

# SENATE BILL 249

L5, C5

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By: **The President (By Request – Department of Legislative Services – Code Revision)**

Introduced and read first time: January 22, 2010

Assigned to: Finance

Reassigned: Education, Health, and Environmental Affairs, January 22, 2010

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 19, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Utilities and Washington Suburban Sanitary Commission –**  
3 **Cross-References**

4 FOR the purpose of correcting certain cross-references to the Public Utility  
5 Companies Article in the Annotated Code of Maryland to reflect the renaming of  
6 the article to be the Public Utilities Article; correcting certain cross-references  
7 to Article 29 – Washington Suburban Sanitary District in the Annotated Code of  
8 Maryland to reflect the nonsubstantive revision of the article; correcting certain  
9 cross-references in the Public Utility Companies Article; making stylistic  
10 changes; and generally relating to the nonsubstantive revision of Article 29 of  
11 the Code and to the renaming of the Public Utility Companies Article.

12 BY repealing and reenacting, without amendments,  
13 Article 1 – Rules of Interpretation  
14 Section 25(a)  
15 Annotated Code of Maryland  
16 (2005 Replacement Volume and 2009 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article 1 – Rules of Interpretation  
19 Section 25(z)  
20 Annotated Code of Maryland  
21 (2005 Replacement Volume and 2009 Supplement)

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



- 1 BY repealing and reenacting, with amendments,  
2 Article 23 – Miscellaneous Companies  
3 Section 182(a)  
4 Annotated Code of Maryland  
5 (2005 Replacement Volume and 2009 Supplement)
- 6 BY repealing and reenacting, with amendments,  
7 Article 24 – Political Subdivisions – Miscellaneous Provisions  
8 Section 5–101(a) and 9–606(c)(3)  
9 Annotated Code of Maryland  
10 (2005 Replacement Volume and 2009 Supplement)
- 11 BY repealing and reenacting, with amendments,  
12 Article 28 – Maryland–National Capital Park and Planning Commission  
13 Section 5–118(b)  
14 Annotated Code of Maryland  
15 (2003 Replacement Volume and 2009 Supplement)
- 16 BY repealing and reenacting, with amendments,  
17 Article – Business Occupations and Professions  
18 Section 11–502(a)  
19 Annotated Code of Maryland  
20 (2004 Replacement Volume and 2009 Supplement)
- 21 BY repealing and reenacting, with amendments,  
22 Article – Commercial Law  
23 Section 11–203(a)(3), 11–701(d), and 13–301(15)  
24 Annotated Code of Maryland  
25 (2005 Replacement Volume and 2009 Supplement)
- 26 BY repealing and reenacting, with amendments,  
27 Article – Courts and Judicial Proceedings  
28 Section 4–401(10)(iii) and (iv)  
29 Annotated Code of Maryland  
30 (2006 Replacement Volume and 2009 Supplement)
- 31 BY repealing and reenacting, with amendments,  
32 Article – Criminal Law  
33 Section 3–906(a), 6–303(a), 6–304(a), 6–305(b)(2), and 6–505(a)  
34 Annotated Code of Maryland  
35 (2002 Volume and 2009 Supplement)
- 36 BY repealing and reenacting, with amendments,  
37 Article – Economic Development  
38 Section 10–801(f)(7)  
39 Annotated Code of Maryland

- 1 (2008 Volume and 2009 Supplement)
- 2 BY repealing and reenacting, with amendments,  
3 Article – Education  
4 Section 15–109(b)  
5 Annotated Code of Maryland  
6 (2008 Replacement Volume and 2009 Supplement)
- 7 BY repealing and reenacting, with amendments,  
8 Article – Environment  
9 Section 2–402(3), 2–405(a)(1), (b), (e)(1), and (f), 2–1001(d), 5–203.1(b)(2)(i),  
10 5–502(e), 7–506(i)(3), 7–514(d)(3), 9–726.1(d)(2), and 16–307(a)(5)(ii)  
11 Annotated Code of Maryland  
12 (2007 Replacement Volume and 2009 Supplement)
- 13 BY repealing and reenacting, with amendments,  
14 Article – Housing and Community Development  
15 Section 2–102(a)(10)  
16 Annotated Code of Maryland  
17 (2006 Volume and 2009 Supplement)
- 18 BY repealing and reenacting, with amendments,  
19 Article – Labor and Employment  
20 Section 5.5–106(a)(2) and 8–206(e)(3)  
21 Annotated Code of Maryland  
22 (2008 Replacement Volume and 2009 Supplement)
- 23 BY repealing and reenacting, with amendments,  
24 Article – Natural Resources  
25 Section 3–128(b), 3–302(a)(2), 3–304(2), 3–305(a)(3) and (d), 3–306(a) and (c),  
26 3–307, 3–919(b), 5–403(e)(1), 5–409(c)(1), 5–1602(b)(5), and 5–1603(f)  
27 Annotated Code of Maryland  
28 (2005 Replacement Volume and 2009 Supplement)
- 29 BY repealing and reenacting, with amendments,  
30 Article – Public Safety  
31 Section 1–310(f), 12–502(a)(5), and 12–506(b)(1)(vii)  
32 Annotated Code of Maryland  
33 (2003 Volume and 2009 Supplement)
- 34 BY repealing and reenacting, with amendments,  
35 Article – Public Utility Companies  
36 Section 1–101(a), 2–106(d)(1), 2–110(c)(1)(ii), 2–110.1(b)(4) and (d), 2–112(b)(2),  
37 2–113(b), 2–115(a), 2–117(a)(1), 2–204(a)(2), 2–310, 3–101(c), 3–102(a)(2),  
38 3–103(a), 3–112(a), 4–206(c), 4–501(a)(2), 4–502, 5–301(b), 7–204(a)(1),  
39 7–505(b)(13)(i), 7–506(d), 7–507(l)(3), 7–711(a), 8–409(b)(1), 9–204,  
40 9–207(d), 9–208(d), 10–110(b), 10–202(b), 11–102(b)(2), 13–101(b) and (c),

