

**SB 430.pdf**

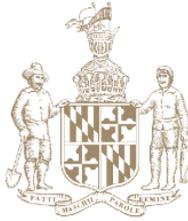
Uploaded by: Kelley, Delores

Position: FAV

**SENATOR DELORES G. KELLEY**  
*Legislative District 10*  
Baltimore County

—  
*Chair*  
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**THE SENATE OF MARYLAND**  
ANNAPOLIS, MARYLAND 21401

**TESTIMONY OF SENATOR DELORES G. KELLEY**  
**REGARDING SENATE BILL 430 – PUBLIC SERVICE**  
**COMMISSION-VIRTUAL PUBLIC HEARINGS**  
**BEFORE THE SENATE FINANCE COMMITTEE**

**February 9, 2021**

Dear Vice-chair and members:

Given the current pandemic, it's still vitally important that the public is able to access information readily, especially if it involves raising utility rates.

Senate Bill 430 is an emergency bill authorizing the Public Service Commission to conduct meetings virtually when discussing rate increases, and certificates of public convenience and necessity (CPCN).

Prior to the pandemic, the Maryland Public Service Commission conducted in person hearings. However, since the pandemic began, the Commission transitioned to holding fully virtual proceedings, including public hearings. Meetings are broadcast live on YouTube, and the public also has the ability to view meetings at a later date and time through archived footage. Conducting meetings this way potentially helps increase the number of people aware of what's happening by the ability to view hearings from the convenience of their homes.

Senate Bill 430 requires the Public Service Commission to prominently display notices of utility rate increase hearings via its website, thereby giving the public ample time to comment and respond. The Public Service Commission is currently holding public comment hearings virtually under an executive order due to the pandemic. SB 430 has no effect until after the expiration of the temporary authority, and more than likely will go into effect no earlier than fiscal year 2022.

Senate Bill 430

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The Public Service Commission says that holding virtual hearings reduces expenditures associated with travel to and from in-person hearings, and save time.

I therefore ask for your support for Senate Bill 430.

**SB430 OPC Support.pdf**

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**BILL NO.:** Senate Bill 430  
Public Service Commission – Virtual Public Hearings

**COMMITTEE:** Finance

**HEARING DATE:** February 9, 2021

**SPONSOR:** Senator Kelley

**POSITION:** Support

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Senate Bill 430 codifies the Public Service Commission’s (“PSC”) authority to conduct proceedings virtually after the end of the COVID pandemic restrictions. Due to the COVID pandemic restrictions on public gatherings, the Commission has conducted many virtual hearings for almost a year. OPC’s experience with virtual proceedings has been positive.

Public hearings serve an important role in permitting residential customers to express views on rate changes and to comment on the operations and services of the public service companies. In proceedings for Certificates of Public Need and Necessity, public hearings provide customers potentially affected by the siting of proposed energy facilities an opportunity to communicate about the proposed project’s potential impacts on their communities and neighborhoods. Virtual proceedings over the past year for these cases have facilitated the participation of residential customers.

**Recommendation.** OPC supports Senate Bill 430.

**SB0430\_Favorable\_Staneek.pdf**

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Position: FAV



JASON M. STANEK  
CHAIRMAN

MICHAEL T. RICHARD  
ANTHONY J. O'DONNELL  
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MINDY L. HERMAN

## PUBLIC SERVICE COMMISSION

February 9, 2021

Chair Delores G. Kelley  
Senate Finance Committee  
3 East, Miller Senate Office Building  
Annapolis, MD 21401

### **RE: SB0430 – FAVORABLE – Public Service Commission – Virtual Public Hearings**

Dear Chair Kelley and Committee Members:

The Maryland Public Service Commission supports Senate Bill 430, which is an emergency bill clarifying that the Commission may hold *virtual* public hearings in rate cases certificates of public convenience and necessity cases. While the *Public Utility Article* does not explicitly state that these hearings must take place in person, the Commission's practice prior to the COVID-19 pandemic was to hold in-person hearings. In addition, the *PUA* refers to physical locations and signage requirements.

During the COVID-19 pandemic, the Commission has transitioned to a fully virtual environment that ensures efficient regulatory proceedings, as well as full transparency and accountability to the public. This includes virtual public comment hearings, as authorized under Executive Orders related to the COVID-19 State of Emergency. All Commission hearings, including public comment hearings, are streamed live on YouTube and archived for later viewing. The online streaming function provides access to more members of the public than an in-person hearing at a physical location such as a school auditorium or conference center, which are not always equipped to record and stream video.

Commission Notices regarding public comment hearings are posted prominently on our website and provide details regarding how to participate. Furthermore, the Commission sends a press release to a media distribution list for each public comment hearing and shares these press releases with the State Delegates and Senators who represent the jurisdictions affected by the rate case or CPCN, as well as officials of the affected county and/or municipality. In addition, the Commission directs CPCN applicants and utilities seeking rate increases to publish information about the public hearing in a newspaper and on the internet.

SB 430 includes enhanced notice provisions. Under this legislation, the Commission must provide notice for rate case hearings and must prominently display the virtual CPCN public comment hearing information on its website, providing the public with opportunity for comment and participation that is comparable to other types of hearings.

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Thank you for your consideration of the Commission's testimony. We urge a favorable report on SB 430. Please contact the Commission's Director of Legislative Affairs, Lisa Smith, at (410) 336-6288 with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason M. Stanek". The signature is stylized and cursive.

Jason M. Stanek  
Chairman