

HOUSE BILL 218

C5, L5, N1

8lr0677

By: **Prince George's County Delegation**

Introduced and read first time: January 18, 2018

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Utility Services – Master Meters**

3 **PG 429–18**

4 FOR the purpose of prohibiting the Public Service Commission from authorizing the use of
5 a master meter for certain utility services in certain residential multiple occupancy
6 buildings in Prince George's County; prohibiting the Washington Suburban Sanitary
7 Commission from authorizing the use of a master meter for water and sewer service
8 in certain residential multiple occupancy buildings in the county; providing that
9 conversion of the ownership of certain residential multiple occupancy buildings in
10 the county to condominium or cooperative ownership may not take effect until
11 certain individual meters for certain services have been installed for each individual
12 unit and for common areas; defining a certain term; providing for the application of
13 this Act; and generally relating to restrictions on the use of master meters for utility
14 services in Prince George's County.

15 BY repealing and reenacting, with amendments,
16 Article – Public Utilities
17 Section 7–304.1 and 23–202
18 Annotated Code of Maryland
19 (2010 Replacement Volume and 2017 Supplement)

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

22 **Article – Public Utilities**

23 7–304.1.

24 (a) In this section, “master meter” means a meter used to measure, for billing
25 purposes, the total amount of electricity or natural gas used in a building by a heating,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ventilation, and air conditioning system, including the combined use from all individually
2 leased or owned units and all common areas.

3 (b) [The] **EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE**
4 Commission may authorize the use of a master meter in a residential multiple occupancy
5 building for heating, ventilation, and air conditioning services without requiring individual
6 metering or submetering for heating, ventilation, and air conditioning services as provided
7 under § 7–303 or § 7–304 of this subtitle if:

8 (1) the utility bill for heating, ventilation, and air conditioning services for
9 each individually leased or owned occupancy unit is included in the rent for that unit;

10 (2) the Commission is satisfied that the use of the master meter for
11 heating, ventilation, and air conditioning services will result in a net savings of energy over
12 the energy savings that would result from individual metering or submetering for heating,
13 ventilation, and air conditioning services; and

14 (3) each individually leased or owned occupancy unit:

15 (i) has individual metered service for other energy services; and

16 (ii) directly receives the utility bill for the other energy services.

17 (c) Before authorizing the use of a master meter for heating, ventilation, and air
18 conditioning services, the Commission may review the proposed allocation of heating,
19 ventilation, and air conditioning system expenses among individual units and common
20 areas served by the master meter.

21 (d) **(1) THIS SUBSECTION APPLIES ONLY IN PRINCE GEORGE’S COUNTY.**

22 **(2) THE COMMISSION MAY NOT AUTHORIZE THE USE OF A MASTER**
23 **METER IN A RESIDENTIAL MULTIPLE OCCUPANCY BUILDING THAT IS:**

24 **(I) CONSTRUCTED FOR CONDOMINIUM OR COOPERATIVE**
25 **OWNERSHIP; OR**

26 **(II) CONVERTED TO CONDOMINIUM OR COOPERATIVE**
27 **OWNERSHIP.**

28 **(3) IN THE CASE OF A RESIDENTIAL MULTIPLE OCCUPANCY BUILDING**
29 **IN WHICH THE COMMISSION HAS PREVIOUSLY AUTHORIZED THE USE OF A MASTER**
30 **METER IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION, AND THAT IS**
31 **INTENDED TO BE CONVERTED TO CONDOMINIUM OR COOPERATIVE OWNERSHIP,**
32 **THE CONVERSION OF OWNERSHIP MAY NOT TAKE EFFECT UNTIL INDIVIDUAL**
33 **METERS HAVE BEEN INSTALLED FOR EACH INDIVIDUAL DWELLING UNIT AND FOR**

1 **THE COMMON AREAS OF THE BUILDING.**

2 (E) In accordance with § 7-301 of this subtitle, an electric company or a gas
3 company may inspect and test a master meter authorized for use by the Commission under
4 this section.

