

SENATE BILL 294

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2001 Regular Session
11r1510
CF 11r2216

By: **Senator Teitelbaum**

Introduced and read first time: January 29, 2001

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **On-Site Generated Electricity - Exemption**

3 FOR the purpose of exempting certain generating stations that produce only on-site
4 generated electricity from the requirement to obtain a certificate of public
5 convenience and necessity for certain purposes.

6 BY repealing and reenacting, without amendments,
7 Article - Public Utility Companies
8 Section 7-207(a)
9 Annotated Code of Maryland
10 (1998 Volume and 2000 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article - Public Utility Companies
13 Section 7-207(b)
14 Annotated Code of Maryland
15 (1998 Volume and 2000 Supplement)

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

18 **Article - Public Utility Companies**

19 7-207.

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

23 (2) "Construction" does not include a change that is needed for the
24 temporary use of a site or route for nonutility purposes or for use in securing
25 geological data, including any boring that is necessary to ascertain foundation
26 conditions.

1 (b) (1) (I) Unless a certificate of public convenience and necessity for the
2 construction is first obtained from the Commission, a person may not begin
3 construction in the State of a generating station.

4 (II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH, A
5 CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY IS NOT REQUIRED FOR THE
6 CONSTRUCTION OF A GENERATING STATION THAT PRODUCES ONLY ON-SITE
7 GENERATED ELECTRICITY AND GENERATES LESS THAN 100 MEGAWATTS.

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

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

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