- 1                   13–201(b)(1) and (c)(1), 13–202(c)(1), 13–206, 13–207, and 13–208(a)(1)  
2                   and (c)(3)  
3           Annotated Code of Maryland  
4           (2008 Replacement Volume and 2009 Supplement)
- 5   BY repealing and reenacting, with amendments,  
6       Article – Real Property  
7       Section 11–131(c)(2)  
8       Annotated Code of Maryland  
9       (2003 Replacement Volume and 2009 Supplement)
- 10   BY repealing and reenacting, with amendments,  
11       Article – State Government  
12       Section 9–20A–01(l), 9–20B–05(e)(5), (f)(3) and (4), (g)(2), and (i), 15–821(d),  
13       15–829(c)(3)(iv), 15–838(b)(2)(iv), 15–848(b)(3)(iv), and 15–853(c)(3)(iv)  
14       Annotated Code of Maryland  
15       (2009 Replacement Volume)
- 16   BY repealing and reenacting, with amendments,  
17       Article – State Personnel and Pensions  
18       Section 4–401(4)  
19       Annotated Code of Maryland  
20       (2009 Replacement Volume and 2009 Supplement)
- 21   BY repealing and reenacting, with amendments,  
22       Article – Tax – General  
23       Section 8–401(c)(2)(ii), 8–407, and 10–704.1(a)(3) and (b)(2)  
24       Annotated Code of Maryland  
25       (2004 Replacement Volume and 2009 Supplement)
- 26   BY repealing and reenacting, with amendments,  
27       Article – Tax – Property  
28       Section 9–239(a)(4) and (5) and 12–103(c)(2)  
29       Annotated Code of Maryland  
30       (2007 Replacement Volume and 2009 Supplement)
- 31   BY repealing and reenacting, with amendments,  
32       Article – Transportation  
33       Section 6–301(b)(3) and 7–208(f)  
34       Annotated Code of Maryland  
35       (2008 Replacement Volume and 2009 Supplement)
- 36   BY repealing and reenacting, with amendments,  
37       Article – Transportation  
38       Section 13–423(a)  
39       Annotated Code of Maryland  
40       (2009 Replacement Volume and 2009 Supplement)

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

3 **Article 1 – Rules of Interpretation**

4 25.

5 (a) Unnumbered revised articles of the Annotated Code of Maryland may be  
6 cited as stated in this section.

7 (z) A section of the [Public Utility Companies Article] **PUBLIC UTILITIES**  
8 **ARTICLE** may be cited as: “§ \_\_\_ of the [Public Utility Companies Article] **PUBLIC**  
9 **UTILITIES ARTICLE**”.

10 **Article 23 – Miscellaneous Companies**

11 182.

12 (a) Subject to subsection (b) of this section, a municipal corporation of this  
13 State now owning or hereafter acquiring an electric plant or gas plant, as defined in §  
14 1–101 of the [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**, may  
15 sell, lease, exchange or otherwise dispose of the electric plant or gas plant, or any part  
16 of or interest in either, to any electric company or gas company, as defined in § 1–101  
17 of the [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**, on terms and  
18 conditions determined by the municipal corporation.

19 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

20 5–101.

21 (a) In this section, “electric company” has the meaning stated in § 1–101 of  
22 the [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**.

23 9–606.

24 (c) A tax imposed under this section does not apply to:

25 (3) Telephone lifeline service provided under § 8–201 of the [Public  
26 Utility Companies Article] **PUBLIC UTILITIES ARTICLE**.

27 **Article 28 – Maryland–National Capital Park and Planning Commission**

28 5–118.

1 (b) The Commission may use for park purposes the lands acquired for flood  
2 control and navigation projects as provided in [Article 29, §§ 13–101 and 13–102 of the  
3 Code] **TITLE 9 OF THIS ARTICLE.**

4 **Article – Business Occupations and Professions**

5 11–502.

6 (a) The Public Service Commission shall establish pilotage fees in accordance  
7 with § 4–303 of the [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE.**

8 **Article – Commercial Law**

9 11–203.

10 (a) This subtitle does not make illegal the activity of:

11 (3) A public service company, as defined in § 1–101 of the [Public  
12 Utility Companies Article] **PUBLIC UTILITIES ARTICLE**, or a rating organization or  
13 bureau representing the company, to the extent that the activity is subject to the  
14 jurisdiction of the Public Service Commission or authorized by federal law governing  
15 interstate commerce;

16 11–701.

17 (d) “Telephone company” has the meaning stated in § 1–101 of the [Public  
18 Utility Companies Article] **PUBLIC UTILITIES ARTICLE.**

19 13–301.

20 Unfair or deceptive trade practices include any:

21 (15) Act or omission that relates to a residential building and that is  
22 chargeable as a misdemeanor under or otherwise violates a provision of the Energy  
23 Conservation Building Standards Act, Title 7, Subtitle 4 of the [Public Utility  
24 Companies Article] **PUBLIC UTILITIES ARTICLE.**

25 **Article – Courts and Judicial Proceedings**

26 4–401.

27 Except as provided in § 4–402 of this subtitle, and subject to the venue  
28 provisions of Title 6 of this article, the District Court has exclusive original civil  
29 jurisdiction in:

30 (10) A proceeding for adjudication of:

1 (iii) A [WSSC] WASHINGTON SUBURBAN SANITARY  
2 COMMISSION infraction [as defined in Article 29, § 18–104.1 of the Code] UNDER §  
3 29–102 OF THE PUBLIC UTILITIES ARTICLE, concerning rules and regulations  
4 governing publicly owned watershed property;

5 (iv) A [WSSC] WASHINGTON SUBURBAN SANITARY  
6 COMMISSION infraction [as defined in Article 29, § 18–104.2 of the Code] UNDER §  
7 29–101 OF THE PUBLIC UTILITIES ARTICLE, concerning [WSSC] WASHINGTON  
8 SUBURBAN SANITARY COMMISSION regulations governing:

- 9 1. Erosion and sediment control for utility construction;
- 10 2. Plumbing, gas fitting, and sewer cleaning;
- 11 3. Required permits for utility construction; and
- 12 4. The [WSSC] WASHINGTON SUBURBAN SANITARY  
13 COMMISSION Pretreatment Program;

#### 14 Article – Criminal Law

15 3–906.

