

judge of the Circuit Court or the District Court in the district. The other four must be active attorneys-at-law and are appointed by the Governor for three-year terms. The Governor annually designates the chairperson of each board.

Public Defender provides legal representation for indigent defendants in criminal or juvenile proceedings requiring the presence of counsel before a commissioner or judge, post-conviction proceedings, and any other proceeding where incarceration may result pursuant to a judicial commitment of individuals to public or private institutions.

Three divisions within the headquarters office serve specific needs. The Mental Health Division furnishes counsel to all persons involuntarily committed to facilities under the jurisdiction of or licensed by the State Department of Health and Mental Hygiene. The Appellate Division processes all appeals to the Appellate Courts. The Inmate Services Division offers legal assistance to all indigent inmates who have legal problems concerning their incarceration. The law applies only to representation in or respect to the courts of Maryland. Public Defender must submit a report annually to the Board of Trustees, the Governor, and General Assembly (Code 1957, Art. 27A).

PUBLIC SERVICE COMMISSION

Chairperson: Frank O. Heintz, 1988

Wayne B. Hamilton, 1985; William A. Badger, 1986; Haskell N. Arnold, 1987; Lilo K. Schifter, 1989.

Kirk J. Emge, *General Counsel*

Ronald E. Hawkins, *Executive Secretary*

Kenneth G. Hurwitz, *Executive Director*

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The Public Service Commission was established by Chapter 180, Acts of 1910. It has jurisdiction over common carriers engaged in the public transportation of passengers or freight within the State of Maryland, except those carriers of passengers that come within the jurisdiction of the Washington Metropolitan Area Transit Commission (Chapter 613, Acts of 1959). The Public Service Commission also has jurisdiction over all taxicabs operating in Baltimore City, Baltimore County, Cumberland, and Hagerstown. The Commission licenses taxicab drivers in Baltimore City. The Commission has also assumed the rate-setting

function formerly exercised by the Board of Examiners of Maryland Pilots (Chapter 726, Acts of 1984).

The Commission exercises jurisdiction over all gas, electric, telephone, telegraph, water, sewage disposal, and steam heating companies operating within the State. It has the power to fix both minimum and maximum rates and to suspend schedules pending the determination of the reasonableness of the proposed rates. Public utilities may not abandon or discontinue the exercise of any franchise without permission of the Commission. The Commission maintains a laboratory in which it makes daily tests of gas furnished in Baltimore City. It also makes regular and frequent tests of the gas and electricity furnished in other parts of the State. It hears matters relative to 1) rate adjustments; 2) applications to exercise franchise; 3) approval of issuance of securities; 4) promulgation of new rules and regulations; 5) quality of utility and common carrier service; and 6) railroad safety. The Commission has the authority to issue a Certificate of Public Convenience and Necessity in connection with an electric utility's application to construct a new generating station or transmission lines of a certain capacity (Code 1957, Art. 78, secs. 1 to 107).

A Consumer Assistance Section was established in 1978 to respond to formal and informal complaints by consumers (Chapter 756, Acts of 1976).

The Commission is authorized to make joint investigations, hold joint hearings, and issue joint or other concurrent orders in conjunction with any official board or commission of any state or the federal government under agreements and compacts between states, under the concurrent powers of states to regulate interstate commerce as an agency of the federal government, or otherwise (Code 1957, Art. 78, sec. 59). The Public Service Commission is also represented on joint boards created by the Interstate Commerce Commission under the federal Motor Carriers Act to hear and pass upon applications and proceedings pertaining to interstate motor carrier operation conducted in or through not more than three states.

The Public Service Commission is supported by an assessment on each utility and common carrier under its jurisdiction of a proportionate share of the Commission's direct and indirect expenses.

The Commission consists of five Commissioners appointed by the Governor with the advice and consent of the Senate, one of whom is designated as chairperson. Members serve five-year terms (Chapter 729, Acts of 1980). The General Counsel of the