

tion shall not be required but any evidence pertinent thereto shall be presented at the hearing required by Article 78, Section 54A and the permit required by this Article shall be included in the Certificate of Public Convenience and Necessity as issued by the Public Service Commission.

Article 78

54A. Construction of generating station or overhead transmission line carrying in excess of 69,000 volts.

No electric company may begin the construction in Maryland of a generating station or any overhead transmission line designed to carry a voltage in excess of 69,000 volts, or exercise the right of eminent domain in connection therewith, without having first obtained from the Commission a certificate of public convenience and necessity for the construction of the station or line. The Commission shall hold a public hearing on each application for a certificate of public convenience and necessity in the area in which any portion of the construction of a generating station or an overhead transmission line designed to carry a voltage in excess of 69,000 volts is proposed to be located, together with the local governing bodies of each such area, unless any governing body wishes not to participate in the hearing. The Commission shall take final action only after due consideration of the recommendations of such governing bodies, the need to meet present and future demands for service, effect on system stability and reliability, economics, esthetics, historic sites, aviation safety as determined by the State Aviation Commission and the administrator of the Federal Aviation Administration, and, when applicable, the effect on air and water pollution. The said public hearing shall be advertised in a newspaper of general circulation in the area affected once in each of the two successive weeks immediately prior to the hearing. In no event shall an electric company construct, or be authorized by the Commission to construct, such an overhead transmission line in line with, and within one mile of, either end of any public airport runway, UNLESS THE FEDERAL AVIATION ADMINISTRATION HAS DETERMINED THAT THE CONSTRUCTION OF SUCH OVERHEAD TRANSMISSION LINE WILL NOT CONSTITUTE A HAZARD TO AIR NAVIGATION AND SUCH DETERMINATION HAS BEEN CONCURRED IN BY THE STATE AVIATION COMMISSION. A privately owned airport runway shall qualify as a public airport runway within the meaning of this section only when it shall have been on file with the Federal Aviation Administration for a period of two years as being open to the public without restriction.

As used in this section and Section 54B herein, the term "construction" is defined to include any clearing of land, excavation, or other action that would affect the natural environment of the site or route of bulk power supply facilities, but does not include changes needed for temporary use of sites or routes for non-utility purposes, or uses in securing geological data, including necessary borings to ascertain foundation conditions.

54B. Consolidated Public Hearing, Long-Range Plans and Establishing Rate of Charge on Generated Electric Energy.

(a) After July 1, 1972, an electric company, as defined in Article 78, Section 2 (f), in order to obtain the certificate of public con-