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) “Telegraph company” has the meaning stated in § 1–101 of the  
18 [Public Utility Companies Article] PUBLIC UTILITIES ARTICLE.

19 (3) “Telegraph lines” has the meaning stated in § 1–101 of the [Public  
20 Utility Companies Article] PUBLIC UTILITIES ARTICLE.

21 (4) “Telephone company” has the meaning stated in § 1–101 of the  
22 [Public Utility Companies Article] PUBLIC UTILITIES ARTICLE.

23 (5) “Telephone lines” has the meaning stated in § 1–101 of the [Public  
24 Utility Companies Article] PUBLIC UTILITIES ARTICLE.

25 6–303.

26 (a) In this section, “electric company” has the meaning stated in § 1–101 of  
27 the [Public Utility Companies Article] PUBLIC UTILITIES ARTICLE.

28 6–304.

29 (a) In this section, “gas company” has the meaning stated in § 1–101 of the  
30 [Public Utility Companies Article] PUBLIC UTILITIES ARTICLE.

1 6–305.

2 (b) This section does not apply to:

3 (2) governmental regulation of:

4 (i) water equipment; or

5 (ii) water companies, as defined in § 1–101 of the [Public Utility  
6 Companies Article] **PUBLIC UTILITIES ARTICLE**.

7 6–505.

8 (a) In this section, “railroad” has the meaning stated in § 1–101 of the  
9 [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**.

#### 10 **Article – Economic Development**

11 10–801.

12 (f) “Clean energy” includes:

13 (7) other qualifying biomass as defined in § 7–701 of the [Public  
14 Utility Companies Article] **PUBLIC UTILITIES ARTICLE**;

#### 15 **Article – Education**

16 15–109.

17 (b) A person that enters into an agreement or lease with a public institution  
18 of higher education to facilitate or undertake the financing, whole or partial  
19 ownership, operation, generation, construction, distribution, or maintenance of an  
20 on-site steam or electric generation, production, or distribution system for the  
21 institution may not be considered a public service company, as defined in § 1–101 of  
22 the [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**, subject to the  
23 jurisdiction of the Public Service Commission as a result of the financing, leasing,  
24 ownership, operation, control, management, construction, distribution, or maintenance  
25 of the steam or electric system.

#### 26 **Article – Environment**

27 2–402.

28 The Department may not require a permit or registration for:



1           (3)     The construction of a generating station constructed by a person  
2 that is required to obtain a certificate of public convenience and necessity under §§  
3 7–207 and 7–208 of the [Public Utility Companies Article] **PUBLIC UTILITIES**  
4 **ARTICLE** and regulations adopted by the Public Service Commission;

5 2–405.

6           (a)     (1)     Whenever the Public Service Commission notifies the Secretary of  
7 an application for a certificate of public convenience and necessity under § 7–207 of  
8 the [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**, the Secretary  
9 shall prepare a recommendation in connection with the permit or registration required  
10 by this subtitle. The recommendation shall be presented at the hearing required by §  
11 7–207 of the [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**.

12           (b)     Subject to judicial review as provided under Title 3, Subtitle 2 of the  
13 [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**, the decision of the  
14 Public Service Commission in connection with a certificate of public convenience and  
15 necessity or a filing under § 7–206 of the [Public Utility Companies Article] **PUBLIC**  
16 **UTILITIES ARTICLE** is binding on the Secretary.

17           (e)     (1)     Before issuing an operating permit which requires the installation  
18 of pollution control equipment or a change in the method of operation of the  
19 generating station or unit to any person required to obtain a certificate of public  
20 convenience and necessity, the Secretary shall notify the applicant and the Public  
21 Service Commission and request that the Public Service Commission institute a  
22 hearing as required by § 7–206 of the [Public Utility Companies Article] **PUBLIC**  
23 **UTILITIES ARTICLE**.

24           (f)     (1)     The Commission shall conduct the hearing required by subsection  
25 (e) of this section in the manner set forth in §§ 7–205 and 7–207 of the [Public Utility  
26 Companies Article] **PUBLIC UTILITIES ARTICLE**.

27                     (2)     The Department shall incorporate the Commission’s order  
28 rendered in accordance with § 7–206 of the [Public Utility Companies Article] **PUBLIC**  
29 **UTILITIES ARTICLE**.

30 2–1001.

31           (d)     “PJM Region” has the meaning stated under § 7–701 of the [Public  
32 Utility Companies Article] **PUBLIC UTILITIES ARTICLE**.

33 5–203.1.

34           (b)     (2)     The following are exempt from the application fees established  
35 under paragraph (1) of this subsection:

1 (i) Regulated activities conducted by the State, a municipal  
2 corporation, county, bicounty or multicounty agency under Article 28 [or Article 29] of  
3 the Code **OR DIVISION II OF THE PUBLIC UTILITIES ARTICLE**, or a unit of the  
4 State, a municipal corporation, or a county;

5 5–502.

6 (e) Notwithstanding any other provision of this subtitle, an application for a  
7 certificate of public convenience and necessity associated with power plant  
8 construction which involves use or diversion of waters of the State made to the Public  
9 Service Commission under the [Public Utility Companies Article] **PUBLIC UTILITIES**  
10 **ARTICLE** constitutes an application for the permit required by this section, and the  
11 provisions of § 3–306 of the Natural Resources Article apply. If an application is made  
12 to the Public Service Commission, the hearing provided for by this subtitle is not  
13 required. All evidence relevant to the purposes of this subtitle shall be presented at  
14 the hearing held by the Public Service Commission, as required by § 7–207 of the  
15 [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**. The permit  
16 required by this subtitle is included in the certificate of public convenience and  
17 necessity issued by the Public Service Commission.

18 7–506.

19 (i) (3) (i) If a determination by the Department that it has no further  
20 requirements at a property is conditioned on certain uses of the property or on the  
21 maintenance of certain conditions, the participant shall send a copy of the  
22 determination to a one–call system as defined in § 12–101 of the [Public Utility  
23 Companies Article] **PUBLIC UTILITIES ARTICLE**.

