that existed on or before July 1, 1980.

21 (b)] The Commission shall adopt and enforce safety standards for gas service
22 installations at locations where service is provided to 10 or more customers or 10 or
23 more separate residential dwelling units by pipes from a central liquefied petroleum
24 gas storage tank.

25 [(c)] (B) (1) The owner of a facility at a location subject to subsection [(b)]
26 (A) of this section or the owner of the liquefied petroleum gas furnished shall comply
27 with the safety standards of service.

28 (2) Except as provided in paragraph (3) of this subsection, other sections
29 of this article do not apply to an owner subject to this section.

30 (3) The Commission may apply Title 12, Subtitle 1 and §§ 2-117(a),
31 5-304, 7-301, 7-302, and 13-203 of this article to an owner subject to this section.

32 [(d)] (C) When service begins, a person who furnishes gas service by pipes
33 from a central liquefied petroleum gas storage tank to 10 or more customers or 10 or
34 more separate residential dwelling units shall notify the Commission in writing
35 about:

36 (1) the location of each installation;

1 (2) the number of customers or dwelling units furnished service at each
2 location; and

3 (3) the name and address of the office responsible for the service.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
5 effect October 1, 2001.