5 23-202.

6 (a) (1) If property abuts on a street or right-of-way in which a water main or
7 sanitary sewer is installed, the Commission shall provide a service connection from the
8 water main or sanitary sewer to the property line of the abutting lot.

9 (2) The service connection shall be constructed by and at the expense of the
10 Commission and shall be paid for in accordance with this division.

11 (b) (1) When the Commission declares a water main or sewer complete, after
12 notice, every abutting property owner may hook up spigots, hydrants, toilets, and waste
13 drains with the water main or sewer, as appropriate, within the time set by the
14 Commission.

15 (2) If the fixtures described in paragraph (1) of this subsection do not exist
16 or if the Commission determines that they are improper or inadequate, the property owner
17 shall install satisfactory equipment.

18 (c) (1) Any cesspool, sink drain, outhouse, or well that is polluted or a menace
19 to health shall be abandoned and left in a way that it cannot be used or pose a risk to the
20 public health.

21 (2) The Commission shall determine the disposition of these facilities.

22 (d) (1) After the construction or acquisition of a water main or sewer, the
23 Commission may order a property owner or occupant who refuses to connect to the water
24 main or sewer to hook up to the water main or sewer if:

25 (i) a condition exists that appears to be a menace to the health of
26 the occupants of the property or the occupants of a nearby or adjoining property;

27 (ii) the property on which the condition exists abuts the water main
28 or sewer;

29 (iii) the Commission gives the owner or occupant 10 days' notice and
30 an opportunity to be heard; and

31 (iv) the Commission determines the condition to be a menace to the
32 health of the occupants of the property or the occupants of a nearby or adjoining property.

33 (2) (i) If the Commission determines that a condition exists as provided

1 in paragraph (1) of this subsection, the Commission shall pass an order that requires that
2 the property hookup be made in not less than 30 days or more than 90 days of the issuance
3 of the order.

4 (ii) The property owner or occupant may not refuse to comply with
5 the order or violate any of the other provisions of this section.

6 (iii) As provided in the Administrative Procedure Act, the property
7 owner or occupant may seek judicial review of the decision of the Commission.

8 **(E) (1) IN THIS SUBSECTION, "MASTER METER" MEANS A METER USED TO**
9 **MEASURE, FOR BILLING PURPOSES, THE TOTAL AMOUNT OF WATER AND SEWER**
10 **USAGE IN A BUILDING, INCLUDING THE COMBINED USE FROM ALL INDIVIDUALLY**
11 **LEASED OR OWNED UNITS AND ALL COMMON AREAS.**

12 **(2) THIS SUBSECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.**

13 **(3) THE COMMISSION MAY NOT AUTHORIZE THE USE OF A MASTER**
14 **METER FOR WATER AND SEWER SERVICE IN A RESIDENTIAL MULTIPLE OCCUPANCY**
15 **BUILDING THAT IS CONSTRUCTED OR CONVERTED TO CONDOMINIUM OR**
16 **COOPERATIVE OWNERSHIP.**

17 **(4) IN THE CASE OF A RESIDENTIAL MULTIPLE OCCUPANCY BUILDING**
18 **IN WHICH THE COMMISSION HAS PREVIOUSLY AUTHORIZED THE USE OF A MASTER**
19 **METER UNDER THIS SECTION, AND THAT IS INTENDED TO BE CONVERTED TO**
20 **CONDOMINIUM OR COOPERATIVE OWNERSHIP, THE CONVERSION OF OWNERSHIP**
21 **MAY NOT TAKE EFFECT UNTIL INDIVIDUAL METERS HAVE BEEN INSTALLED FOR**
22 **EACH INDIVIDUAL DWELLING UNIT AND FOR THE COMMON AREAS OF THE BUILDING.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
24 apply only prospectively and may not be applied or interpreted to have any effect on or
25 application to any authorization for utility service to a residential multiple occupancy
26 building submitted to the Public Service Commission or the Washington Suburban
27 Sanitary Commission before the effective date of this Act.

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
29 1, 2018.