

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2005.

Approved April 26, 2005.

**CHAPTER 110**

**(Senate Bill 73)**

AN ACT concerning

**Electric Generation - Certificate of Public Convenience and Necessity - Construction and Public Notice**

FOR the purpose of altering the definition of construction for certain purposes concerning electric generating stations and transmission lines; altering certain provisions on notification and comment concerning an application for a certificate of public convenience and necessity for an electric generating station or transmission line; and generally relating to electric generation and the authority of the Public Service Commission.

BY repealing and reenacting, with amendments,

- Article - Public Utility Companies
- Section 7-207(a) and (d)
- Annotated Code of Maryland
- (1998 Volume and 2004 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) ~~the clearing of land, excavation, or other action that affects the natural environment of a site or route of a bulk power supply facility~~ 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.