24 (ii) Any obligation for the participant to send the information  
25 required under subparagraph (i) of this paragraph does not negate the obligation of an  
26 owner as defined in § 12–101(f) of the [Public Utility Companies Article] **PUBLIC**  
27 **UTILITIES ARTICLE** to become a member of the one–call system under Title 12 of the  
28 [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**.

29 7–514.

30 (d) (3) (i) If a certificate of completion is conditioned on the  
31 permissible use of the property, the participant shall send a copy of the certificate of  
32 completion to a one–call system, as defined in § 12–101 of the [Public Utility  
33 Companies Article] **PUBLIC UTILITIES ARTICLE**.

34 (ii) Any obligation for the participant to send the information  
35 required under subparagraph (i) of this paragraph does not negate the obligation of an  
36 owner as defined under § 12–101(f) of the [Public Utility Companies Article] **PUBLIC**  
37 **UTILITIES ARTICLE** to become a member of the one–call system under Title 12 of the  
38 [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**.

1 9–726.1.

2 (d) (2) A private water company may apply a reasonable reconnection  
3 charge, in accordance with the ratemaking requirements of Title 4 of the [Public  
4 Utility Companies Article] **PUBLIC UTILITIES ARTICLE**, when it reconnects water  
5 service.

6 16–307.

7 (a) (5) (ii) If an electric company, as defined in § 1–101 of the [Public  
8 Utility Companies Article] **PUBLIC UTILITIES ARTICLE**, applies to the Public  
9 Service Commission for a certificate of public convenience associated with power plant  
10 construction which involves private wetlands, the hearing and permit procedure shall  
11 be in accordance with § 3–306 of the Natural Resources Article.

## 12 **Article – Housing and Community Development**

13 2–102.

14 (a) The Department shall:

15 (10) develop and implement a weatherization program in accordance  
16 with Title 4 of this article and administer the low-income weatherization component  
17 of the electric universal service program in accordance with § 7–512.1 of the [Public  
18 Utility Companies Article] **PUBLIC UTILITIES ARTICLE**.

## 19 **Article – Labor and Employment**

20 5.5–106.

21 (a) (2) Unless the Board of Public Works exercises the option under  
22 subsection (b) of this section, the Public Service Commission shall pay the cost of  
23 administering this title from money the Public Service Commission receives under §  
24 2–110 of the [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**.

25 8–206.

26 (e) Work is not covered employment when performed by a taxicab driver who  
27 uses a taxicab or taxicab equipment of a taxicab business that is carried on by the  
28 holder of a taxicab permit if the Secretary is satisfied that:

29 (3) the driver has access to the taxicab or taxicab equipment at all  
30 hours and, subject to the [Public Utility Companies Article] **PUBLIC UTILITIES**  
31 **ARTICLE**, may set personal work hours and places; and

## 32 **Article – Natural Resources**

1 3–128.

2 (b) The Service may not be deemed to be a public service company within the  
3 meaning of the [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**, and,  
4 except as provided in this section and in § 3–102(b) of this subtitle, the jurisdiction and  
5 powers of the Public Service Commission do not extend to the Service.

6 3–302.

7 (a) (2) For the purpose of this subtitle, there is established as an added  
8 cost of electricity distributed to retail electric customers within the State, an  
9 environmental surcharge per kilowatt hour of electric energy distributed in the State  
10 to be paid by any electric company as defined in § 1–101 of the [Public Utility  
11 Companies Article] **PUBLIC UTILITIES ARTICLE**. The Public Service Commission  
12 shall impose the surcharge per kilowatt hour of electric energy distributed to retail  
13 electric customers within the State and shall authorize the electric companies to add  
14 the full amount of the surcharge to retail electric customers' bills. To the extent that  
15 the surcharge is not collected from retail electric customers, the surcharge shall be  
16 deemed a cost of distribution and shall be allowed and computed as such, together  
17 with other allowable expenses, for rate-making purposes. Revenues from the  
18 surcharge shall be collected by the Comptroller and placed in the Fund.

19 3–304.

20 In cooperation with the Public Service Commission, the Maryland Energy  
21 Administration, and the Secretary of the Environment, the Secretary shall implement  
22 a long-range environmental evaluation of power plant building sites projected for at  
23 least 10 years. To facilitate providing adequate electric power on reasonable schedules  
24 at reasonable costs with the least possible depreciation of the quality of Maryland's  
25 environment, the following responsibilities and procedures are set forth:

26 (2) Upon receipt of a ten-year plan from the Public Service  
27 Commission, the Secretary with the advice of the Secretary of the Environment and  
28 the Director of the Maryland Energy Administration and in accordance with  
29 paragraph (1) of this section and § 7–201 of the [Public Utility Companies Article]  
30 **PUBLIC UTILITIES ARTICLE**, shall prepare and submit, within 180 days a  
31 preliminary environmental statement on each possible and proposed site, including  
32 associated transmission routes. The statement, on the basis of the environmental  
33 research program, shall include but not be limited to the following considerations:

34 (i) The environmental impact at the proposed site;

35 (ii) Any adverse environmental effects which cannot be avoided  
36 if the proposed site is accepted;

37 (iii) Possible alternatives to the proposed site;

1 (iv) Any irreversible and irretrievable commitments of resources  
2 which would be involved at the proposed site if it is approved;

3 (v) Where appropriate, a discussion of problems and objections  
4 raised by other State and federal agencies and local entities;

5 (vi) A plan for monitoring environmental effects of the proposed  
6 action and provision for remedial actions if the monitoring reveals unanticipated  
7 environmental effects of significant adverse consequences; and

8 (vii) The ability to adequately provide emergency response plans  
9 to residents if a nuclear power plant is considered for location at a site.

10 The Secretary shall state to the Public Service Commission which possible and  
11 proposed sites, based on preliminary environmental statement, justify an unsuitable  
12 classification. Unless the electric company whose proposed site is involved offers the  
13 Secretary substantial evidence to the contrary, the site shall be deleted from the plan.  
14 The site may be included in a subsequent ten-year plan.

