

HOUSE BILL 1476

C5

3lr2893

By: **Delegate Branch**

Introduced and read first time: February 25, 2013

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Gas and Electric Companies – Consumer Relations – Missed Appointments**

3 FOR the purpose of requiring a gas or an electric company to notify a certain customer
4 of the customer's right to receive a repair service within a certain period of time
5 under certain circumstances; requiring a gas or an electric company and a
6 customer to agree on the time at which a certain period begins; establishing
7 certain penalties if a gas or an electric company does not begin a repair service
8 within a certain time period; establishing certain exceptions; prohibiting a gas
9 or an electric company from canceling a repair service appointment with a
10 customer after the close of business on a certain day; providing that a certain
11 service contract provision that waives or modifies certain rights is void; defining
12 a certain term; providing for the application of this Act; and generally relating
13 to gas and electric companies.

14 BY adding to

15 Article – Public Utilities

16 Section 7–309

17 Annotated Code of Maryland

18 (2010 Replacement Volume and 2012 Supplement)

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

21 **Article – Public Utilities**

22 **7–309.**

23 **(A) IN THIS SECTION, “CUSTOMER” MEANS A RESIDENTIAL CUSTOMER**
24 **OF A GAS COMPANY OR AN ELECTRIC COMPANY.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) (1) IF THE CUSTOMER'S PRESENCE IS REQUIRED, A GAS OR AN**
2 **ELECTRIC COMPANY SHALL NOTIFY A CUSTOMER OF THE CUSTOMER'S RIGHT**
3 **TO RECEIVE A REPAIR SERVICE WITHIN A 2-HOUR PERIOD.**

4 **(2) BEFORE THE DATE OF SERVICE, THE GAS OR ELECTRIC**
5 **COMPANY AND THE CUSTOMER SHALL AGREE ON THE TIME AT WHICH THE**
6 **2-HOUR PERIOD BEGINS.**

7 **(C) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, IF A**
8 **GAS OR AN ELECTRIC COMPANY DOES NOT BEGIN A REPAIR SERVICE WITHIN**
9 **THE SPECIFIED 2-HOUR PERIOD, THE CUSTOMER SHALL RECEIVE THE REPAIR**
10 **SERVICE FREE OF CHARGE.**

11 **(D) A GAS OR AN ELECTRIC COMPANY MAY NOT CANCEL A REPAIR**
12 **SERVICE APPOINTMENT WITH A CUSTOMER AFTER THE CLOSE OF BUSINESS ON**
13 **THE LAST BUSINESS DAY BEFORE THE APPOINTMENT.**

14 **(E) SUBSECTION (C) OF THIS SECTION DOES NOT APPLY IF THE GAS OR**
15 **ELECTRIC COMPANY:**

16 **(1) ATTEMPTED TO MAKE THE REPAIR SERVICE WITHIN THE**
17 **SPECIFIED 2-HOUR PERIOD AND THE CUSTOMER WAS NOT PRESENT; OR**

18 **(2) ATTEMPTED TO NOTIFY THE CUSTOMER OF THE GAS OR**
19 **ELECTRIC COMPANY'S INABILITY TO MAKE THE REPAIR SERVICE DUE TO AN**
20 **UNFORESEEN OR UNAVOIDABLE OCCURRENCE AND THE CUSTOMER COULD NOT**
21 **BE REACHED AT THE CONTACT TELEPHONE NUMBER PROVIDED BY THE**
22 **CUSTOMER.**

23 **(F) A PROVISION OF A SERVICE CONTRACT BETWEEN A GAS OR AN**
24 **ELECTRIC COMPANY AND A CUSTOMER UNDER WHICH THE CUSTOMER AGREES**
25 **TO MODIFY OR WAIVE ANY OF THE RIGHTS PROVIDED UNDER THIS SECTION IS**
26 **VOID.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
28 construed to apply only prospectively and may not be applied or interpreted to have
29 any effect on or application to any contract entered into before the effective date of this
30 Act.

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2013.