

OF LAND IN PRINCE GEORGE'S COUNTY EVEN THOUGH THIS LAND IS ALREADY DEVOTED TO A PUBLIC USE UNDER AUTHORITY OF LAW, IF THE EXERCISE OF THESE RIGHTS DO NOT MATERIALLY INTERFERE WITH THE PUBLIC USE.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 695D of the Code. The only changes made are in style.

6-203. PREREQUISITES TO THE EXERCISE OF THE RIGHT TO EMINENT DOMAIN.

THE RIGHT TO TAKE BY EMINENT DOMAIN UNDER § 6-202 (A) AND (B), MAY NOT BE EXERCISED UNLESS THE GAS STORAGE COMPANY DESIRING THE RIGHT FIRST OBTAINS AN ORDER FROM THE PUBLIC SERVICE COMMISSION, MADE AFTER A PUBLIC HEARING, FINDING THE UNDERGROUND STORAGE PROJECT TO BE IN THE PUBLIC INTEREST. THE COMPANY ALSO SHALL OBTAIN AN UNDERGROUND GAS STORAGE PERMIT. A PERMIT MAY NOT BE ISSUED WITHOUT THE CONSENT OF THE DEPARTMENT.

REVISOR'S NOTE: This section presently appears as Article 66C, section 695H of the Code. Nomenclatural changes are made to reflect current departmental organization. The only other changes made are in style.

6-204. RIGHTS OF LANDOWNERS.

(A) COMPENSATION OF LANDOWNER.—IN ANY EMINENT DOMAIN PROCEEDINGS UNDER § 6-202 (A) AND (B), THE OWNER OF THE LAND SHALL BE COMPENSATED FOR THE RIGHT TO UTILIZE GEOLOGICAL STRATA BEING TAKEN BY EMINENT DOMAIN FOR THE UNDERGROUND STORAGE OF GAS, AND FOR ANY COMMERCIALY RECOVERABLE OIL OR GAS NOT OWNED BY THE GAS STORAGE COMPANY IN THE STRATA.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 695E of the Code. The only changes made are in style.

(B) LANDOWNERS' RIGHT TO INQUISITION FOR FEE-SIMPLE TITLE.—IN ANY EMINENT DOMAIN PROCEEDINGS UNDER § 6-202 (A), THE OWNER OR OWNERS IN FEE OF THE LAND HAVE THE RIGHT BY UNANIMOUS ELECTION IN THEIR ANSWER TO HAVE THE JURY MAKE, AFTER EVIDENCE IS