

is deleted in light of Art. 1, § 30, which defines "including" to mean "by way of illustration and not by way of limitation". Accordingly, the phrase "but not limited to" is also deleted.

Defined term: "Rate" § 1-101

2-204. DUTIES.

(A) PROTECTING INTERESTS OF RESIDENTIAL AND NONCOMMERCIAL USERS.

(1) THE OFFICE OF PEOPLE'S COUNSEL SHALL EVALUATE EACH MATTER PENDING BEFORE THE COMMISSION TO DETERMINE IF THE INTERESTS OF RESIDENTIAL AND NONCOMMERCIAL USERS ARE AFFECTED.

(2) IF THE OFFICE OF PEOPLE'S COUNSEL CONSIDERS THE INTEREST OF RESIDENTIAL AND NONCOMMERCIAL USERS TO BE AFFECTED, THE OFFICE OF PEOPLE'S COUNSEL SHALL APPEAR BEFORE THE COMMISSION AND COURTS ON BEHALF OF RESIDENTIAL AND NONCOMMERCIAL USERS IN EACH MATTER OR PROCEEDING OVER WHICH THE COMMISSION HAS ORIGINAL JURISDICTION, INCLUDING A PROCEEDING ON THE RATES, SERVICE, OR PRACTICES OF A PUBLIC SERVICE COMPANY OR ON A VIOLATION OF THIS ARTICLE.

(3) AS THE OFFICE OF PEOPLE'S COUNSEL CONSIDERS NECESSARY, THE OFFICE OF PEOPLE'S COUNSEL SHALL CONDUCT INVESTIGATIONS AND REQUEST THE COMMISSION TO INITIATE PROCEEDINGS TO PROTECT THE INTERESTS OF RESIDENTIAL AND NONCOMMERCIAL USERS.

(B) ADMINISTER OFFICE.

THE PEOPLE'S COUNSEL SHALL ADMINISTER AND OPERATE THE OFFICE OF PEOPLE'S COUNSEL.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 78, § 15(b), the first and second sentences of (a) and the fifth sentence of § 14.

Subsection (b) of this section is rephrased in standard language to conform to similar provisions in other revised articles of the Code.

In subsection (a)(2) of this section, the reference to "affected" interests is substituted for the former reference to interests that are "involved" for clarity.

Also in subsection (a)(2) of this section, the former reference to violations "of this article" is retained. Although "this article" formerly referred only to Art. 78, and this article is derived, in part, from provisions outside of former Art. 78, retaining that reference does not comprise a substantive change. The People's Counsel is required to act on behalf of residential and noncommercial users in each proceeding over which the Commission has original jurisdiction, whether or not the proceeding involves a violation of this or any other article.