

MASTER METER OPERATOR subject to its jurisdiction is violating or is about to violate any of the provisions of this article, it shall cause action to be brought in its name for mandamus or injunction in the circuit court of any county in which the company OR OPERATOR does business or has its principal place of business. The court shall allow a period not exceeding 20 days to show cause why the relief prayed should not be granted, and shall upon the expiration of said period immediately inquire into the merits, without other or formal pleadings and without respect to any technical requirement. The court may join as parties such persons as may be necessary or proper to make its judgment or processes effective, and shall make such final order, granting such relief, as may be appropriate.

102A.

(a) Any gas company OR GAS MASTER METER OPERATOR which violates any provision of the Commission's standards of safe service, or other regulations related to safety as adopted in accordance with § 73 of this article, shall be subject to a civil penalty not to exceed \$1,000 for each violation for each day that the violation persists. However, the maximum civil penalty shall not exceed \$200,000 for any related series of violations.

(b) The amount of any civil penalty shall be determined by the Commission. Upon request of the gas company OR GAS MASTER METER OPERATOR involved, and within 30 days of the date of notification of the determination, the gas company OR GAS MASTER METER OPERATOR may request reconsideration for the purpose of obtaining a compromise. The Commission in making the determination as to the amount of any civil penalty or any compromise thereof shall consider the appropriateness of the penalty to the size of the business of the gas company OR GAS MASTER METER OPERATOR charged, the gravity of the violation and the good faith of the gas company OR GAS MASTER METER OPERATOR charged in attempting to achieve compliance, after notification of violation. The amount of the penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the State to the gas company OR GAS MASTER METER OPERATOR charged or may be recovered in a civil action in the State courts.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.

Approved April 30, 1991.

CHAPTER 63

(Senate Bill 10)

AN ACT concerning

Public Service Commission – Gas Companies – Civil Penalties

FOR the purpose of altering the civil penalties for violations of Public Service