

CHAPTER 157

(Senate Bill 759)

AN ACT concerning

Electric Companies - Fuel Rate Adjustment

FOR the purpose of altering an issue to be determined by the Public Service Commission in making specific findings of fact and conclusions based thereon relative to fuel rate adjustments for electric companies.

BY repealing and reenacting, with amendments,

Article 78 - Public Service Commission Law
Section 54F
Annotated Code of Maryland
(1980 Replacement Volume and 1982 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 78 - Public Service Commission Law

54F.

(a) The provisions of this section shall apply only to electric companies that produce or generate power and whose gross annual revenues exceed \$25,000,000.

(b) An electric company may have as part of its rates to all its customers a separately stated, zero-based, fuel rate wherein it charges for its actual costs of fuel computed on a kilowatt-hour basis.

(c) Notwithstanding any other provisions of this article, upon application by an electric company, meeting the criteria of subsection (a) of this section, for permission and authority to adjust its rates and charges based solely upon the actual cost of fuel per kilowatt hour sold, the Commission may suspend such proposed adjustment for a period not to exceed 30 days beyond the filing of such application to adjust rates. The Commission shall promptly investigate applications filed pursuant to this subsection and shall commence public evidentiary hearings within 30 days of the date of the filing of the application to consider such application, and shall base its order upon the record adduced at the hearings. The Commission's final order shall be issued promptly but in no event later than 90 days after the filing of the application. If the suspension period terminates before the final order is issued, the order shall provide for refunds of any difference between the rate the utility charged and the rate established by the final order.