

BY repealing and reenacting, with amendments,

Article 78 - Public Service Commission Law
Section 55A(d)
Annotated Code of Maryland
(1980 Replacement Volume and 1983 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

55A.

(d) (1) The Commission [shall not] MAY grant a certificate for a proposed radio common carrier operation or extension thereof [into the established service area which will be in competition with or duplication of any other certificated radio common carrier unless it shall first determine that the existing service is inadequate to meet the reasonable needs of the public and that the carrier operating the same is unable to, refuses or neglects, after hearing on reasonable notice, to provide reasonably adequate service.] IF THE APPLICANT FOR THE CERTIFICATE HAS APPLIED FOR OR OBTAINED AN ALLOCATION OF RADIO FREQUENCY FROM THE PROPER FEDERAL AUTHORITY AND IF THE COMMISSION DETERMINES THAT THE GRANTING OF THE CERTIFICATE IS CONSISTENT WITH THE PUBLIC WELFARE AND CONVENIENCE.

(2) IN MAKING ITS DETERMINATION, THE COMMISSION SHALL CONSIDER THE QUALIFICATIONS OF THE APPLICANT, THE SERVICES PROPOSED TO BE RENDERED AND RATES-PROPOSED-BY-THE-APPLICANT;-THE DEMAND-FOR-AN THE RATES PROPOSED TO BE CHARGED BY THE APPLICANT, THE POTENTIAL DEMAND FOR AND THE AVAILABILITY OF RADIO COMMON CARRIER SERVICES IN THE AREA PROPOSED TO BE SERVED, AND ALL OTHER FACTORS AS THE COMMISSION CONSIDERS RELEVANT.

(3) THE COMMISSION BY REGULATION SHALL ADOPT PROCEDURES TO ASSURE EXPEDITIOUS DISPOSITION OF APPLICATIONS FILED UNDER THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 1984.

Approved May 29, 1984.
