

~~1. THE INSTALLATION OR IMPROVEMENT OCCURS AFTER JANUARY 1, 2007, AT A COST OF NOT LESS THAN \$100,000,000 IN CERTIFIED EXPENSES, AND~~

~~2. THE FACILITY IS DESIGNED TO EXCEED THE AIR EMISSION STANDARDS REQUIRED IN BOTH STATE AND FEDERAL LAWS AND REGULATIONS IN EFFECT AT THE TIME THE FACILITY BEGINS OPERATIONS AFTER INSTALLATION OR IMPROVEMENT OF THE POLLUTION CONTROL EQUIPMENT.~~

(b) ~~(2)~~ (1) (I) [A] SUBJECT TO THE LIMITATIONS OF THIS PARAGRAPH SUBSECTION, A public service company, including any multijurisdictional public service company, may claim a credit against the public service company franchise tax in the amount of \$3 for each ton of Maryland-mined coal that the public service company purchased in the calendar year.

~~(iii) The credit under this subsection may not be claimed for Maryland mined coal purchased in a calendar year beginning after December 31, 2020.~~

~~(2) (i) This paragraph applies only to credits claimed under this subsection for calendar years beginning on or after January 1, 2007.~~

~~(II) THE CREDIT UNDER THIS SUBSECTION MAY NOT BE CLAIMED FOR MARYLAND-MINED COAL PURCHASED IN A CALENDAR YEAR BEGINNING AFTER DECEMBER 31, 2020.~~

~~(2) (I) THIS PARAGRAPH APPLIES ONLY TO CREDITS CLAIMED UNDER THIS SUBSECTION FOR CALENDAR YEARS BEGINNING ON OR AFTER JANUARY 1, 2007.~~

(II) THE AMOUNT CLAIMED AS A CREDIT UNDER THIS PARAGRAPH SUBSECTION MAY NOT EXCEED THE AMOUNT APPROVED BY THE DEPARTMENT UNDER THIS PARAGRAPH.

(III) BY JANUARY 15 OF THE CALENDAR YEAR FOLLOWING THE END OF THE CALENDAR YEAR IN WHICH THE MARYLAND-MINED COAL WAS PURCHASED, A PUBLIC SERVICE COMPANY, OR A COGENERATOR OR ELECTRICITY SUPPLIER AS DEFINED IN § 10-704.1 OF THIS ARTICLE, SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT FOR APPROVAL OF THE CREDIT ALLOWED UNDER THIS PARAGRAPH.

(IV) SUBJECT TO SUBPARAGRAPH (VI) OF THIS PARAGRAPH, THE TOTAL AMOUNT OF CREDITS APPROVED BY THE DEPARTMENT UNDER THIS PARAGRAPH FOR ANY CALENDAR YEAR MAY NOT EXCEED:

~~1. \$12,000,000 FOR CALENDAR YEAR 2006;~~

~~2. 1. \$9,000,000 FOR A CALENDAR YEAR BEGINNING AFTER DECEMBER 31, 2006, BUT BEFORE JANUARY 1, 2015~~ 2011;

~~2. 2. \$6,000,000 FOR A CALENDAR YEAR BEGINNING AFTER DECEMBER 31, 2014~~ 2010, BUT BEFORE JANUARY 1, ~~2021~~ 2015; OR