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

Introduced and read first time: February 8, 2002

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Public Service Commission - Enforcement - Cease and Desist Orders**

3 FOR the purpose of authorizing the Public Service Commission to issue cease and  
4 desist orders under certain circumstances; establishing a certain hearing  
5 process; and generally relating to the authority of the Public Service  
6 Commission to issue cease and desist orders.

7 BY adding to  
8 Article - Public Utility Companies  
9 Section 13-208  
10 Annotated Code of Maryland  
11 (1998 Volume and 2001 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 13-208.

16 (A) IN ADDITION TO ANY REMEDY OTHERWISE AVAILABLE, IF THE  
17 COMMISSION DETERMINES THAT A PERSON HAS ENGAGED IN OR IS ABOUT TO  
18 ENGAGE IN AN ACT OR PRACTICE THAT CONSTITUTES A VIOLATION OF ANY  
19 PROVISION OF THIS ARTICLE OR ANY REGULATION, RULE, OR ORDER ADOPTED  
20 UNDER THIS ARTICLE, AND THAT IMMEDIATE ACTION AGAINST THE PERSON IS IN  
21 THE PUBLIC INTEREST, THE COMMISSION MAY ORDER THE PERSON TO CEASE AND  
22 DESIST FROM THE ACT OR PRACTICE.

23 (B) AFTER THE COMMISSION ISSUES A CEASE AND DESIST ORDER, THE  
24 ALLEGED VIOLATOR MAY SUBMIT A WRITTEN REQUEST FOR A HEARING TO THE  
25 COMMISSION.

1 (C) A SUMMARY CEASE AND DESIST ORDER BECOMES FINAL IF THE ALLEGED  
2 VIOLATOR DOES NOT REQUEST A HEARING WITHIN 15 DAYS AFTER RECEIVING THE  
3 SUMMARY CEASE AND DESIST ORDER.

4 (D) THE HEARING SHALL BEGIN:

5 (1) WITHIN 15 BUSINESS DAYS AFTER THE COMMISSION RECEIVES THE  
6 REQUEST FOR A HEARING; OR

7 (2) WITH THE CONSENT OF THE ALLEGED VIOLATOR, AT A LATER DATE.

8 (E) IF THE COMMISSION DOES NOT BEGIN A TIMELY HEARING WITHIN THE  
9 APPLICABLE TIME LIMIT PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE  
10 CEASE AND DESIST ORDER IS DEEMED RESCINDED.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2002.