

SB0937/223126/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 937
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “stations;” insert “requiring each investor-owned electric company in the State to submit to the Commission by certain dates plans for the construction or procurement of distribution-connected front-of-the-meter energy storage devices and to construct or procure the devices in accordance with the plan;”.

On page 2, strike beginning with “requiring” in line 13 down through “plan;” in line 17; and in line 43, strike “hardship credits” and substitute “relief refunds”.

On page 3, strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On pages 5 and 6, strike in their entirety the lines beginning with line 10 on page 5 through line 3 on page 6, inclusive.

On page 7, in lines 12 and 24, in each instance strike “LARGE LOAD” and substitute “COMMERCIAL OR INDUSTRIAL”.

On page 8, in line 28, strike “LARGE LOAD” and substitute “COMMERCIAL OR INDUSTRIAL”.

On page 9, strike in their entirety lines 17 through 28, inclusive, and substitute:

“(C) TO DEMONSTRATE REASONABLENESS OF THE USE OF LABOR AS REQUIRED UNDER SUBSECTION (B) OF THIS SECTION, A PUBLIC SERVICE COMPANY SHALL PROVIDE TO THE COMMISSION, AT A MINIMUM:

(1) A COMPARISON OF THE COSTS OF INTERNAL LABOR AND CONTRACTUAL LABOR;

(2) A DEMONSTRATION OF THE REASONABLENESS OF THE DECISION TO USE CONTRACTUAL LABOR;

(3) A JUSTIFICATION FOR THE USE OF CONTRACTUAL LABOR WHEN USED INSTEAD OF INTERNAL LABOR, INCLUDING A COST-BASED RATIONALE; AND

(4) ANY OTHER INFORMATION THAT THE COMMISSION REQUIRES.”.

On page 11, in line 26, after “COMMISSION;” insert “AND”; and strike in their entirety lines 27 through 30, inclusive, and substitute:

“(III) THE COMMUNICATING OF:

1. A COMPLETE AND ACCURATE DESCRIPTION OF PROJECT ACTIVITIES; AND

2. ANY OTHER INFORMATION THE COMMISSION CONSIDERS NECESSARY TO EVALUATE THE PLAN.”.

On page 16, in line 17, after “(1)” insert “(I)”; in the same line, strike “ELECTRIC COMPANY” and substitute “INVESTOR-OWNED ELECTRIC COMPANY AND EACH ELECTRIC COOPERATIVE”; and after line 20, insert:

“(II) EACH MUNICIPAL ELECTRIC UTILITY THAT RECEIVES AN APPLICATION FOR RETAIL ELECTRIC SERVICE FROM A LARGE LOAD CUSTOMER

SHALL SUBMIT TO THE COMMISSION FOR APPROVAL A SPECIFIC RATE SCHEDULE FOR LARGE LOAD CUSTOMERS.”.

On page 17, in line 16, strike “SUBJECT TO SUBSECTION (E) OF THIS SECTION,”; and strike beginning with “ELECTRIC” in line 23 down through “RELIABILITY” in line 24 and substitute “RESIDENTIAL RETAIL ELECTRIC CUSTOMERS FROM THE FINANCIAL RISKS ASSOCIATED WITH LARGE LOAD CUSTOMERS”.

On page 18, strike in their entirety lines 9 through 12, inclusive; in line 13, strike “(F)” and substitute “(E)”; and in line 26, strike “(G)” and substitute “(F)”.

On page 19, strike in their entirety lines 10 through 21, inclusive, and substitute:

“(B) UNLESS OTHERWISE AUTHORIZED BY LAW, THE COMMISSION MAY APPROVE THE USE OF A MULTIYEAR RATE PLAN FOR DISTRIBUTION BASE RATES ONLY IF THE PLAN:

(1) DEMONSTRATES THE CUSTOMER BENEFITS OF THE INVESTMENT; AND

(2) DOES NOT ALLOW FOR THE PUBLIC SERVICE COMPANY TO FILE FOR RECONCILIATION OF COST OR REVENUE VARIANCES OF THE APPROVED REVENUE COMPONENT USED BY THE COMMISSION TO ESTABLISH JUST AND REASONABLE RATES.

