

7-512.

(A) THIS SECTION AND § 7-513 OF THIS SUBTITLE APPLY TO AN ENTITY THAT WAS REGULATED AS AN ELECTRIC COMPANY ON JUNE 30, 1999, WHETHER OR NOT THE ENTITY OR ANY OF ITS BUSINESSES, SERVICES, OR ASSETS CONTINUES TO BE REGULATED UNDER THIS ARTICLE AFTER THAT DATE.

(B) AN ELECTRIC COMPANY MAY RECOVER COSTS UNDER THIS SECTION TO THE EXTENT THAT THE COMMISSION FINDS COSTS TO BE JUST AND REASONABLE.

(C) (1) AN ELECTRIC COMPANY SHALL BE PROVIDED A FAIR OPPORTUNITY TO RECOVER FULLY ALL COSTS THAT HAVE BEEN OR WILL BE INCURRED BY THE ELECTRIC COMPANY UNDER PUBLIC PURPOSE PROGRAMS ESTABLISHED BY LAW OR ORDERED BY THE COMMISSION.

(2) (I) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE COSTS SUBJECT TO THIS SUBSECTION SHALL BE FUNDED BY A SURCHARGE OR OTHER COST RECOVERY MECHANISM COLLECTED ON A STATEWIDE BASIS THAT:

1. FULLY RECOVERS FROM CUSTOMERS THE COSTS OF THE PLANS AND PROGRAMS; AND

2. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, WITH RESPECT TO ANY OF THESE COSTS NOT INCLUDED IN RATES ON JANUARY 1, 2000, IS NOT SUBJECT TO ANY OTHERWISE APPLICABLE CAP.

(II) THE RECOVERY BY AN ELECTRIC COMPANY OF COSTS FOR A UNIVERSAL SERVICE PROGRAM IS SUBJECT TO ANY APPLICABLE CAP REGARDLESS OF WHEN THE COSTS ARE INCLUDED IN RATES.

(3) DURING THE FISCAL YEAR ENDING JUNE 30, 2000, AN ELECTRIC COMPANY MAY NOT, UNDER PARAGRAPH (2) OF THIS SUBSECTION, RECOVER COSTS OF A CONSUMER EDUCATION PROGRAM ESTABLISHED BY LAW, REGULATION, OR ORDER

7-512.1.

(A) (1) THE COMMISSION SHALL ESTABLISH A UNIVERSAL SERVICE PROGRAM TO ASSIST ELECTRIC CUSTOMERS WITH ANNUAL INCOMES AT OR BELOW 150% OF THE FEDERAL POVERTY LEVEL.

(2) THE DEPARTMENT OF HUMAN RESOURCES SHALL BE RESPONSIBLE FOR ADMINISTERING THE UNIVERSAL SERVICE PROGRAM THROUGH THE MARYLAND ENERGY ASSISTANCE PROGRAM.

(3) THE DEPARTMENT OF HUMAN RESOURCES MAY, WITH INPUT FROM A PANEL OR ROUNDTABLE OF INTERESTED PARTIES, CONTRACT WITH A FOR-PROFIT OR A NONPROFIT MARYLAND CORPORATION EXISTING AS OF JULY 1, 1999 TO ASSIST IN ADMINISTERING THE UNIVERSAL SERVICE PROGRAM.

(4) THE COMMISSION SHALL HAVE OVERSIGHT RESPONSIBILITY FOR THE UNIVERSAL SERVICE PROGRAM.