

HOUSE BILL 708

C5

1lr1108

By: **Delegates Hucker, Barnes, Carr, Kramer, and Zucker**

Introduced and read first time: February 10, 2011

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Service Commission – Telephone Companies – Line Assessment**

3 FOR the purpose of authorizing the Public Service Commission to require a telephone
4 company to conduct an assessment of certain lines for certain purposes;
5 requiring a telephone company subject to a certain requirement to submit a
6 certain report containing certain information to the Commission by a certain
7 deadline; requiring the Commission, by order or regulation, to establish a
8 certain reporting deadline and certain information required in a certain report;
9 requiring the Commission, with a certain exception, to make certain reports
10 available to the public and to provide an opportunity for public comment;
11 requiring the Commission to protect certain proprietary information in a certain
12 report by certain means; defining certain terms; and generally relating to an
13 assessment of telephone lines by telephone companies.

14 BY adding to
15 Article – Public Utilities
16 Section 8–109
17 Annotated Code of Maryland
18 (2010 Replacement Volume)

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 **8–109.**

23 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
24 **MEANINGS INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) “ASSESSMENT REPORT” MEANS A REPORT REQUIRED UNDER**
2 **SUBSECTION (C) OF THIS SECTION.**

3 **(3) “LINE” MEANS A NONFIBER–OPTIC TELEPHONE LINE**
4 **LOCATED IN THE STATE.**

5 **(4) “PROPRIETARY INFORMATION” MEANS:**

6 **(I) A TRADE SECRET;**

7 **(II) CONFIDENTIAL COMMERCIAL INFORMATION; OR**

8 **(III) CONFIDENTIAL FINANCIAL INFORMATION.**

9 **(B) THE COMMISSION MAY REQUIRE A TELEPHONE COMPANY TO**
10 **CONDUCT AN ASSESSMENT OF LINES OWNED OR OPERATED BY THE TELEPHONE**
11 **COMPANY TO STUDY ANY MAINTENANCE, SECURITY, OR RELIABILITY PROBLEMS**
12 **ON THE LINES.**

13 **(C) (1) A TELEPHONE COMPANY REQUIRED TO CONDUCT AN**
14 **ASSESSMENT UNDER SUBSECTION (B) OF THIS SECTION SHALL SUBMIT A**
15 **WRITTEN ASSESSMENT REPORT OF ITS FINDINGS TO THE COMMISSION BY THE**
16 **DEADLINE IMPOSED BY THE COMMISSION, INCLUDING ANY DATA REQUIRED BY**
17 **THE COMMISSION.**

18 **(2) A TELEPHONE COMPANY SHALL NOTIFY THE COMMISSION OF**
19 **ANY INFORMATION IN AN ASSESSMENT REPORT THAT THE TELEPHONE**
20 **COMPANY CONSIDERS PROPRIETARY INFORMATION.**

21 **(D) BY REGULATION OR ORDER THE COMMISSION SHALL ESTABLISH:**

22 **(1) THE DEADLINE FOR SUBMITTING AN ASSESSMENT REPORT;**
23 **AND**

24 **(2) THE INFORMATION REQUIRED IN THE REPORT.**

25 **(E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
26 **SUBSECTION, THE COMMISSION SHALL MAKE ASSESSMENT REPORTS**
27 **AVAILABLE TO THE PUBLIC AND PROVIDE AN OPPORTUNITY FOR PUBLIC**
28 **COMMENT.**

29 **(2) THE COMMISSION SHALL PROTECT ANY PROPRIETARY**
30 **INFORMATION IN AN ASSESSMENT REPORT, AS DETERMINED BY THE**
31 **COMMISSION, BY:**

1 **(I) REDACTING THE PROPRIETARY INFORMATION; OR**

2 **(II) PUBLISHING THE DATA IN THE REPORT IN A**
3 **DISAGGREGATED FORM.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2011.