
By: **Delegates G. Clagett, Barkley, Madaleno, and Mandel**

Introduced and read first time: January 27, 2006

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 14, 2006

CHAPTER_____

1 AN ACT concerning

2 **Public Service Commission - Examination of Accounts, Books, and Records**

3 FOR the purpose of authorizing the Public Service Commission to examine all
4 accounts, books, and records that the Commission determines necessary to
5 perform its duties under certain provisions of law, including the accounts, books,
6 and records of a public service company, a parent of a public service company, an
7 affiliate of a public service company, and an affiliate of a parent of a public
8 service company; defining certain terms; providing that the powers and
9 authority conferred by this Act are supplemental to other powers of the
10 Commission; and generally relating to the examination of accounts, books, and
11 records by the Public Service Commission.

12 BY adding to
13 Article - Public Utility Companies
14 Section 6-211
15 Annotated Code of Maryland
16 (1998 Volume and 2005 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Public Utility Companies**

20 6-211.

21 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
22 INDICATED.

1 (2) "AFFILIATE" MEANS A PERSON THAT DIRECTLY OR INDIRECTLY, OR
2 THROUGH ONE OR MORE INTERMEDIARIES, CONTROLS, IS CONTROLLED BY, OR IS
3 UNDER COMMON CONTROL WITH, OR HAS, DIRECTLY OR INDIRECTLY, ANY
4 ECONOMIC INTEREST IN ANOTHER PERSON.

5 (3) "CONTROL" MEANS THE POSSESSION, DIRECT OR INDIRECT, OF THE
6 POWER TO DIRECT THE MANAGEMENT OR POLICIES OF A PERSON.

7 (4) "PARENT" MEANS:

8 (I) A FIRM, HOLDING COMPANY, OR OTHER PERSON THAT
9 ULTIMATELY CONTROLS A PUBLIC SERVICE COMPANY; OR

10 (II) ANY INTERMEDIARY PERSON THAT CONTROLS A PUBLIC
11 SERVICE COMPANY.

12 (B) THE COMMISSION MAY EXAMINE ALL ACCOUNTS, BOOKS, AND RECORDS,
13 INCLUDING THE ACCOUNTS, BOOKS, AND RECORDS OF A PUBLIC SERVICE COMPANY,
14 A PARENT OF A PUBLIC SERVICE COMPANY, OR AN AFFILIATE OF EITHER A PUBLIC
15 SERVICE COMPANY OR A PARENT OF A PUBLIC SERVICE COMPANY THAT THE
16 COMMISSION DETERMINES NECESSARY TO PERFORM ITS DUTIES UNDER:

17 (1) TITLE 4 OF THIS ARTICLE;

18 (2) TITLE 5, SUBTITLE 2 OF THIS ARTICLE;

19 (3) TITLE 6, SUBTITLE 1 OF THIS ARTICLE;

20 (4) SECTION 7-505(B)(3), (10), AND (13) OF THIS ARTICLE;

21 (5) SECTION 7-514 OF THIS ARTICLE; AND

22 (6) TITLE 7, SUBTITLE 6 OF THIS ARTICLE.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be regarded
24 as supplemental and additional to the powers and authority conferred by other laws
25 on the Public Service Commission and may not be regarded as in derogation of any
26 powers now existing in the Commission.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2006.