(C) A PUBLIC SERVICE COMPANY THAT FILES OR HAS FILED AN APPLICATION FOR A MULTIYEAR RATE PLAN MAY NOT SUBSEQUENTLY FILE FOR RECONCILIATION OF COST OR REVENUE VARIANCES OF THE APPROVED REVENUE COMPONENT USED BY THE COMMISSION TO ESTABLISH THE MULTIYEAR RATES

(Over)

UNLESS THE FILING FOR RECONCILIATION WAS MADE ON OR BEFORE JANUARY 1, 2025.;

in line 30, after the first “A” insert “PLANNED”; and in lines 30 and 31, strike “FOR A PLANNED PIPELINE REPLACEMENT”.

On page 20, strike beginning with “THAT” in line 3 down through “AND” in line 4 and substitute “AVAILABLE TO”.

On page 21, in line 12, strike the first comma.

On page 28, strike beginning with “IN” in line 14 down through “(B)” in line 21 and substitute “THIS SECTION APPLIES ONLY TO:”

(I) AN ELECTRICITY SUPPLIER OR OTHER OWNER OF A GENERATING STATION THAT ENTERS INTO A CONTRACT FOR THE PROVISION OF THE DIRECT SUPPLY OF ELECTRICITY TO A COMMERCIAL OR INDUSTRIAL CUSTOMER IN A WAY THAT BYPASSES:

1. INTERCONNECTION OF THE LOAD WITH THE ELECTRIC TRANSMISSION AND DISTRIBUTION SYSTEMS; OR

2. THE DISTRIBUTION SERVICES OF AN ELECTRIC COMPANY; AND

(II) A COMMERCIAL OR INDUSTRIAL CUSTOMER THAT ENTERS INTO A CONTRACT WITH AN ELECTRICITY SUPPLIER OR OTHER OWNER OF A GENERATING STATION FOR THE PROVISION OF THE DIRECT SUPPLY OF ELECTRICITY AS SPECIFIED IN ITEM (I) OF THIS PARAGRAPH.

(2)".

On pages 28 through 30, strike in their entirety the lines beginning with line 24 on page 28 through line 4 on page 30, inclusive, and substitute:

“(B) THE COMMISSION MAY APPLY TO A COMMERCIAL OR INDUSTRIAL CUSTOMER AND ANY GENERATING STATION SUPPLYING ELECTRICITY TO THE COMMERCIAL OR INDUSTRIAL CUSTOMER IN THE MANNER SPECIFIED IN SUBSECTION (A)(1) OF THIS SECTION:

(1) ANY DIRECT OR INDIRECT COSTS, FEES, AND OBLIGATIONS THAT ARE NORMALLY APPLIED TO RETAIL ELECTRIC CUSTOMERS IN THE SERVICE TERRITORY IN WHICH THE COMMERCIAL OR INDUSTRIAL CUSTOMER OR GENERATING STATION IS LOCATED OR INTERCONNECTED IF THE COMMISSION DETERMINES THAT THE DIRECT OR INDIRECT COSTS, FEES, AND OBLIGATIONS SHOULD BE ATTRIBUTABLE TO THE COMMERCIAL OR INDUSTRIAL CUSTOMER AND ANY GENERATING STATION SUPPLYING ELECTRICITY TO THE COMMERCIAL OR INDUSTRIAL CUSTOMER; AND

(2) ANY AVOIDED WHOLESALE COSTS THAT THE COMMISSION DETERMINES HAVE BEEN OR MAY BE SHIFTED INAPPROPRIATELY TO OTHER RETAIL ELECTRIC CUSTOMERS AS A RESULT OF THE PROVISION OF THE DIRECT SUPPLY OF ELECTRICITY AS SPECIFIED IN SUBSECTION (A)(1) OF THIS SECTION, INCLUDING:

(I) TRANSMISSION COSTS;

(II) ENERGY COSTS;

(III) CAPACITY COSTS; AND

(Over)

(IV) ANCILLARY SERVICES COSTS.

