

SENATE BILL 1069

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6lr3713

By: ~~Senator Middleton~~ **Senators Middleton, Hershey, Jennings, and Kelley**

Introduced and read first time: February 19, 2016

Assigned to: Rules

Re-referred to: Finance, February 25, 2016

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2016

CHAPTER _____

1 AN ACT concerning

2 **Public Utilities – Application for a Certificate of Public Convenience and**
3 **Necessity – Public Notice**

4 FOR the purpose of requiring the Public Service Commission to provide a weekly notice of
5 a public hearing and an opportunity for public comment on a certain number of social
6 media types and on the Commission's Web site with a certain frequency before the
7 public hearing date; requiring the Commission, before a public hearing, to coordinate
8 with a certain governing body or municipal corporation to identify certain options for
9 providing notice of the public hearing; requiring that a certain informational sign be
10 posted in a certain manner on the day of a public hearing; specifying the contents
11 and size of a certain informational sign; and generally relating to public notice for an
12 application for a certificate of public convenience and necessity.

13 BY repealing and reenacting, with amendments,
14 Article – Public Utilities
15 Section 7–207(d)
16 Annotated Code of Maryland
17 (2010 Replacement Volume and 2015 Supplement)

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

20 **Article – Public Utilities**

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 7-207.

2 (d) (1) The Commission shall provide an opportunity for public comment and
3 hold a public hearing on the application for a certificate of public convenience and necessity
4 in each county and municipal corporation in which any portion of the construction of a
5 generating station, an overhead transmission line designed to carry a voltage in excess of
6 69,000 volts, or a qualified generator lead line is proposed to be located.

7 (2) The Commission shall hold the public hearing jointly with the
8 governing body of the county or municipal corporation in which any portion of the
9 construction of the generating station, overhead transmission line, or qualified generator
10 lead line is proposed to be located, unless the governing body declines to participate in the
11 hearing.

12 (3) (I) Once in each of the 4 successive weeks immediately before the
13 hearing date, the Commission shall provide weekly notice of the public hearing and an
14 opportunity for public comment:

15 1. by advertisement in a newspaper of general circulation in
16 the county or municipal corporation affected by the application;

17 2. ON TWO TYPES OF SOCIAL MEDIA; AND

18 3. ON THE COMMISSION'S WEB SITE.

19 (II) BEFORE A PUBLIC HEARING, THE COMMISSION SHALL
20 COORDINATE WITH THE GOVERNING BODY OF THE COUNTY OR MUNICIPAL
21 CORPORATION IN WHICH ANY PORTION OF THE CONSTRUCTION OF THE
22 GENERATING STATION, OVERHEAD TRANSMISSION LINE, OR QUALIFIED
23 GENERATOR LEAD LINE IS PROPOSED TO BE LOCATED TO IDENTIFY ADDITIONAL
24 OPTIONS FOR PROVIDING, IN AN EFFICIENT AND COST-EFFECTIVE MANNER, NOTICE
25 OF THE PUBLIC HEARING THROUGH OTHER TYPES OF MEDIA THAT ARE FAMILIAR
26 TO THE RESIDENTS OF THE COUNTY OR MUNICIPAL CORPORATION.

27 (4) (I) ON THE DAY OF A PUBLIC HEARING, AN INFORMATIONAL
28 SIGN SHALL BE POSTED PROMINENTLY AT OR NEAR EACH PUBLIC ENTRANCE OF THE
29 BUILDING IN WHICH THE PUBLIC HEARING WILL BE HELD.

30 (II) THE INFORMATIONAL SIGN REQUIRED UNDER
31 SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL:

32 1. STATE THE TIME, ROOM NUMBER, AND SUBJECT OF
33 THE PUBLIC HEARING; AND

34 2. BE AT LEAST 17 BY 22 INCHES IN SIZE.

1 **[(4)] (5)** (i) The Commission shall ensure presentation and
2 recommendations from each interested State unit, and shall allow representatives of each
3 State unit to sit during hearing of all parties.

4 (ii) The Commission shall allow each State unit 15 days after the
5 conclusion of the hearing to modify the State unit's initial recommendations.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.