SENATE BILL 639

By: **Senators Pipkin and Rosapepe**
Introduced and read first time: February 3, 2012
Assigned to: Finance

A BILL ENTITLED

1   AN ACT concerning

2   **Public Service Commission – Application for Substantial Influence –**
3   **Divestiture of Gas and Electric Company**

4   FOR the purpose of prohibiting the Public Service Commission from approving a
5   certain application that requests authorization to acquire the power to exercise
6   substantial influence over the policies and actions of a certain gas and electric
7   company unless the Commission requires a certain condition in a certain order
8   under a certain case; making this Act an emergency measure; and generally
9   relating to divestiture of a gas and electric company.

10   SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11   MARYLAND, That the Public Service Commission may not approve an application
12   filed by Exelon Corporation, Constellation Energy Group, Inc., and Baltimore Gas and
13   Electric Company that, in accordance with § 6–105 of the Public Utilities Article,
14   requests authorization for Exelon Corporation to acquire the power to exercise
15   substantial influence over the policies and actions of Baltimore Gas and Electric
16   Company unless the Public Service Commission requires, as a condition of approval in
17   an order under Case No. 9271 or any related or subsequent case, the resulting
18   company to divest itself of Baltimore Gas and Electric Company.

19   SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
20   measure, is necessary for the immediate preservation of the public health or safety,
21   has been passed by a yea and nay vote supported by three–fifths of all the members
22   elected to each of the two Houses of the General Assembly, and shall take effect from
23   the date it is enacted.

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
     [Brackets] indicate matter deleted from existing law.