On page 30, in line 29, after “STATION” insert “OR ENERGY STORAGE DEVICE”.

On page 40, in line 4, after “SUBSECTION” insert “AND SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION”; after line 18, insert:

“(3) IF NOT MORE THAN 10 PROJECTS RESPOND TO A SOLICITATION ISSUED UNDER § 7–1206 OF THIS SUBTITLE, THE COMMISSION SHALL APPROVE, SUBJECT TO § 7–1208(D)(2) OF THIS SUBTITLE, ALL PROJECTS THAT APPLY FOR THE SOLICITATION.”;

in lines 20 and 23, in each instance, strike “NON–EMISSIONS EMITTING” and substitute “NON–EMISSIONS–EMITTING”; and in line 32, after “COMMISSION” insert “RECEIVES MORE THAN 10 PROPOSALS OR”.

On page 41, in line 5, strike “WHICH PROJECTS ARE READY” and substitute “THE TIMELINESS OF A PROJECT”; in line 25, after “(A)” insert “(1)”; and after line 29, insert:

“(2) FOR AN APPLICATION SUBMITTED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, THE LONG–TERM PRICING SCHEDULE SHALL BE BASED ONLY ON ANY NEW GENERATION PROPOSED IN THE APPLICATION, INCLUDING NEW GENERATION AT AN EXISTING NUCLEAR ENERGY GENERATING STATION.”.

On page 54, in line 12, strike “§ 7–1208(B)” and substitute “§ 7–1226(C)”; and in line 28, strike “§ 7–1226(B)” and substitute “§ 7–1226(C)”.

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On page 55, in line 31, strike “UNPLACED” and substitute “UNPLANNED”.

On page 57, in line 25, strike the period and substitute a semicolon.

On page 63, in lines 10 and 28, in each instance, strike “HARDSHIP CREDIT” and substitute “RELIEF REFUND”.

On page 64, in line 2, strike “HARDSHIP CREDIT” and substitute “RELIEF REFUND”.

On page 68, strike in their entirety lines 30 through 33, inclusive, and substitute:

“(F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE TIMELINES ASSOCIATED WITH THE NORMAL PRE-APPLICATION REQUIREMENTS UNDER § 7-207 OF THIS SUBTITLE, INCLUDING THE REQUIREMENTS UNDER COMAR 20.79.01.04 AND COMAR 20.79.01.05, SHALL BE SHORTENED TO 45 DAYS FOR APPLICATIONS SUBMITTED UNDER THIS SECTION.

(2) IF THE PROPOSED LOCATION OF A QUALIFYING PROJECT IS IN AN OVERBURDENED COMMUNITY OR UNDERSERVED COMMUNITY, AS DEFINED IN § 1-701 OF THE ENVIRONMENT ARTICLE, THE TIMELINE FOR THE PRE-APPLICATION REQUIREMENTS UNDER COMAR 20.79.01.04 AND COMAR 20.79.01.05 SHALL REMAIN AT 90 DAYS.

(G) ONCE FIVE APPLICATIONS HAVE BEEN RECEIVED UNDER THIS SECTION WITHIN A 2-MONTH PERIOD, THE COMMISSION MAY DELAY PROCESSING ANY SUBSEQUENT APPLICATIONS SUBMITTED UNDER THIS SECTION WITHOUT IMPACTING THE TIMELINES SPECIFIED IN THIS SECTION.”

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On page 69, in line 1, strike “(G)” and substitute “(H)”.

On pages 69 and 70, strike in their entirety the lines beginning with line 29 on page 69 through line 9 on page 70, inclusive.

On page 70, in lines 21 and 24, in each instance, strike “§ 7-1217” and substitute “§ 7-1220”.

On page 71, in line 24, strike “2025” and substitute “2024”.