15 3-305.

16 (a) The expertise of the electric utilities in the basic requirements, including  
17 environmental considerations, of a site for power generation and generator lead route  
18 is a needed element in site selection. Therefore, for the purposes of insuring adequate  
19 power on reasonable schedules while also protecting the quality of the State's  
20 environment, site acquisition and generator lead route designation may occur as  
21 follows:

22 (3) Notwithstanding any other provision of this subtitle, the Secretary  
23 may acquire a site for an electric company if the Public Service Commission requests  
24 the Secretary to purchase a site under § 7-202 of the [Public Utility Companies  
25 Article] **PUBLIC UTILITIES ARTICLE**.

26 (d) An electric company as defined in § 1-101 of the [Public Utility  
27 Companies Article] **PUBLIC UTILITIES ARTICLE** may request from the Secretary an  
28 appropriate site in his possession under the provisions of this subtitle, and the  
29 Secretary shall make the site available. The electric utility may purchase the site. The  
30 purchase price shall be the fair market value of the site as determined by a committee  
31 of three independent qualified real estate appraisers, one of whom is chosen by the  
32 Secretary, one by the electric company making the application, and the third by the  
33 two appraisers first selected. Each party compensates its own appraiser and bears  
34 one-half the cost of the third appraiser. Receipts from the purchase transactions shall  
35 be deposited in the Fund.

36 3-306.

1 (a) Notwithstanding anything to the contrary in this article or the [Public  
2 Utility Companies Article] **PUBLIC UTILITIES ARTICLE**, on application to the Public  
3 Service Commission for a certificate of public convenience and necessity associated  
4 with power plant construction involving, but not limited to, use or diversion of the  
5 waters of the State, or private wetlands, the Commission shall notify immediately the  
6 Department of Natural Resources and the Department of the Environment of the  
7 application. The Commission shall supply the Department of Natural Resources and  
8 the Department of the Environment with any pertinent information available  
9 regarding the application. The Department of the Environment shall treat the  
10 application for a certificate of public convenience and necessity as an application for  
11 appropriation or use of waters of the State under Title 5 of the Environment Article  
12 and as an application for a license for dredging and filling under Title 16 of the  
13 Environment Article.

14 (c) The results and recommendations shall be open for public inspection and  
15 shall be presented by the Secretaries or their designees at the hearing the Commission  
16 holds as required by Title 7, Subtitle 2 of the [Public Utility Companies Article]  
17 **PUBLIC UTILITIES ARTICLE**. Within 15 days from the conclusion of the hearing, and  
18 based on the evidence there presented, the Secretaries jointly shall present their final  
19 recommendation to the chairman of the Commission including, but not limited to, any  
20 specific conclusions as to any private wetlands involved and any specific conclusions as  
21 to any water use or restriction of water use involved.

22 3–307.

23 Judicial review shall in all instances include the right to appeal to the circuit  
24 courts as set forth in Title 3, Subtitle 2 of the [Public Utility Companies Article]  
25 **PUBLIC UTILITIES ARTICLE**.

26 3–919.

27 (b) The Authority shall not be deemed to be a public service company within  
28 the meaning of the [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**,  
29 and the jurisdiction and powers of the Public Service Commission shall not extend to  
30 the Authority.

31 5–403.

32 (e) A county or municipality may not adopt a local law or ordinance for the  
33 planting, care, and protection of roadside trees that applies to:

34 (1) The cutting or clearing of public utility rights-of-way or land for  
35 electric generating stations licensed under § 7–204, § 7–205, § 7–207, or § 7–208 of the  
36 [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**, provided that:

37 (i) Any required certificates of public convenience and necessity  
38 have been issued in accordance with § 5–1603(f) of this title; and

1 (ii) The cutting or clearing of the forest is conducted so as to  
2 minimize the loss of forest;

3 5-409.

4 (c) Notwithstanding the provisions of this section, the following shall obtain  
5 the permission of an owner before engaging in any act specified in subsection (a) of  
6 this section, but are not required to obtain the permission in writing or to display the  
7 written permission as provided in subsection (b) of this section:

8 (1) A public service company, as defined in § 1-101 of the [Public  
9 Utility Companies Article] **PUBLIC UTILITIES ARTICLE**; and

10 5-1602.

11 (b) The provisions of this subtitle do not apply to:

12 (5) The cutting or clearing of public utility rights-of-way or land for  
13 electric generating stations licensed pursuant to § 7-204, § 7-205, § 7-207, or § 7-208  
14 of the [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**, provided  
15 that:

16 (i) Any required certificates of public convenience and necessity  
17 have been issued in accordance with § 5-1603(f) of this subtitle; and

18 (ii) The cutting or clearing of the forest is conducted so as to  
19 minimize the loss of forest;

20 5-1603.

21 (f) After December 31, 1992, the Public Service Commission shall give due  
22 consideration to the need to minimize the loss of forest and the provisions for  
23 afforestation and reforestation set forth in this subtitle together with all applicable  
24 electrical safety codes, when reviewing applications for a certificate of public  
25 convenience and necessity issued pursuant to § 7-204, § 7-205, § 7-207, or § 7-208 of  
26 the [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**.

## 27 Article – Public Safety

28 1-310.

29 (f) A CMRS provider that pays or collects 9-1-1 fees under this section has  
30 the same immunity from liability for transmission failures as that approved by the  
31 Public Service Commission for local exchange telephone companies that are subject to  
32 regulation by the Commission under the [Public Utility Companies Article] **PUBLIC**  
33 **UTILITIES ARTICLE**.

1 12-502.

2 (a) This subtitle does not alter or abrogate the authority of:

3 (5) the Public Service Commission to enforce the Energy Code defined  
4 under the Energy Conservation Building Standards Act, Title 7, Subtitle 4 of the  
5 [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**.

6 12-506.

7 (b) (1) At a minimum, the Department shall include in the database:

8 (vii) the Energy Code defined under the Energy Conservation  
9 Building Standards Act, Title 7, Subtitle 4 of the [Public Utility Companies Article]  
10 **PUBLIC UTILITIES ARTICLE**;

11 **Article – Public Utility Companies**

12 1-101.

