

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 175

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “or” in line 3 down through “proceeding” in line 10 and substitute “of a regulation of the Public Service Commission shall be filed in accordance with a certain section of law; providing that certain persons, in seeking to challenge a certain decision of the Commission to act by order rather than regulation, shall seek judicial review”; and strike beginning with “prohibiting” in line 10 down through “Act;” in line 12 and substitute “providing that a certain order issued before a certain date in a certain proceeding, that is not the subject of a certain judicial proceeding, is not invalid or unenforceable as a result of the order meeting a certain definition;”.

AMENDMENT NO. 2

On page 1, strike beginning with “(1)” in line 23 down through “APPLICATION” in line 26 and substitute “NOTWITHSTANDING § 10-120 OF THE STATE GOVERNMENT ARTICLE, THE VALIDITY”; and strike line 27 in its entirety and substitute “SHALL BE CHALLENGED IN ACCORDANCE WITH § 10-125 OF THE STATE GOVERNMENT ARTICLE.”.

On page 2, strike beginning with the first bracket in line 1 down through “MUST” in line 10 and substitute:

“(B) A PARTY TO A COMMISSION PROCEEDING, A PERSON THAT HAS BEEN GRANTED INTERVENTION IN A COMMISSION PROCEEDING, OR A PERSON THAT HAS BEEN ORDERED TO PARTICIPATE IN A COMMISSION PROCEEDING THAT SEEKS TO CHALLENGE A DECISION BY THE COMMISSION TO ACT BY ORDER RATHER THAN REGULATION SHALL”;

in lines 11 and 12, strike “TO ACT BY ORDER RATHER THAN REGULATION”; and in line 13, strike “; AND” and substitute a period.

(Over)

AMENDMENT NO. 3

On page 2, after line 13, insert:

“(C) NOTWITHSTANDING ANY PROVISION OF THE ADMINISTRATIVE PROCEDURE ACT, AN ORDER OF THE COMMISSION ISSUED ON OR BEFORE JUNE 30, 2000 IN A GENERIC OR QUASI-LEGISLATIVE PROCEEDING, THAT IS NOT THE SUBJECT OF A JUDICIAL PROCEEDING PENDING AS OF JUNE 1, 2004, IS NOT INVALID OR UNENFORCEABLE AS A RESULT OF THE ORDER MEETING THE DEFINITION OF A REGULATION UNDER § 10-101 OF THE STATE GOVERNMENT ARTICLE.”;

strike in their entirety lines 14 through 29, inclusive; and in line 30, strike “3.” and substitute “2.”.