

CHAPTER 630
(House Bill 1615)

AN ACT concerning

Construction of Electric Generating Stations - Certificate of Public Convenience and Necessity

FOR the purpose of requiring the Public Service Commission to consider and take final action on a certain application for a certificate of public convenience and necessity to build a certain generating station designed to provide on-site generated electricity for an electric customer that uses a certain amount of electricity each year and that has a certain capacity ~~within a certain time period~~ in an expeditious manner under certain circumstances; providing for the termination of this Act; and generally relating to certificates of public convenience and necessity.

BY repealing and reenacting, with amendments,

Article - Public Utility Companies

Section 7-207

Annotated Code of Maryland

(1998 Volume and 2005 Supplement)

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

Article - Public Utility Companies

7-207.

(a) (1) In this section and § 7-208 of this subtitle, "construction" means:

(i) any physical change at a site, including fabrication, erection, installation, or demolition; or

(ii) the entry into a binding agreement or contractual obligation to purchase equipment exclusively for use in construction in the State or to undertake a program of actual construction in the State which cannot be canceled or modified without substantial loss to the owner or operator of the proposed generating station.

(2) "Construction" does not include a change that is needed for the temporary use of a site or route for nonutility purposes or for use in securing geological data, including any boring that is necessary to ascertain foundation conditions.

(b) (1) (i) Unless a certificate of public convenience and necessity for the construction is first obtained from the Commission, a person may not begin construction in the State of a generating station.