

# SENATE BILL 538

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CF HB 1138

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By: **Senators Garagiola, Haines, Klausmeier, Peters, and Pugh**

Introduced and read first time: February 4, 2010

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 28, 2010

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

1 AN ACT concerning

2 **Residential Multiple Occupancy Buildings ~~and Shopping Centers~~ – Master**  
3 **Meters – Heating, Ventilation, and Air Conditioning Services**

4 FOR the purpose of authorizing the Public Service Commission to authorize the use of  
5 a certain master meter for heating, ventilation, and air conditioning services in  
6 certain residential multiple occupancy buildings ~~and shopping centers~~ without  
7 requiring individual metering or submetering for heating, ventilation, and air  
8 conditioning services under certain circumstances; authorizing the Commission  
9 to review certain information before authorizing use of a master meter;  
10 authorizing an electric company or a gas company to inspect and test certain  
11 master meters in accordance with a certain provision of law; defining ~~certain~~  
12 terms a certain term; providing for the termination of this Act; and generally  
13 relating to metering for electricity and natural gas in residential multiple  
14 occupancy buildings ~~and shopping centers~~.

15 BY repealing and reenacting, with amendments,  
16 Article – Public Utility Companies  
17 Section 7–301  
18 Annotated Code of Maryland  
19 (2008 Replacement Volume and 2009 Supplement)

20 BY adding to  
21 Article – Public Utility Companies  
22 Section 7–304.1  
23 Annotated Code of Maryland

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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 (2008 Replacement Volume and 2009 Supplement)

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

4 **Article – Public Utility Companies**

5 7–301.

6 (a) A person may not furnish or put in use for revenue billing purposes a gas  
7 meter or electric meter unless the Commission has authorized the meter’s use.

8 (b) (1) Each gas company and electric company shall maintain suitable  
9 equipment, approved by the Commission, for testing the accuracy of a gas meter or  
10 electric meter furnished by the company for use by its customers.

11 (2) The gas company or electric company shall test a customer’s meter  
12 with the equipment in accordance with § 7–302 of this subtitle.

13 (3) A small rural electric cooperative described in § 7–502(a) of this  
14 title may satisfy this section by demonstrating that the electric meters which it  
15 furnishes to customers comply with the standards of the utility regulatory body of the  
16 state in which the cooperative has its principal place of business.

17 (c) (1) This subsection applies to:

18 (i) a new residential multiple occupancy building;

19 (ii) a new shopping center; or

20 (iii) a new housing unit that is constructed, managed, operated,  
21 developed, or subsidized by a local housing authority established under Division II of  
22 the Housing and Community Development Article.

23 (2) The service restrictions imposed under this subsection do not apply  
24 to central hot water.

25 (3) **[The] EXCEPT AS PROVIDED IN § 7–304.1 OF THIS SUBTITLE,**  
26 **THE** Commission may not authorize a gas company or electric company to service an  
27 occupancy unit or shopping center unit subject to this subsection unless the building  
28 or shopping center has individual metered service or submetering as provided under §  
29 7–303 or § 7–304 of this subtitle for each individually leased or owned occupancy unit  
30 or shopping center unit.

31 (4) In accordance with its regulations, the Commission may authorize  
32 a gas company or electric company to provide service for central heating or cooling  
33 systems, or a combination of those systems, to an occupancy unit or shopping center

1 unit subject to this subsection if the Commission is satisfied that the service will result  
 2 in a substantial net saving of energy over the energy saving that would result from  
 3 individual metering or submetering as provided under § 7-303 or § 7-304 of this  
 4 subtitle.

5 (d) The owner, operator, or manager of a residential multiple occupancy  
 6 building or shopping center subject to this section may not impose a utility cost on an  
 7 occupancy unit or shopping center unit, except for charges that:

8 (1) the Commission authorizes the gas company or electric company to  
 9 impose; and

10 (2) the gas company or electric company actually imposes on the  
 11 owner, operator, or manager.

