1lr2001 CF HB 556

By: Senator Kelley

Introduced and read first time: January 20, 2021

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning 2 Public Service Commission - Virtual Public Hearings 3 FOR the purpose of authorizing the Public Service Commission to conduct certain hearings relating to certain rate increases virtually; authorizing the Commission to conduct 4 5 certain public hearings relating to certain certificates of public convenience and 6 necessity virtually in a certain manner; requiring the Commission to provide certain 7 notice of certain proceedings being conducted virtually; making this Act an 8 emergency measure; and generally relating to the Public Service Commission and 9 public hearings. 10 BY repealing and reenacting, with amendments, 11 Article – Public Utilities Section 3–104 and 7–207(d) 12 Annotated Code of Maryland 13 (2020 Replacement Volume and 2020 Supplement) 14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND. 15 16 That the Laws of Maryland read as follows: Article - Public Utilities 17 3-104.18 19 The Commission shall institute and conduct proceedings reasonably (1) 20 necessary and proper to the exercise of its powers or the performance of its duties. 21 (2)The Commission shall conduct its proceedings en banc or in panels of: 22 (i) at least three commissioners: or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

(ii)

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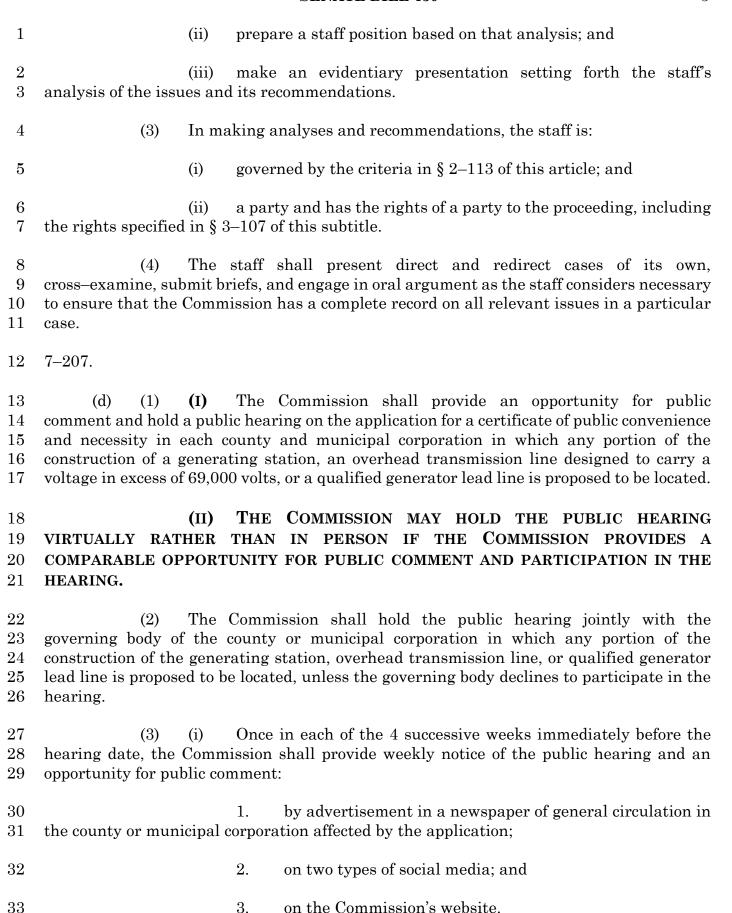
one public utility law judge and at least two commissioners.

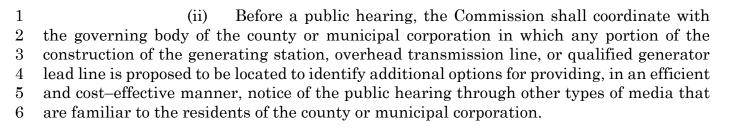
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(i)

(3) A quorum consists of a majority of the Commission or a majority of a 1 2 panel. 3 (b) (1) The Commission, a commissioner, or a public utility law judge may 4 conduct hearings, examine witnesses, administer oaths, and perform any other acts necessary to the conduct of proceedings. 5 6 The Executive Secretary of the Commission may administer oaths. **(2)** 7 Each record of a proceeding of the Commission is a public record. (3) 8 To the extent necessary to receive public comment for each application for a 9 rate increase, the Commission shall hold a hearing at a convenient location and time during evening hours: 10 11 **(1)** IN PERSON in the service area affected; OR 12 **(2)** VIRTUALLY, WITH APPROPRIATE NOTICE PROVIDED SO THAT PERSONS IN THE SERVICE AREA AFFECTED MAY PARTICIPATE IN THE HEARING. 13 14 (d) (1)The Commission may delegate to a commissioner or to a public utility 15 law judge the authority to conduct a proceeding that is within the Commission's 16 jurisdiction. 17 (2)In a delegated proceeding, the commissioner or public utility law judge shall: 18 19 conduct the hearing and any other proceeding that the 20commissioner or public utility law judge considers necessary; and 21file with the Commission, and simultaneously serve on all (ii) 22 parties, a proposed order and findings of fact. 23 The proposed order shall become final unless appealed as provided in § 243–113(d) of this subtitle. 25applies unless, after considering (e) (1)subsection any 26 recommendation as to the extent of staff participation, the Commission determines that the public interest would not be served by staff participation. 2728 (2)In each matter before the Commission, the staff of the Commission 29 shall:

analyze the data submitted to the Commission;





- 7 (4) (i) On the day of a public hearing, an informational sign shall be 8 posted prominently at or near each public entrance of the building in which the public 9 hearing will be held.
- 10 (ii) The informational sign required under subparagraph (i) of this 11 paragraph shall:
- 12 1. state the time, room number, and subject of the public 13 hearing; and
- 14 2. be at least 17 by 22 inches in size.
- 15 (III) IF THE PUBLIC HEARING IS CONDUCTED VIRTUALLY RATHER THAN IN PERSON, THE COMMISSION SHALL PROVIDE INFORMATION ON THE HEARING PROMINENTLY ON THE COMMISSION'S WEBSITE.
- 18 (5) (i) The Commission shall ensure presentation and 19 recommendations from each interested State unit, and shall allow representatives of each 20 State unit to sit during hearing of all parties.
- 21 (ii) The Commission shall allow each State unit 15 days after the 22 conclusion of the hearing to modify the State unit's initial recommendations.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.