

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 620

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “fund;” insert “specifying that the estimate used to determine the assessment shall include certain expenses and costs of the Office of People’s Counsel;”; in line 11, after “fee;” insert “requiring the Commission to waive a certain fee for a governmental unit; allowing the Commission to waive a certain fee when it is in the public interest;”; and in line 16, after “(b)” insert “and (c)”.

AMENDMENT NO. 2

On page 2, in line 3, strike the bracket; in the same line, strike “(i) Subject to paragraphs (2) and (3) of this subsection, the” and substitute “THE”; in line 6, strike “(ii)]” and substitute “(2)”; in line 8, strike “(2)” and substitute “(3)”; after line 16, insert:

“(c) (1) (i) Before each State fiscal year, the Chairman of the Commission shall estimate the Commission's total costs and expenses, including:

1. the compensation and expenses of the Commission, its officers, agents, and personnel;

2. the cost of retirement contributions, Social Security, health insurance, and other benefits required to be paid by the State for the personnel of the Commission;

3. all other maintenance and operation expenses OF THE COMMISSION; and

4. all other direct and indirect costs OF THE COMMISSION.

(ii) The estimate shall exclude the [costs of maintaining testing equipment

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reimbursable under § 2-111(a) of this subtitle] EXPENSES ASSOCIATED WITH SERVICES PERFORMED BY THE COMMISSION FOR WHICH THE COMMISSION IS REIMBURSED UNDER THIS ARTICLE.

(III) THE ESTIMATE SHALL INCLUDE, AS PROVIDED BY THE OFFICE OF PEOPLE'S COUNSEL:

1. THE COMPENSATION AND EXPENSES OF THE OFFICE OF PEOPLE'S COUNSEL, ITS OFFICERS, AGENTS, AND PERSONNEL;

2. THE COST OF RETIREMENT CONTRIBUTIONS, SOCIAL SECURITY, HEALTH INSURANCE, AND OTHER BENEFITS REQUIRED TO BE PAID BY THE STATE FOR THE PERSONNEL OF THE OFFICE OF PEOPLE'S COUNSEL;

3. ALL OTHER MAINTENANCE AND OPERATION EXPENSES OF THE OFFICE OF PEOPLE'S COUNSEL; AND

4. ALL OTHER DIRECT AND INDIRECT COSTS OF THE OFFICE OF PEOPLE'S COUNSEL.

(2) Based on the estimate, the Chairman shall determine the amount to be paid by each public service company.

(3) The Commission shall send a bill to each public service company on or before May 1st of each year.

(4) The bill shall equal the product of:

(i) the estimated total costs and expenses of the Commission AND THE OFFICE OF PEOPLE'S COUNSEL during the next fiscal year; multiplied by

(ii) the ratio of the gross operating revenues for the public service company derived from intrastate utility and electricity supplier operations in the preceding calendar year, or other 12-month period as the Chairman determines, to the total of the gross operating

revenues derived from intrastate utility and electricity supplier operations for all public service companies that are billed under this section over that period.

(5) The minimum bill for a public service company shall be \$10.

(6) The public service company:

(i) shall pay the bill on or before the next July 15th; or

(ii) may elect to make partial payments on the 15th days of July, October, January, and April.

(7) A partial payment shall equal 25% of the bill and may not be less than \$10.

(8) During any State fiscal year, the Chairman may change the estimate of costs and expenses of the Commission AND, AS PROVIDED BY THE OFFICE OF PEOPLE'S COUNSEL, THE ESTIMATE OF COSTS AND EXPENSES OF THE OFFICE OF PEOPLE'S COUNSEL.

(9) (i) If the estimate is changed, the Commission shall send a revised bill to each public service company that has elected to make partial payments.

(ii) The change shall be apportioned equally against the remaining payments for the fiscal year.

(10) (i) On or before September 15th of each year, the Chairman shall compute the actual costs and expenses of the Commission AND, AS PROVIDED BY THE OFFICE OF PEOPLE'S COUNSEL, THE ACTUAL COSTS AND EXPENSES OF THE OFFICE OF PEOPLE'S COUNSEL for the preceding fiscal year.

(ii) After deducting the amounts recovered under [§ 2-111(a)] §§ 2-111(A) AND 2-123 of this subtitle, on or before October 15th, the Chairman shall send to any public service company that is affected a statement that shows the amount due or the amount to the credit of the

(Over)

public service company.

(11) (i) A public service company shall pay an amount due within 30 days after the statement is received.

(ii) [At the option of the public service company, an] AN amount to the credit of a public service company shall be [refunded or] applied against any succeeding payment due.

(12) The total amount that may be charged to a public service company under this section for a State fiscal year may not exceed:

(i) 0.17% of the public service company's gross operating revenues derived from intrastate utility and electricity supplier's operations in the preceding calendar year, or other 12-month period that the Chairman determines, for the costs and expenses of the Commission other than that of the Office of People's Counsel; plus

(ii) 0.05% of those revenues for the costs and expenses of the Office of People's Counsel.”;

in line 32, strike the third “THE”; in line 33, after the third “THE” insert “OFFICE OF”.

On page 3, in line 3, strike the first “THE”; in line 5, strike the second “THE”; and strike in their entirety lines 10 through 22, inclusive.

AMENDMENT NO. 3

On page 4, in line 15, after “(C)” insert “(1)”; and after line 18, insert:

“(2) (I) THE COMMISSION SHALL WAIVE A FEE CHARGED UNDER THIS SECTION FOR A FILING BY A STATE GOVERNMENT UNIT OR OTHER SERVICE PERFORMED BY THE COMMISSION FOR A STATE GOVERNMENT UNIT.

(II) THE COMMISSION MAY WAIVE A FEE CHARGED UNDER THIS SECTION WHEN IT IS IN THE PUBLIC INTEREST.”.

AMENDMENT NO. 4

On page 4, in line 28, strike “October” and substitute “June”.