12 **7-304.1.**

13 (A) ~~(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE~~  
 14 ~~MEANINGS INDICATED.~~

15 ~~(2) “MASTER, “MASTER METER” MEANS A METER USED TO~~  
 16 ~~MEASURE, FOR BILLING PURPOSES, THE TOTAL AMOUNT OF ELECTRICITY OR~~  
 17 ~~NATURAL GAS USED IN A BUILDING BY A HEATING, VENTILATION, AND AIR~~  
 18 ~~CONDITIONING SYSTEM, INCLUDING THE COMBINED USE FROM ALL~~  
 19 ~~INDIVIDUALLY LEASED OR OWNED UNITS AND ALL COMMON AREAS.~~

20 ~~(3) “SHOPPING CENTER” HAS THE MEANING STATED IN § 7-303~~  
 21 ~~OF THIS SUBTITLE.~~

22 (B) THE COMMISSION MAY AUTHORIZE THE USE OF A MASTER METER  
 23 IN A RESIDENTIAL MULTIPLE OCCUPANCY BUILDING ~~OR SHOPPING CENTER FOR~~  
 24 ~~HEATING, VENTILATION, AND AIR CONDITIONING SERVICES WITHOUT~~  
 25 ~~REQUIRING INDIVIDUAL METERING OR SUBMETERING FOR HEATING,~~  
 26 ~~VENTILATION, AND AIR CONDITIONING SERVICES AS PROVIDED UNDER § 7-303~~  
 27 ~~OR § 7-304 OF THIS SUBTITLE IF:~~

28 (1) THE UTILITY BILL FOR HEATING, VENTILATION, AND AIR  
 29 CONDITIONING SERVICES FOR EACH INDIVIDUALLY LEASED OR OWNED  
 30 OCCUPANCY UNIT ~~OR SHOPPING CENTER UNIT~~ IS INCLUDED IN THE RENT FOR  
 31 THAT UNIT; ~~AND~~

32 (2) THE COMMISSION IS SATISFIED THAT THE USE OF THE  
 33 MASTER METER FOR HEATING, VENTILATION, AND AIR CONDITIONING SERVICES  
 34 WILL RESULT IN A NET SAVINGS OF ENERGY OVER THE ENERGY SAVINGS THAT

1 WOULD RESULT FROM INDIVIDUAL METERING OR SUBMETERING FOR HEATING,  
2 VENTILATION, AND AIR CONDITIONING SERVICES; AND

3 (3) EACH INDIVIDUALLY LEASED OR OWNED OCCUPANCY UNIT:

4 (I) HAS INDIVIDUAL METERED SERVICE FOR OTHER  
5 ENERGY SERVICES; AND

6 (II) DIRECTLY RECEIVES THE UTILITY BILL FOR THE OTHER  
7 ENERGY SERVICES.

8 (C) BEFORE AUTHORIZING THE USE OF A MASTER METER FOR HEATING,  
9 VENTILATION, AND AIR CONDITIONING SERVICES, THE COMMISSION MAY  
10 REVIEW THE PROPOSED ALLOCATION OF HEATING, VENTILATION, AND AIR  
11 CONDITIONING SYSTEM EXPENSES AMONG INDIVIDUAL UNITS AND COMMON  
12 AREAS SERVED BY THE MASTER METER.

13 (D) IN ACCORDANCE WITH § 7-301 OF THIS SUBTITLE, AN ELECTRIC  
14 COMPANY OR A GAS COMPANY MAY INSPECT AND TEST A MASTER METER  
15 AUTHORIZED FOR USE BY THE COMMISSION UNDER THIS SECTION.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 ~~October~~ July 1, 2010. It shall remain effective for a period of 3 years and, at the end of  
18 June 30, 2013, with no further action required by the General Assembly, this Act shall  
19 be abrogated and of no further force and effect.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.