13 (a) In this [article] **DIVISION** the following words have the meanings  
14 indicated.

15 2-106.

16 (d) As the Commission directs, the General Counsel shall:

17 (1) represent the Commission in a proceeding if the Commission is a  
18 party to or desires to intervene in the proceeding, if the proceeding involves a question  
19 under this [article] **DIVISION**, or if the proceeding involves an act or order of the  
20 Commission;

21 2-110.

22 (c) (1) (ii) The estimate shall exclude the expenses associated with  
23 services performed by the Commission for which the Commission is reimbursed under  
24 this [article] **DIVISION**.

25 2-110.1.

26 (b) The Fund consists of:

27 (4) any other fee, examination assessment, or revenue received by the  
28 Commission under this [article] **DIVISION**.



1 (d) The purpose of the Fund is to pay all the costs and expenses incurred by  
2 the Commission and the Office of People's Counsel that are related to the operation of  
3 the Commission and the Office of People's Counsel, including:

4 (1) expenditures authorized under this [article] **DIVISION**; and

5 (2) any other expense authorized in the State budget.

6 2-112.

7 (b) (2) The Commission has the implied and incidental powers needed or  
8 proper to carry out its functions under this [article] **DIVISION**.

9 2-113.

10 (b) The powers and duties listed in this title do not limit the scope of the  
11 general powers and duties of the Commission provided for by this [article] **DIVISION**.

12 2-115.

13 (a) The Commission shall initiate and conduct any investigation necessary to  
14 execute its powers or perform its duties under this [article] **DIVISION**.

15 2-117.

16 (a) (1) If the Commission believes that a public service company or gas  
17 master meter operator that is subject to the Commission's jurisdiction is violating or  
18 will violate this [article] **DIVISION**, the Commission shall bring an action in the  
19 Commission's name for injunction or other appropriate action in the circuit court of a  
20 county where the public service company or gas master meter operator does business  
21 or has its principal place of business.

22 2-204.

23 (a) (2) If the Office of People's Counsel considers the interest of  
24 residential and noncommercial users to be affected, the Office of People's Counsel shall  
25 appear before the Commission and courts on behalf of residential and noncommercial  
26 users in each matter or proceeding over which the Commission has original  
27 jurisdiction, including a proceeding on the rates, service, or practices of a public  
28 service company or on a violation of this [article] **DIVISION**.

29 2-310.

30 An individual subject to § 2-302 of this subtitle may not violate this [article]  
31 **DIVISION**.

32 3-101.

1 (c) An official act of the Commission:

2 (1) is valid if it substantially complies with the requirements of this  
3 [article] **DIVISION**; and

4 (2) may not be vitiated by any technical deficiency.

5 3–102.

6 (a) (2) The complaint shall be in writing and set forth circumstances that  
7 allege a violation of this [article] **DIVISION** by a public service company.

8 3–103.

9 (a) The service of a document or notice relating to a proceeding before the  
10 Commission under this [article] **DIVISION** shall be sufficient:

11 (1) if made personally through the sheriff's office in the county in  
12 which service may be made or by an adult; or

13 (2) except as provided in subsections (b) and (c) of this section, if  
14 mailed by first-class mail, postage prepaid, to the last known address of the person to  
15 be served.

16 3–112.

17 (a) In a proceeding before the Commission where a person applies for the  
18 approval of the Commission under § 5–104, §§ 5–201 through 5–203, or §§ 6–101  
19 through 6–103 of this article, the person shall show by clear and satisfactory evidence  
20 that granting the application complies with the requirements of this [article]  
21 **DIVISION** and, as the case may be, is required by the public interest or is consistent  
22 with the public interest.

23 4–206.

24 (c) All final valuations are prima facie evidence of value in proceedings  
25 under this [article] **DIVISION**.

26 4–501.

27 (a) In its utility operations, a public service company may not:

28 (2) demand or collect:

29 (i) compensation that differs from compensation specified in its  
30 rate schedules that are in force at the time of the demand or collection; or

1 (ii) a charge that violates this [article] DIVISION.

2 4-502.

3 In an action by a public service company to collect a charge, the public service  
4 company may not recover any amount if, in the transaction that is the subject of the  
5 action, the public service company demanded a rate greater than that lawful under  
6 this [article] DIVISION when the charge was made.

7 5-301.

8 (b) A public service company:

9 (1) shall comply fully with the requirements of this [article]  
10 DIVISION; and

11 (2) may not violate any provision of this [article] DIVISION.

12 7-204.

13 (a) (1) Notwithstanding any other provision of this [article] DIVISION, at  
14 least 30 days before a hearing, a public service company shall provide to each owner of  
15 land, by certified mail, written notice of intent to run a line or similar transmission  
16 device over, on, or under the land.

17 7-505.

18 (b) (13) (i) An electric company shall comply with all requirements of  
19 the Commission in conducting regulated operations in compliance with this [article]  
20 DIVISION.

21 7-506.

22 (d) The electric company shall connect customers and deliver electricity on  
23 behalf of electricity suppliers consistent with the provisions of this [article] DIVISION.

24 7-507.

25 (l) (3) The Commission shall determine the amount of any civil penalty  
26 after considering:

27 (i) the number of previous violations of any provision of this  
28 [article] DIVISION;

29 (ii) the gravity of the current violation; and

1 (iii) the good faith of the electricity supplier or person charged in  
2 attempting to achieve compliance after notification of the violation.

3 7-711.

4 (a) The Commission has the same power and authority with respect to an  
5 electricity supplier under this subtitle that the Commission has with respect to any  
6 public service company under this [article] **DIVISION** for the purposes of investigating  
7 and examining the electricity supplier to determine compliance with this subtitle and  
8 with other applicable law.

9 8-409.

10 (b) For the purpose of enforcing the provisions of this subtitle, the  
11 Commission may:

12 (1) exercise any of the powers conferred under this [article] **DIVISION**  
13 against a telephone company or reseller; and

14 9-204.

15 The Commission may suspend, revoke, or subsequently deny a motor carrier  
16 permit if the holder violates a provision of this [article] **DIVISION**.

