

(2) A privately owned airport runway shall qualify as a public airport runway under this subsection only if the runway has been on file with the Federal Aviation Administration for at least 2 years as being open to the public without restriction.

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(a) Subject to review and approval by the Commission, each gas company and electric company shall develop and implement programs and services to encourage and promote the efficient use and conservation of energy by consumers, gas companies, and electric companies.

(b) The Commission shall:

(1) require each gas company and electric company to establish any program or service that the Commission deems appropriate and cost effective to encourage and promote the efficient use and conservation of energy; [and]

(2) adopt rate-making policies that provide cost recovery and, in appropriate circumstances, reasonable financial incentives for gas companies and electric companies to establish programs and services that encourage and promote the efficient use and conservation of energy[.]; AND

(3) ENSURE THAT ADOPTION OF ELECTRIC CUSTOMER CHOICE UNDER SUBTITLE 5 OF THIS TITLE DOES NOT ADVERSELY IMPACT THE CONTINUATION OF COST EFFECTIVE ENERGY CONSERVATION AND EFFICIENCY PROGRAMS.

(C) (1) ON OR BEFORE FEBRUARY 1, 2001, THE COMMISSION, IN CONSULTATION WITH THE MARYLAND ENERGY ADMINISTRATION, SHALL REPORT, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON:

(I) THE STATUS OF PROGRAMS AND SERVICES TO ENCOURAGE AND PROMOTE THE EFFICIENT USE AND CONSERVATION OF ENERGY; AND

(II) A RECOMMENDATION FOR THE APPROPRIATE FUNDING LEVEL TO ADEQUATELY FUND THESE PROGRAMS AND SERVICES.

(2) IN DETERMINING WHETHER A PROGRAM OR SERVICE ENCOURAGES AND PROMOTES THE EFFICIENT USE AND CONSERVATION OF ENERGY, THE COMMISSION SHALL CONSIDER, AMONG OTHER FACTORS:

(I) THE IMPACT ON JOBS;

(II) THE IMPACT ON THE ENVIRONMENT;

(III) THE IMPACT ON RATES; AND

(IV) THE COST-EFFECTIVENESS.