

HOUSE BILL 914

C5, D3

3lr1568

By: **Delegate Jackson**

Introduced and read first time: February 9, 2023

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 3, 2023

CHAPTER _____

1 AN ACT concerning

2 **Public Service Commission – Judicial Review – Proceedings**

3 FOR the purpose of clarifying that a certain proceeding for judicial review of a final decision
4 or order by the Public Service Commission may be instituted in a circuit court for a
5 county in which the public service company that is a party to the proceeding provides
6 service or in the Circuit Court for Baltimore City; and generally relating to
7 proceedings for judicial review of a final decision or order by the Public Service
8 Commission.

9 BY repealing and reenacting, without amendments,
10 Article – Public Utilities
11 Section 3–202
12 Annotated Code of Maryland
13 (2020 Replacement Volume and 2022 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Public Utilities
16 Section 3–204
17 Annotated Code of Maryland
18 (2020 Replacement Volume and 2022 Supplement)

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

21 **Article – Public Utilities**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



3–202.

(a) Except for the staff of the Commission, a party or person in interest, including the People’s Counsel, that is dissatisfied by a final decision or order of the Commission may seek judicial review of the decision or order as provided in this subtitle.

(b) The Secretary of Natural Resources may seek judicial review under this subtitle of a final decision or order of the Commission made under §§ 7–201 through 7–204, § 7–207, or § 7–208 of this article that relates to the environmental aspects of power plant siting.

(c) The Secretary of the Environment may seek judicial review of a final decision or order of the Commission made under §§ 7–205 and 7–206 of this article.

(d) If the Motor Vehicle Administration suspends or revokes the registration of a motor vehicle carrier in accordance with an order of the Commission, only the order of the Commission is subject to review under this section.

3–204.

(a) A proceeding for review under § 3–202 of this subtitle shall be instituted in:

(1) the circuit court [in equity] for any county in which the public service company [involved] **THAT WAS A PARTY** in the proceeding [operates] **PROVIDES SERVICE**; or

(2) the Circuit Court [in equity] for Baltimore City.

(b) If more than one proceeding to review an order or final decision of the Commission is instituted, on motion of any party, the court may transfer the proceeding to another court that has jurisdiction.

(c) If a rehearing by the Commission is applied for, a proceeding for judicial review may be filed after service of the decision of the Commission that denies the rehearing.

(d) The Commission may be a party to an appeal made under this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.