

HB0374/977273/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 374
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 20, after “information;” insert “prohibiting the Commission from requiring or allowing an electric company to require an electric customer to allow the electric company to control the amount of the electric customer’s electricity usage;”.

On page 2, in lines 4 and 5, strike “and certain demand response programs for certain customers”; in line 10, after “comment,” insert “report its findings to certain committees; requiring the Administration, on or before a certain date;”; and in line 8, after “implementation;” insert “authorizing the Commission to impose a certain special assessment on certain electric companies for a certain fiscal year; authorizing amounts collected from a special assessment to be expended in accordance with an approved budget amendment for certain expenses;”.

AMENDMENT NO. 2

On page 5, in line 21, after “**TARGETS**” insert “**SPECIFIED**”; and in line 37, strike “**MEASURES**” and substitute “**PROGRAMS**”.

On page 7, in line 21, strike “**PARAGRAPH (C) OF THIS SUBSECTION**” and substitute “**SUBSECTION (C) OF THIS SECTION**”; and after line 23, insert:

“(L) NOTWITHSTANDING ANY OTHER LAW, THE COMMISSION MAY NOT REQUIRE OR ALLOW AN ELECTRIC COMPANY TO REQUIRE AN ELECTRIC CUSTOMER TO AUTHORIZE THE ELECTRIC COMPANY TO CONTROL THE AMOUNT OF THE ELECTRIC CUSTOMER’S ELECTRICITY USAGE, INCLUDING THROUGH CONTROL OF THE ELECTRIC CUSTOMER’S THERMOSTAT.”

(Over)

AMENDMENT NO. 3

On page 8, after line 35, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding any other provision of law, for fiscal year 2009 only, in addition to the amounts appropriated in the budget bill for fiscal 2009 and in accordance with § 2-110 of the Public Utility Companies Article, the Public Service Commission may impose up to \$300,000 as a special assessment for the Commission and the Office of People’s Counsel to accomplish the requirements of this Act.

(b) Of the \$300,000 that may be collected under paragraph (1) of this subsection:

(1) up to \$250,000 may be expended in accordance with an approved budget amendment for consultants, personnel, and related expenses of the Commission, as deemed necessary by the Commission to accomplish the requirements of this Act; and

(2) up to \$50,000 may be expended in accordance with an approved budget amendment for consultants, personnel, and related expenses of the Office of People’s Counsel, as deemed necessary by the Office of People’s Counsel to accomplish the requirements of this Act.

(c) The special assessment shall be imposed only on those electric companies otherwise subject to the assessment under § 2-110 of the Public Utility Companies Article.

(d) The bill sent to each electric company subject to the assessment shall equal the product of multiplying:

(1) the amount authorized to be collected under this subsection; and

(2) the ratio of gross operating revenues of the entity subject to the assessment to the total gross operating revenues for all entities subject to the assessment.”.

On page 9, in lines 1, 11, and 19, strike “3.”, “4.”, and “5.”, respectively, and substitute “4.”, “5.”, and “6.”, respectively.