17 9-207.

18 (d) Except as provided in this section, the provisions of this [article]  
19 **DIVISION** do not apply to a motor carrier subject to this section.

20 9-208.

21 (d) A motor coach that is licensed under this section and only provides  
22 service for or on behalf of a not-for-profit entity is not subject to tariffs or rate making  
23 under this [article] **DIVISION**.

24 10-110.

25 (b) The license hearing officer may hold a hearing involving a violation of  
26 this [article] **DIVISION** or the Commission's regulations:

27 (1) by a for-hire driver licensed by the Commission; and

28 (2) except for a violation relating to rates, by a holder of a taxicab  
29 permit issued by the Commission.

30 10-202.

1 (b) The provisions of this [article] **DIVISION** relating to taxicabs or of any  
2 public local law relating to taxicabs do not limit the jurisdiction of the Commission  
3 over a taxicab business as a common carrier even if the taxicab business operates in a  
4 jurisdiction other than Baltimore City, Baltimore County, the City of Cumberland, or  
5 the City of Hagerstown.

6 11–102.

7 (b) (2) Except as provided in paragraph (3) of this subsection, other  
8 sections of this [article] **DIVISION** do not apply to an owner subject to this section.

9 13–101.

10 (b) A person may not fail, neglect, or refuse to comply with any provision of  
11 this [article] **DIVISION** or any effective and outstanding direction, ruling, order, rule,  
12 regulation, or decision of the Commission.

13 (c) An individual who knowingly violates or knowingly aids or abets a public  
14 service company in the violation of subsection (b) of this section or any provision of  
15 this [article] **DIVISION**:

16 (1) is guilty of a misdemeanor; and

17 (2) unless a different punishment is specifically provided by law, on  
18 conviction is subject to a fine not exceeding \$1,000 for a first offense and not exceeding  
19 \$5,000 for each additional or subsequent offense.

20 13–201.

21 (b) (1) Except as provided in paragraph (2) of this subsection, the  
22 Commission may impose a civil penalty not exceeding \$10,000 against a person who  
23 violates a provision of this [article] **DIVISION**, or an effective and outstanding  
24 direction, ruling, order, rule, or regulation of the Commission.

25 (c) (1) A civil penalty may be imposed in addition to any other penalty  
26 authorized by this [article] **DIVISION**.

27 13–202.

28 (c) (1) Subject to paragraph (2) of this subsection, a public service  
29 company that violates a provision of this [article] **DIVISION** that relates to safety is  
30 subject to a civil penalty not exceeding \$500 for each violation for each day that the  
31 violation persists.

32 13–206.

1 An individual who violates a provision of this [article] **DIVISION** concerning  
2 for-hire driving services is guilty of a misdemeanor and on conviction is subject to a  
3 fine not exceeding \$50 for a first offense and not exceeding \$100 for each additional or  
4 subsequent offense.

5 13–207.

6 A contract, assignment, or transfer in violation of this [article] **DIVISION** is  
7 void.

8 13–208.

9 (a) In addition to any otherwise available remedy, the Commission may  
10 summarily order a person who is subject to the jurisdiction of the Commission to cease  
11 and desist from an act or practice if the Commission determines from specific facts  
12 shown by affidavit or other statement made under oath that:

13 (1) the person has engaged in an act or practice that constitutes a  
14 violation of any provision of this [article] **DIVISION** or any order or regulation adopted  
15 under this [article] **DIVISION** that directly concerns consumer protection or public  
16 safety;

17 (c) (3) Within 48 hours after completing the evidentiary hearing  
18 requested under paragraph (1) of this subsection, the Commission shall issue a final  
19 order in which it shall determine whether the affected person has engaged in an act or  
20 practice that is in violation of any provision of this [article] **DIVISION** or any order or  
21 regulation adopted under this [article] **DIVISION** that directly concerns consumer  
22 protection or public safety.

## 23 **Article – Real Property**

24 11–131.

25 (c) In addition to the implied warranties set forth in § 10–203 of this article  
26 there shall be an implied warranty on an individual unit from a developer to a unit  
27 owner. The warranty on an individual unit commences with the transfer of title to that  
28 unit and extends for a period of 1 year. The warranty shall provide:

29 (2) That the heating and any air conditioning systems have been  
30 installed in accordance with acceptable industry standards and:

31 (i) That the heating system is warranted to maintain a 70°F  
32 temperature inside with the outdoor temperature and winds at the design conditions  
33 established by the Energy Conservation Building Standards Act, Title 7, Subtitle 4 of  
34 the [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**, or those  
35 established by the political subdivision as provided in Title 7, Subtitle 4 of the [Public  
36 Utility Companies Article] **PUBLIC UTILITIES ARTICLE**; and

1                   (ii) That the air conditioning system is warranted to maintain a  
 2 78°F temperature inside with the outdoor temperature at the design conditions  
 3 established by Title 7, Subtitle 4 of the [Public Utility Companies Article] **PUBLIC**  
 4 **UTILITIES ARTICLE**, or those established by the political subdivision as provided in  
 5 Title 7, Subtitle 4 of the [Public Utility Companies Article] **PUBLIC UTILITIES**  
 6 **ARTICLE**.

## 7   Article – State Government

8 9–20A–01.

9           (1) “Renewable energy resource” has the meaning stated in § 1–101 of the  
 10 [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**.

11 9–20B–05.

