

# HOUSE BILL 624

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8lr0495

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By: **Delegates McDonough, DeBoy, Elliott, Impallaria, and Minnick**

Introduced and read first time: February 1, 2008

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Energy Consumer Protection Act**

3 FOR the purpose of prohibiting a certain electricity supplier from preventing an  
4 electric company that is affiliated with the electricity supplier from constructing  
5 or acquiring a certain electric generating station and associated transmission  
6 lines under certain circumstances; authorizing a county or municipal  
7 corporation to construct or acquire an electric generating station and associated  
8 transmission lines or contract with an outside entity for the construction or  
9 acquisition and management of an electric generating station and associated  
10 transmission lines under certain circumstances; requiring the construction or  
11 acquisition of a certain electric generating station and associated transmission  
12 lines to be made in accordance with certain provisions of law; requiring a  
13 certain electricity supplier that operates a nuclear power plant in the State to  
14 offer to sell to certain electric companies certain wholesale electricity at the  
15 lowest best price at which the supplier sells electricity to certain customers  
16 located outside the State; requiring a certain electricity supplier that operates a  
17 nuclear power plant in the State to make a certain report to the Public Service  
18 Commission each year; and generally relating to the generation and sale of  
19 electricity.

20 BY adding to

21 Article – Public Utility Companies  
22 Section 7–213, 7–214, and 7–510.1  
23 Annotated Code of Maryland  
24 (1998 Volume and 2007 Supplement)

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

27 **Article – Public Utility Companies**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **7-213.**

2 **AN ELECTRICITY SUPPLIER THAT IS AFFILIATED WITH AN ELECTRIC**  
3 **COMPANY IN THIS STATE MAY NOT PREVENT THE AFFILIATED ELECTRIC**  
4 **COMPANY FROM CONSTRUCTING OR ACQUIRING AN ELECTRIC GENERATING**  
5 **STATION AND ASSOCIATED TRANSMISSION LINES IN THIS STATE.**

6 **7-214.**

7 **(A) A COUNTY OR MUNICIPAL CORPORATION MAY CONSTRUCT OR**  
8 **ACQUIRE AN ELECTRIC GENERATING STATION AND ASSOCIATED TRANSMISSION**  
9 **LINES OR CONTRACT WITH AN OUTSIDE ENTITY FOR THE CONSTRUCTION OR**  
10 **ACQUISITION AND MANAGEMENT OF AN ELECTRIC GENERATING STATION AND**  
11 **ASSOCIATED TRANSMISSION LINES.**

12 **(B) THE CONSTRUCTION OR ACQUISITION OF AN ELECTRIC**  
13 **GENERATING STATION AND ASSOCIATED TRANSMISSION LINES IN ACCORDANCE**  
14 **WITH THIS SECTION SHALL BE MADE IN ACCORDANCE WITH THE PROVISIONS OF**  
15 **THIS ARTICLE.**

16 **7-510.1.**

17 **(A) AN ELECTRICITY SUPPLIER THAT IS OPERATING A NUCLEAR POWER**  
18 **PLANT IN THE STATE MUST OFFER TO SELL TO EACH ELECTRIC COMPANY**  
19 **OPERATING IN THE STATE WHOLESALE ELECTRICITY GENERATED AT THE**  
20 **NUCLEAR POWER PLANT AT THE LOWEST BEST PRICE THAT THE ELECTRICITY**  
21 **SUPPLIER SELLS THE ELECTRICITY GENERATED AT THE NUCLEAR POWER**  
22 **PLANT TO ANY WHOLESALE OR INDUSTRIAL CUSTOMERS LOCATED OUTSIDE THE**  
23 **STATE.**

24 **(B) EACH YEAR, EVERY ELECTRICITY SUPPLIER THAT IS OPERATING A**  
25 **NUCLEAR POWER PLANT IN THE STATE SHALL REPORT TO THE COMMISSION**  
26 **ON:**

27 **(1) THE TOTAL GENERATING CAPACITY OF THE NUCLEAR POWER**  
28 **PLANT;**

29 **(2) THE AMOUNT OF ENERGY ACTUALLY PRODUCED AT THE**  
30 **NUCLEAR POWER PLANT; AND**

31 **(3) THE AMOUNT OF ENERGY PRODUCED AT THE NUCLEAR**  
32 **POWER PLANT THAT IS SOLD TO ELECTRIC COMPANIES OPERATING IN THE**  
33 **STATE.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2008.