

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 81 (Delegate Montgomery)
Economic Matters

Electric Companies - Special Medical Equipment Program List

This bill requires electric companies to create and maintain a special medical equipment program list. The list must contain the names of individuals who have submitted a certificate by a licensed physician that states the individual has a need for special medical equipment either for life support or to enable the individual to live independently. Each electric company must: (1) distribute the list to its service dispatchers on a regional basis so that listed individuals may have service restored on a priority basis after an unscheduled outage; and (2) inform individuals on the list at least 48 hours prior to a scheduled outage.

The Public Service Commission (the commission) shall adopt by regulation requirements for creation and maintenance of special medical equipment lists.

Fiscal Summary

State Effect: This bill will not materially affect State government operations.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: There are no provisions in current law relating to special medical equipment lists. Current regulations related to medical equipment apply only to customers of utilities who are delinquent in payment and have been notified of a

termination of service by the utility. Pursuant to COMAR, utility companies must provide 30 days of service beyond the scheduled date of service termination after being provided a certificate by a licensed physician that termination of service would aggravate a serious medical condition or prevent the use of life support equipment. The regulation provides that the customer must enter into a repayment agreement with the utility and that certification may be renewed by the customer by providing another certificate to the utility. The current regulations make no mention of medical equipment that enables an individual to live independently.

Background: The commission has developed a priority list for utilities to follow in restoring power after an unscheduled outage. Highest priority is given to situations that are considered life-threatening, including live wires down and hospitals without power. Second on the priority list are restorations that will provide power to the largest number of customers as early as possible. This includes damage to substations, major transmission lines, and/or sub-transmission lines. Following those priorities, power is restored to smaller groups of customers and finally to individual customers. Potomac Electric Power Company (PEPCO) states that their System Storm Director and Field Operations Storm Director develop specific plans according to this priority list. Baltimore Gas & Electric (BGE) also handles specific unscheduled outage planning on a case-by-case basis.

The commission, in Order No. 77132, noted that the Governor's Task Force to Ensure Utility Service in Maryland (created in the wake of Hurricane Floyd in 1999) recommended that utilities implement communication protocols to provide special needs customers with priority restoration service. The commission noted that each utility identifies the special needs of customers differently. During the 1999 review, utilities could not guarantee that priority restoration service could be achieved on a consistent basis to customers with documented medical conditions.

BGE indicated that requiring utilities to provide priority restoration to individuals with special medical needs may lead to a slower overall response to a scheduled outage. The utility also noted that the most efficient restoration process is already outlined by the commission and provides for infrastructure repairs first and then allows the utilities to respond to individuals without power. Since the company may already be aware of individuals with critical medical equipment, BGE is able to take critical medical equipment customers into account when developing plans to restore power to individual customers after an unscheduled outage.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Public Service Commission, Office of People's Counsel,
Department of Legislative Services

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