Approved May 19, 1981.

CHAPTER 635

(House Bill 671)

AN ACT concerning

Public Service Commission - "Make-Whole" Proceeding

FOR the purpose of limiting "make-whole" proceedings to certain gas, electric, and telephone companies; providing that certain companies may not file a "make-whole" proceeding more than a certain number of years following the establishment of the existing fair rate of return; requiring the Public Service Commission to determine if further proceedings are necessary when entering a final order establishing a new rate which is based on the existing rate of return; allowing the Commission to include in the determination a requirement for refund subject to certain conditions; providing for termination of the "make-whole" law after a certain date; ~~and~~ allowing a certain amount of time for further proceedings; providing that a proceeding, subject to a certain exception, asking for a new rate based on the existing fair rate of return may not be held, if the proposed new rate is filed more than a certain amount of time following the establishment of the existing fair rate of return; clarifying language; and generally relating to proposed new rates based on the existing authorized fair rate of return.

BY repealing and reenacting, with amendments,

Article 78 - Public Service Commission Law
Section 69B
Annotated Code of Maryland
(1975 Replacement Volume and 1980 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 78 - Public Service Commission Law

69B.

(A) THE PROVISIONS OF THIS SECTION APPLY ONLY TO GAS, ELECTRIC, AND TELEPHONE COMPANIES WHOSE GROSS ANNUAL REVENUES FOR THE MOST RECENT CALENDAR YEAR FOR WHICH DATA IS AVAILABLE ARE LESS THAN ~~2~~ 3 PERCENT OF THE TOTAL GROSS ANNUAL REVENUES OF ALL PUBLIC SERVICE COMPANIES IN THE STATE DURING THE SAME CALENDAR YEAR.