Unofficial Copy C5 2002 Regular Session 2lr0591

### (PRE-FILED)

By: Delegate Stern

Requested: October 3, 2001

Introduced and read first time: January 9, 2002

Assigned to: Environmental Matters

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#### A BILL ENTITLED

# 1 AN ACT concerning

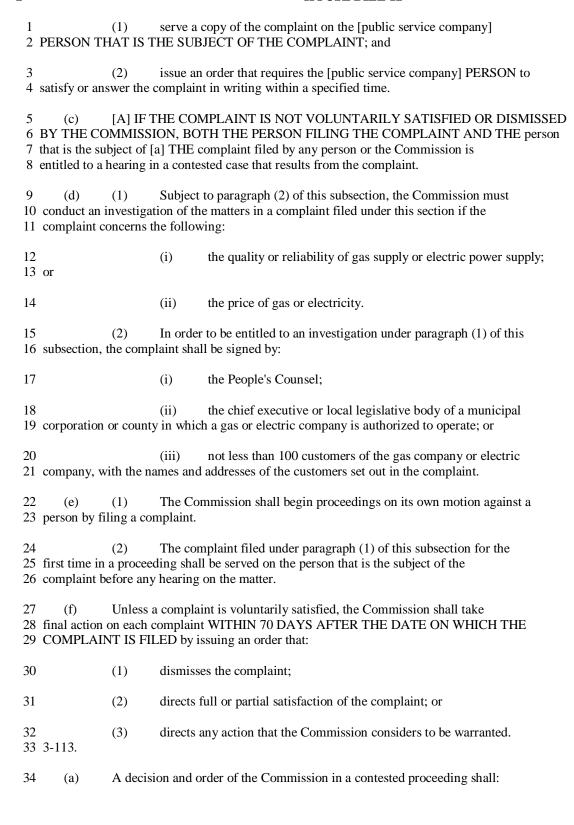
# 2 Public Service Commission - Proceedings - Scope and Time Limitations

- 3 FOR the purpose of expanding the scope of complaint proceedings; requiring that a
- 4 copy of the complaint be served upon the public service company at issue within
- 5 a certain amount of time in certain cases; requiring that complaint proceedings
- 6 be resolved within a certain time after the filing of the complaint; authorizing a
- 7 person filing a complaint to request a hearing in certain circumstances;
- 8 requiring that a decision and order of the Commission in certain cases be issued
- 9 within a certain time; and generally relating to the Public Service Commission
- 10 proceedings.
- 11 BY repealing and reenacting, with amendments,
- 12 Article Public Utility Companies
- 13 Section 3-102 and 3-113
- 14 Annotated Code of Maryland
- 15 (1998 Volume and 2001 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 3-102.
- 20 (a) (1) Any person may file a complaint with the Commission.
- 21 (2) The complaint shall be in writing and set forth circumstances that
- 22 allege a violation of this article OR A COMMISSION REGULATION OR ORDER by [a
- 23 public service company] ANY PERSON.
- 24 (b) If a complaint filed under subsection (a) of this section states on its face a
- 25 violation of this article or if the Commission determines that the complaint deserves
- 26 an explanation, WITHIN 10 DAYS AFTER THE COMPLAINT IS FILED the Commission
- 27 shall:

#### **HOUSE BILL 12**



1	(1)	be base	d on consideration of the record;	
2	(2)	be in w	riting; [and]	
3	(3)	state the	state the grounds for the conclusions of the Commission; AND	
4	(4)	BE ISS	UED WITHIN 60 DAYS AFTER THE CLOSE OF THE RECORD.	
7	(b) An order of the Commission shall take effect within a reasonable time that the Commission prescribes, and shall continue in force according to the terms of the order unless vacated, suspended, modified, or superseded by further order of the Commission or by a court of competent jurisdiction.			
9 10	(c) (1) notify the Commiss	A person served with an order of the Commission shall promptly on in writing of receipt of service.		
	subsection, a person notice.	osection, a person authorized to accept service for the corporation shall sign the		
14 15	(3) the Commission:	The Commission may require in an order that notice be provided to		
16		(i)	within the time specified in the order;	
17 18	subsection; and	(ii)	in the same manner as notice provided in paragraph (1) of this	
19 20	be obeyed.	(iii)	describing if, and to what extent, the order is accepted and will	
21 22	(d) (1) final.	An order of a panel constituted under § 3-104(a) of this subtitle is		
25	(2) A proposed order of a commissioner or hearing examiner under § 3-104(d) of this subtitle becomes final unless a party to the proceeding notes an appeal with the Commission within 30 days after the order is filed with the Commission.			
27	(3)	On app	eal, the Commission promptly shall:	
28 29	hearing examiner;	(i)	consider the matter on the record before the commissioner or	
30 31	(ii) conduct any further proceedings that it considers necessary including requiring the filing of briefs and the holding of oral argument; and			
32		(iii)	issue a final order.	
33	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect			

34 October 1, 2002.