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By: **Senator Mooney**

Introduced and read first time: March 3, 2006

Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Utility Consumer Protection Act of 2006**

3 FOR the purpose of requiring a public service company or applicant to provide certain  
4 notice to owners of land located within a certain distance of certain proposed  
5 lines, generating stations, and transmission devices within a certain time period  
6 under certain circumstances; and generally relating to proceedings for  
7 certificates of public convenience and necessity for proposed transmission lines  
8 and generating stations.

9 BY repealing and reenacting, with amendments,  
10 Article - Public Utility Companies  
11 Section 7-204(a), 7-207(c), and 7-208(d)(1)  
12 Annotated Code of Maryland  
13 (1998 Volume and 2005 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article - Public Utility Companies  
16 Section 7-208(a) and (b)  
17 Annotated Code of Maryland  
18 (1998 Volume and 2005 Supplement)

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

21 **Article - Public Utility Companies**

22 7-204.

23 (a) (1) Notwithstanding any other provision of this article, [at least 30 days  
24 before a hearing, a public service company] WITHIN 30 DAYS AFTER FILING AN  
25 APPLICATION WITH THE COMMISSION, A PUBLIC SERVICE COMPANY OR APPLICANT  
26 shall provide to each owner of [land,] LAND LOCATED WHOLLY OR PARTLY WITHIN  
27 2,500 FEET OF THE PROPOSED LINE OR TRANSMISSION DEVICE, by certified mail,

1 written notice of intent to run a line or similar transmission device over, on, or under  
2 the land.

3 (2) The public service company shall determine the property owners  
4 from the current tax assessment records of the political subdivision in which the  
5 property is located.

6 7-207.

7 (c) (1) [On] WITHIN 30 DAYS AFTER receipt of an application for a  
8 certificate of public convenience and necessity under this section, the Commission  
9 shall provide notice to the Department of [Planning] PLANNING, EACH OWNER OF  
10 LAND LOCATED WHOLLY OR PARTLY WITHIN 2,500 FEET OF A PROPOSED  
11 GENERATING STATION OR TRANSMISSION LINE, and to all other interested persons.

12 (2) The Department of Planning shall forward the application to each  
13 appropriate State unit and unit of local government for review, evaluation, and  
14 comment regarding the significance of the proposal to State, area-wide, and local  
15 plans or programs.

16 7-208.

17 (a) This section applies to any person:

18 (1) constructing a generating station and its associated overhead  
19 transmission lines designed to carry a voltage in excess of 69,000 volts; or

20 (2) exercising the right of condemnation in connection with the  
21 construction.

22 (b) (1) To obtain the certificate of public convenience and necessity required  
23 under § 7-207 of this subtitle for construction under this section, a person shall file  
24 an application with the Commission at least 2 years before construction of the facility  
25 will commence.

26 (2) The Commission may waive the 2-year requirement on a showing of  
27 good cause.

28 (d) (1) [On the] WITHIN 30 DAYS AFTER receipt of an application under this  
29 section, together with any additional information requested under subsection (c)(2) of  
30 this section, the Commission shall provide notice to:

31 (I) EACH OWNER OF LAND LOCATED WHOLLY OR PARTLY WITHIN  
32 2,500 FEET OF A PROPOSED GENERATING STATION OR TRANSMISSION LINE;

33 [(i)] (II) all interested persons;

34 [(ii)] (III) the Department of Agriculture;

35 [(iii)] (IV) the Department of Business and Economic Development;

- 1                    [(iv)]    (V)    the Department of the Environment;
- 2                    [(v)]    (VI)   the Department of Natural Resources;
- 3                    [(vi)]   (VII)  the Department of Transportation; and
- 4                    [(vii)]  (VIII) the Department of Planning.

5        SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6        October 1, 2006.