

**STATE OF MARYLAND
OFFICE OF PEOPLE'S COUNSEL**

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BILL NO.: **House Bill 715**
Application for a Certificate of Public Convenience
and Necessity-Public Notice and Hearing

COMMITTEE: **Economic Matters**

HEARING DATE: **February 15, 2018**

SPONSORS: **Delegate R. Lewis**

POSITION: **Support**

House Bill 715 would require more extensive, specific and targeted public notice regarding applications for certificates of public convenience and necessity (CPCNs) filed with the Maryland Public Service Commission (PSC or Commission). A provision of the Bill requires that the PSC or the applicant provide specific notice of the application to each resident in each county or municipal corporation in which a generating station, qualified overhead transmission line or lead line is proposed. The Bill includes methods for reaching potential interested persons such as notice on the PSC's existing social media accounts, its website in a searchable fashion and through text alerts to people who opt for that method of notice. The text alerts also would be used to remind interested persons of hearing dates. The Bill requires that public hearings be recorded or webcast and posted on the PSC's website in a searchable manner. Finally, House Bill 715 would require the PSC to consider potential health impacts on residents who live in the geographic area near a proposed project.

The Office of People's Counsel urges a Favorable Report on House Bill 715. The Bill increases opportunities for the public to make their views known regarding certain proposed projects and should lead to greater transparency and insight into the generating plant or transmission line siting process. Most of the additional notice provisions of the Bill appear to be

user friendly to the public and should be relatively easy and inexpensive for the PSC to implement. The Commission already posts notices of this type on its website and uses social media such as Twitter and Facebook to keep the public informed about upcoming events.

OPC does not have information on whether the PSC currently has the ability to record or webcast public hearings. These hearings often are held in town halls, school gyms, fire halls and hotel meeting rooms throughout the State. However, OPC is generally supportive of the concept and thinks it is something the PSC should explore.¹

The provision of the Bill that requires specific notice to *each* resident in the county or municipal corporation in which a project may be sited may need further refinement (page 2, line 34 - page 3, lines 1-3). OPC believes that the purpose of this provision would be satisfied with the addition of Section 7-207(c) (3). However, if the sponsor intends that the notice be mailed to each resident, for example, then there may be issues of Commission access to county and municipal address databases and costs of mailing that need to be resolved.

Finally, OPC supports the provision that would require the Commission to take into consideration public comments. In OPC's experience, the PSC already considers the public comments in formulating its orders. Therefore, OPC believes this provision of the Bill formalizes something the PSC already considers in practice.

¹ The Fiscal Note indicates that the PSC would need to employ a videographer for this purpose.