12           (e) The Fund consists of:

13                   (5) compliance fees paid under § 7–705 of the [Public Utility  
 14 Companies Article] **PUBLIC UTILITIES ARTICLE**; and

15           (f) The Administration shall use the Fund:

16                   (3) to provide supplemental funds for low-income energy assistance  
 17 through the Electric Universal Service Program established under § 7–512.1 of the  
 18 [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE** and other electric  
 19 assistance programs in the Department of Human Resources;

20                   (4) to provide rate relief by offsetting electricity rates of residential  
 21 customers, including an offset of surcharges imposed on ratepayers under § 7–211 of  
 22 the [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**;

23           (g) Except as provided in subsection (g–1) of this section, proceeds received  
 24 by the Fund from the sale of allowances under § 2–1002(g) of the Environment Article  
 25 shall be allocated to the following accounts:

26                   (2) 23% shall be credited to a rate relief account to provide rate relief  
 27 by offsetting electricity rates of residential customers, including an offset of surcharges  
 28 imposed on ratepayers under § 7–211 of the [Public Utility Companies Article]  
 29 **PUBLIC UTILITIES ARTICLE**, on a per customer basis and in a manner prescribed by  
 30 the Public Service Commission;

31           (i) (1) Except as provided in paragraph (2) of this subsection, compliance  
 32 fees paid under § 7–705(b) of the [Public Utility Companies Article] **PUBLIC**

1 **UTILITIES ARTICLE** may be used only to make loans and grants to support the  
2 creation of new Tier 1 renewable energy sources in the State.

3 (2) Compliance fees paid under § 7-705(b)(1)(ii) of the [Public Utility  
4 Companies Article] **PUBLIC UTILITIES ARTICLE** shall be accounted for separately  
5 within the Fund and may be used only to make loans and grants to support the  
6 creation of new solar energy sources in the State.

7 15-821.

8 (d) An applicant for appointment to the Washington Suburban Sanitary  
9 Commission shall file the statement not later than 5 days before the interview  
10 conducted under [Article 29, § 1-103 of the Code] **§ 17-103 OF THE PUBLIC**  
11 **UTILITIES ARTICLE**. The statement shall cover the 12-month period ending 60 days  
12 before the day the statement is filed.

13 15-829.

14 (c) (3) "Applicant" does not include:

15 (iv) a public utility regulated by the Public Service Commission  
16 in any instance where the utility is engaged in or conducting regulated activities that  
17 have been approved by the Public Service Commission or are permitted under [the  
18 Public Utility Companies Article] **DIVISION I OF THE PUBLIC UTILITIES ARTICLE**.

19 15-838.

20 (b) (2) "Applicant" does not include:

21 (iv) a public service company acting within the scope of [the  
22 Public Utility Companies Article] **DIVISION I OF THE PUBLIC UTILITIES ARTICLE**;  
23 or

24 15-848.

25 (b) (3) "Applicant" does not include:

26 (iv) a public service company acting within the scope of [the  
27 Public Utility Companies Article] **DIVISION I OF THE PUBLIC UTILITIES ARTICLE**;  
28 or

29 15-853.

30 (c) (3) "Applicant" does not include:



1 (iv) an electric company or electric supplier applying for a  
2 certificate of public convenience and necessity under § 7–207 or § 7–208 of the [Public  
3 Utility Companies Article] **PUBLIC UTILITIES ARTICLE**; or

#### 4 **Article – State Personnel and Pensions**

5 4–401.

6 The Office of Administrative Hearings shall dispose of a case or conduct a  
7 hearing and issue a final decision in:

8 (4) an appeal under [Article 29, § 11–109(b) of the Code] **§ 18–123 OF**  
9 **THE PUBLIC UTILITIES ARTICLE** for the removal of an employee of the Washington  
10 Suburban Sanitary Commission.

#### 11 **Article – Tax – General**

12 8–401.

13 (c) (2) “Gross receipts” includes:

14 (ii) for a telephone company, the full amount of approved and  
15 applicable federal and State tariff charges for telephone lifeline service without the  
16 discount provided by § 8–201(c) of the [Public Utility Companies Article] **PUBLIC**  
17 **UTILITIES ARTICLE**; and

18 8–407.

19 A telephone company may claim a credit against the public service company  
20 franchise tax equal to all approved and applicable federal and State tariff charges for  
21 telephone lifeline service not billed to eligible subscribers as provided in § 8–201 of the  
22 [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**.

23 10–704.1.

24 (a) (3) “Electricity supplier” has the meaning stated in § 1–101 of the  
25 [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**.

26 (b) This section does not apply to:

27 (2) an electricity supplier that, before July 1, 1999, was not an electric  
28 company as defined in § 1–101 of the [Public Utility Companies Article] **PUBLIC**  
29 **UTILITIES ARTICLE** as in effect on June 30, 1999, unless the electricity supplier is an  
30 affiliate of such an electric company.

#### 31 **Article – Tax – Property**

1 9–239.

2 (a) (4) “New electricity generation facility” means an electricity  
3 generation facility that:

4 (i) locates in a county on or after June 1, 2001; and

5 (ii) receives a certificate of public convenience and necessity  
6 under § 7–207 of the [Public Utility Companies Article] **PUBLIC UTILITIES**  
7 **ARTICLE**.

8 (5) “Existing electricity generation facility” means an electricity  
9 generation facility that:

10 (i) exists in a county before June 1, 2001; and

11 (ii) receives approval for a modification under § 7–205 of the  
12 [Public Utility Companies Article] **PUBLIC UTILITIES ARTICLE**.

13 12–103.

14 (c) The recordation tax rate is 55 cents for an instrument of writing for  
15 property that:

16 (2) is security for a corporate bond of a public service company as  
17 defined in § 1–101 of the [Public Utility Companies Article] **PUBLIC UTILITIES**  
18 **ARTICLE**.

## 19 **Article – Transportation**

20 6–301.

21 (b) (3) The Administration may not condemn any property that belongs to  
22 a public service company subject to [the Public Utility Companies Article] **DIVISION I**  
23 **OF THE PUBLIC UTILITIES ARTICLE**, if the property is:

24 (i) Devoted to public use; or

25 (ii) Reasonably necessary for future public use by the public  
26 service company.

27 7–208.

28 (f) Notwithstanding any other provision of this title or the [Public Utility  
29 Companies Article] **PUBLIC UTILITIES ARTICLE**, the Public Service Commission  
30 does not have any jurisdiction over transit facilities owned or controlled by the  
31 Administration or over any contractor operating these facilities.

1 13-423.

2 (a) Each motor vehicle for which a permit is required from the Public Service  
3 Commission under § 9-201 of the [Public Utility Companies Article] **PUBLIC**  
4 **UTILITIES ARTICLE** shall be registered under this title.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2010.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.