

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

Article 81 - Revenue and Taxes

131.

(C) A COMPANY, INCLUDING A MULTIJURISDICTIONAL COMPANY, SHALL RECEIVE A CREDIT AGAINST THE TAX IMPOSED BY § 130 OF THIS ARTICLE IN THE AMOUNT OF \$3 FOR EACH TON OF MARYLAND-MINED COAL THAT THE COMPANY PURCHASED IN THE CALENDAR YEAR IN EXCESS OF THE NUMBER--OF-TONS-OF-MARYLAND-MINED-COAL-THAT-THE-COMPANY-PURCHASED IN 1987 1986.- THIS CREDIT SHALL REDUCE THE COST OF COAL FOR THE PURPOSE OF FUEL RATE ADJUSTMENTS.

(D)--A-COMPANY-ELIGIBLE-FOR-A-CREDIT-UNDER-SUBSECTION-(C)-OF-THIS-SECTION-SHALL-BE-ELIGIBLE-TO-RECEIVE-THAT-CREDIT-FOR-ENERGY:

(1)--THAT-WAS-PURCHASED-FROM-A-COGENERATOR-THAT-IS-NOT-ELIGIBLE-FOR-THE-CREDIT-UNDER-SUBSECTION-(C)-OF-THIS-SECTION;

(2)--THAT-WAS-PRODUCED-BY-MARYLAND-MINED-COAL;-AND

(3)--IF--THE-COMPANY-FILES-A-CERTIFIED-STATEMENT,-MADE-UNDER-PENALTY-OF-PERJURY-PURSUANT-TO-§-5-OF--THIS--ARTICLE,-THAT-STATES--THE--EXACT--AMOUNT-OF-MARYLAND-MINED-COAL-USED-TO-PRODUCE-THE-ENERGY-THAT-WAS-PURCHASED-FROM-THE-COGENERATOR:

(1) IN THE CALENDAR YEAR IN EXCESS OF THE NUMBER OF TONS OF MARYLAND-MINED COAL THAT THE COMPANY PURCHASED IN 1986;
OR

(2) IN THE FORM OF ENERGY:

(I) FROM A COGENERATOR THAT IS NOT ELIGIBLE FOR THE CREDIT UNDER PARAGRAPH (1) OF THIS SUBSECTION;

(II) THAT WAS PRODUCED BY MARYLAND-MINED COAL THAT THE COGENERATOR PURCHASED IN THE CALENDAR YEAR IN EXCESS OF THE AMOUNT OF MARYLAND-MINED COAL THAT THE COGENERATOR PURCHASED IN 1986 AND FOR WHICH THE COMPANY, INCLUDING A MULTIJURISDICTIONAL COMPANY, FILES A STATEMENT OF OATH FROM THE COGENERATOR THAT CERTIFIES THE INFORMATION SUBSTANTIATING THE CREDIT, AS REQUIRED BY THE DEPARTMENT; AND

(III) IF THE COMPANY, INCLUDING A MULTIJURISDICTIONAL COMPANY, PURCHASED AT LEAST AS MANY TONS OF MARYLAND-MINED COAL AS IN 1986.

(E) (D) IN THIS SECTION, "COGENERATOR" MEANS A COGENERATOR OR QUALIFYING COGENERATOR OR QUALIFYING SMALL POWER PRODUCER AS DETERMINED BY THE FEDERAL ENERGY REGULATORY COMMISSION UNDER THE PUBLIC UTILITY REGULATORY POLICIES ACT OF 1978.