

HOUSE BILL 1246

C5

8lr2459

By: **Delegates Hucker, Glenn, and Haynes**
Introduced and read first time: February 8, 2008
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Transition Costs – Return to Baltimore Gas and Electric Company**
3 **Customers – Condition of Approval to Construct a Nuclear Reactor**

4 FOR the purpose of prohibiting the Public Service Commission from taking a certain
5 final action on an application for a certificate of public convenience and
6 necessity to construct a certain nuclear reactor until Constellation Energy
7 Group, Inc., returns certain money collected as certain costs to Baltimore Gas
8 and Electric Company; requiring Baltimore Gas and Electric Company to return
9 certain transition costs in a certain manner and proportion to certain customer
10 classes; and generally relating to the return of transition costs to Baltimore Gas
11 and Electric Company customers and the condition of approval for an
12 application to construct a nuclear reactor.

13 BY adding to
14 Article – Public Utility Companies
15 Section 7–518
16 Annotated Code of Maryland
17 (1998 Volume and 2007 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Public Utility Companies**

21 **7–518.**

22 (A) **NOTWITHSTANDING ANY OTHER PROVISION OF LAW, UNTIL**
23 **CONSTELLATION ENERGY GROUP, INC., RETURNS TO BALTIMORE GAS AND**
24 **ELECTRIC COMPANY, IN A MANNER APPROVED BY THE COMMISSION, THE**
25 **\$528,000,000 IN AFTER-TAX TRANSITION COSTS THAT WERE RECOVERED BY**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **BALTIMORE GAS AND ELECTRIC COMPANY IN ACCORDANCE WITH § 7-513 OF**
2 **THIS SUBTITLE AND PUBLIC SERVICE COMMISSION ORDER NO. 75757, THE**
3 **COMMISSION MAY NOT TAKE FINAL ACTION UNDER § 7-207(E) OF THIS TITLE**
4 **ON AN APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND**
5 **NECESSITY TO CONSTRUCT A NUCLEAR REACTOR FOR THE GENERATION OF**
6 **ELECTRIC ENERGY.**

7 **(B) IN A MANNER APPROVED BY THE COMMISSION, BALTIMORE GAS**
8 **AND ELECTRIC COMPANY SHALL RETURN THE AMOUNT OF TRANSITION COSTS**
9 **RETURNED TO IT IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION,**
10 **THROUGH A CREDIT ON CUSTOMER BILLS, TO CUSTOMER CLASSES IN THE**
11 **PROPORTION THAT EACH CUSTOMER CLASS CONTRIBUTED TO THE PAYMENT OF**
12 **COMPETITIVE TRANSITION CHARGES UNDER § 7-513 OF THIS SUBTITLE.**

13 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
14 **June 1, 2008.**