

INDEPENDENT QUALIFIED REAL ESTATE APPRAISERS, ONE OF WHOM IS CHOSEN BY THE SECRETARY, ONE BY THE ELECTRIC COMPANY MAKING THE APPLICATION, AND THE THIRD BY THE TWO APPRAISERS FIRST SELECTED. EACH PARTY COMPENSATES ITS OWN APPRAISER AND BEARS ONE-HALF THE COST OF THE THIRD APPRAISER. THE LEASING CHARGE SHALL BE FIVE PERCENT ANNUALLY OF THE PURCHASE PRICE. FOR THE PURPOSES OF THIS SUBTITLE, THE LEASES ARE A PROPRIETARY INTEREST SUBJECTING THE ELECTRIC UTILITY TO LOCAL PROPERTY TAXES. RECEIPTS FROM THE PURCHASE AND LEASING TRANSACTIONS SHALL BE DEPOSITED IN THE FUND. IN VIEW OF THE SAFEGUARDS PROVIDED BY THIS SUBTITLE THROUGH STATE UNITS, AND TO ASSURE THE CONTROLLING EFFECT OF THEIR DETERMINATIONS, ANY PROPERTY AN ELECTRIC COMPANY PURCHASES OR LEASES AS PROVIDED IN THIS SUBSECTION SHALL BE USED AND OPERATED FOR ELECTRIC GENERATING AND ASSOCIATED TRANSMISSION PURPOSES WITHOUT REGARD TO ANY LOCAL ZONING RULE, REGULATION, LAW, OR ORDINANCE, AND THIS USE IS NOT REQUIRED TO BE SUBMITTED TO OR APPROVED BY ANY COUNTY OR MUNICIPAL ZONING BOARD, AUTHORITY, OR UNIT.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 769 (b) of the Code. The only changes made are in style.

3-306. REVIEW OF AND RECOMMENDATION CONCERNING APPLICATIONS FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY ASSOCIATED WITH POWER PLANT CONSTRUCTION.

(A) PUBLIC SERVICE COMMISSION TO NOTIFY DEPARTMENT OF CERTAIN TYPE APPLICATION; INFORMATION SUPPLIED TO DEPARTMENT.--NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THIS ARTICLE OR THE PUBLIC SERVICE COMMISSION LAW, ON APPLICATION TO THE PUBLIC SERVICE COMMISSION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY ASSOCIATED WITH POWER PLANT CONSTRUCTION INVOLVING, BUT NOT LIMITED TO, USE OR DIVERSION OF THE WATERS OF THE STATE, OR PRIVATE WETLANDS, THE COMMISSION SHALL NOTIFY IMMEDIATELY THE DEPARTMENT OF NATURAL RESOURCES OF THE APPLICATION. THE COMMISSION SHALL SUPPLY THE DEPARTMENT OF NATURAL RESOURCES WITH ANY PERTINENT INFORMATION AVAILABLE REGARDING THE APPLICATION. THE SECRETARY SHALL TREAT THE APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AS AN APPLICATION FOR APPROPRIATION OR USE OF WATERS OF THE STATE UNDER TITLE 8 OF THIS ARTICLE AND AS AN APPLICATION FOR A LICENSE FOR DREDGING AND FILLING UNDER TITLE 9 OF THIS ARTICLE.

(B) SECRETARY TO PREPARE STUDY AND