

Article 78 - Public Service Commission Law

5.

[[(A)]] THE COMMISSION CONSISTS OF FIVE COMMISSIONERS, APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, ONE OF WHOM SHALL BE THE CHAIRMAN. THE COMMISSION SHALL BE BROADLY REPRESENTATIVE OF THE PUBLIC INTEREST, AND SHALL BE COMPOSED OF PERSONS WITH DIVERSE TRAINING OR EXPERIENCE [[IN ONE OR MORE OF THE FOLLOWING: ECONOMICS, RESOURCE PLANNING, UTILITY REGULATION AND OPERATION, ENGINEERING, LAW, ACCOUNTING, FINANCE AND OTHER AREAS OF SPECIALIZATION CONNECTED WITH PUBLIC SERVICE COMPANY REGULATION]]. EACH COMMISSIONER UPON TAKING OFFICE SHALL BE OR PROMPTLY BECOME A RESIDENT AND REGISTERED VOTER OF MARYLAND AND SHALL REMAIN SUCH DURING HIS TERM OF OFFICE. THREE OF THE COMMISSIONERS SHALL SERVE FULL-TIME. THE REMAINING TWO COMMISSIONERS NEED NOT BE FULLTIME. THE OFFICE OF CHAIRMAN SHALL BE FILLED INITIALLY, AT THE EXPIRATION OF EACH TERM, AND UPON AN EARLIER VACANCY IN THE OFFICE, BY A PERSON NOMINATED AS SUCH BY THE GOVERNOR AND CONFIRMED BY THE SENATE. COMMISSIONERS SHALL BE ELIGIBLE FOR REAPPOINTMENT.

[[(B) A PERSON MAY NOT BE ELIGIBLE FOR APPOINTMENT TO THE COMMISSION WHO, WITHIN THE PREVIOUS TWO YEARS, HAS BEEN EMPLOYED BY A PUBLIC SERVICE COMPANY REGULATED UNDER THE TERMS OF THIS ARTICLE OR, WAS A PARTNER OF OR EMPLOYED BY A LAW FIRM, TRADE ASSOCIATION, ACCOUNTING FIRM, ENGINEERING FIRM OR OTHER BUSINESS WHICH HAS DERIVED MORE THAN 50 PERCENT OF ITS REVENUE FROM REGULATED FIRMS.

[(C) THE SENATE SHALL CONDUCT PUBLIC HEARINGS TO DETERMINE THE COMPETENCY AND IMPARTIALITY OF THE GOVERNOR'S APPOINTEE PRIOR TO CONFIRMATION.]]

15.

(A) THE OFFICE OF PEOPLE'S COUNSEL SHALL EVALUATE ALL MATTERS PENDING BEFORE THE COMMISSION TO DETERMINE IF THE INTERESTS OF RESIDENTIAL USERS OF GAS, ELECTRICITY, TELEPHONES, OR WATER AND SEWERAGE OR OF NONCOMMERCIAL USERS OF OTHER REGULATED SERVICES (HEREINAFTER REFERRED TO AS RESIDENTIAL AND NONCOMMERCIAL USERS) ARE AFFECTED. IT SHALL APPEAR BEFORE THE COMMISSION AND THE COURTS ON BEHALF OF THOSE USERS IN ALL MATTERS OR PROCEEDINGS ~~[[OF]]~~ OVER WHICH THE COMMISSION HAS ORIGINAL JURISDICTION AND IN WHICH THE OFFICE OF PEOPLE'S COUNSEL DEEMS THEIR INTEREST TO BE INVOLVED INCLUDING, BUT NOT LIMITED TO, PROCEEDINGS WITH REGARD TO THE RATES, SERVICE, OR PRACTICES OF ANY PUBLIC SERVICE COMPANY OR ANY VIOLATION OF THE PROVISIONS OF THIS ARTICLE. ~~[[HE]]~~ IT SHALL HAVE, IN SUCH APPEARANCES, ALL THE RIGHTS OF COUNSEL FOR A PARTY TO THE PROCEEDING, INCLUDING BUT NOT LIMITED TO THOSE SPECIFIED IN § 82. THE PEOPLE'S COUNSEL MAY APPEAR BEFORE ANY FEDERAL OR STATE AGENCY AS NECESSARY TO