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0lr2545 CF 0lr2547

By: Senator Middleton

Introduced and read first time: February 10, 2010

Assigned to: Finance

## A BILL ENTITLED

1 AN ACT concerning

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## **Public Service Commission - Proceedings and Orders**

3 FOR the purpose of authorizing the Public Service Commission to conduct a certain 4 proceeding for the purpose of issuing a certain order that affects more than one 5 public service company; requiring the Commission to provide certain notice of a certain proceeding; requiring the notice to contain certain information; 6 7 requiring the Commission to provide a certain person with an opportunity to 8 explain why a certain proceeding should not be conducted; requiring the 9 Commission, in holding a certain hearing, to provide an opportunity for a 10 certain person to participate in the hearing in certain manners; requiring the Commission to conduct at least one hearing on certain issues; requiring the 11 12 Commission to issue an order within a certain time; and generally relating to 13 proceedings held by the Public Service Commission.

- 14 BY adding to
- 15 Article Public Utility Companies
- 16 Section 3–113(f)
- 17 Annotated Code of Maryland
- 18 (2008 Replacement Volume and 2009 Supplement)
- 19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 20 MARYLAND, That the Laws of Maryland read as follows:

## **Article - Public Utility Companies**

22 3–113.

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- 23 (F) (1) NOTWITHSTANDING TITLE 10, SUBTITLE 1 OF THE STATE
- 24 GOVERNMENT ARTICLE AND IN ACCORDANCE WITH PARAGRAPHS (2) AND (3)
- 25 OF THIS SUBSECTION, THE COMMISSION MAY CONDUCT A PROCEEDING AND
- 26 ISSUE AN ORDER THAT AFFECTS MORE THAN ONE PUBLIC SERVICE COMPANY.



1	(2) BEFORE INSTITUTING A PROCEEDING UNDER PARAGRAPH (1)
2	OF THIS SUBSECTION, THE COMMISSION SHALL:
3	(I) PROVIDE NOTICE OF THE COMMISSION'S INTENT TO
4	CONDUCT A PROCEEDING TO INVESTIGATE ISSUES THAT MIGHT RESULT IN AN
5	ORDER THAT AFFECTS MORE THAN ONE PUBLIC SERVICE COMPANY;
6	(II) INCLUDE IN THE NOTICE A DESCRIPTION OF:
7	1. THE REASONS THAT THE COMMISSION BELIEVES
8	IT IS NECESSARY TO CONDUCT A PROCEEDING INSTEAD OF ADOPTING A
9	REGULATION UNDER TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT
10	ARTICLE;
11	2. THE ISSUES THAT THE COMMISSION INTENDS TO
12	INVESTIGATE IN THE PROCEEDING; AND
13	3. IF KNOWN TO THE COMMISSION, THE POLICY
14	THAT THE COMMISSION WILL CONSIDER ADOPTING OR IMPLEMENTING; AND
15	(III) PROVIDE AN AFFECTED PERSON WITH AN OPPORTUNITY
16	TO EXPLAIN WHY A PROCEEDING SHOULD NOT BE CONDUCTED TO ISSUE AN
17	ORDER THAT AFFECTS MORE THAN ONE PUBLIC SERVICE COMPANY.
10	(9) IN COMPLICATING A PROCEEDING HELD IMPED DADACDADII (1)
18	(3) IN CONDUCTING A PROCEEDING HELD UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSION SHALL:
19	OF THIS SUBSECTION, THE COMMISSION SHALL:
20	(I) PROVIDE AN OPPORTUNITY FOR AN AFFECTED PERSON
21	TO:
22	1. SUBMIT INITIAL COMMENTS;
23	2. SUBMIT REPLY COMMENTS; AND
24	3. REQUEST AND RECEIVE AN OPPORTUNITY TO:
25	A. PRESENT ARGUMENT;
26	B. SUMMON WITNESSES; AND
27	C. CROSS-EXAMINE WITNESSES;

$\frac{1}{2}$	(II) HOLD AT LEAST ONE HEARING ON THE ISSUES RAISED BY THE COMMISSION UNDER PARAGRAPH (2)(II)2 OF THIS SUBSECTION; AND
3 4	(III) ISSUE AN ORDER WITHIN 30 DAYS AFTER THE CLOSE OF THE RECORD IN THE PROCEEDING.
5 6	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.