

connection with a certificate of public convenience and necessity or a filing under § 7-206 of the Public Utility Companies Article is binding on the Secretary.

(c) [Any electric company] WHEN A PERSON THAT IS REQUIRED TO OBTAIN A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY APPLIES [upon application] for an operating permit for a generating station under this subtitle, THE PERSON shall send a copy of the application, at the time of filing, to the Public Service Commission.

(d) The Department shall consolidate procedures for the issuance of the operating permit with procedures of the Public Service Commission for the approval of the installation of pollution control equipment or a change in the method of operation unless consolidation would be inconsistent with the procedures set forth in the federal Clean Air Act.

(e) (1) Before issuing an operating permit which requires the installation of pollution control equipment or a change in the method of operation of the generating station or unit TO ANY PERSON REQUIRED TO OBTAIN A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, the Secretary shall notify the applicant and the Public Service Commission and request that the Public Service Commission institute a hearing as required by § 7-206 of the Public Utility Companies Article.

(2) In addition to the notification, the Secretary shall file the record of the operating permit proceeding and the Department's reasons for requiring the installation of pollution control equipment or change in method of operation.

(f) (1) The Commission shall conduct the hearing required by subsection (e) of this section in the manner set forth in §§ 7-205 and 7-207 of the Public Utility Companies Article.

(2) The Department shall incorporate the Commission's order rendered in accordance with § 7-206 of the Public Utility Companies Article.

(g) Except as provided in subsection (h) of this section, the Secretary shall consult with the Public Service Commission concerning the impact of any operating permit, order or injunction on the supply and cost of electricity in this State before issuing any operating permit, issuing any order, or seeking any injunction under this subtitle that:

(1) Significantly impacts the supply of electricity from a generating station owned or operated by [an electric company] ANY PERSON REQUIRED TO OBTAIN A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY; or

(2) Significantly affects the cost of electricity provided by [an electric company] ANY PERSON THAT IS REQUIRED TO OBTAIN A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

(h) (1) The Secretary need not consult with the Commission before issuing an order or seeking an injunction if the Secretary concludes that the delay during consultation could harm public health or the environment.