

Chapter 315

(House Bill 1138)

AN ACT concerning

Residential Multiple Occupancy Buildings ~~and Shopping Centers~~ – Master Meters – Heating, Ventilation, and Air Conditioning Services

FOR the purpose of authorizing the Public Service Commission to authorize the use of a certain master meter for heating, ventilation, and air conditioning services in certain residential multiple occupancy buildings ~~and shopping centers~~ without requiring individual metering or submetering for heating, ventilation, and air conditioning services under certain circumstances; authorizing the Commission to review certain information before authorizing the use of a master meter; authorizing an electric company or a gas company to inspect and test certain master meters in accordance with a certain provision of law; ~~providing for a certain exception;~~ defining ~~certain terms~~ a certain term; providing for the termination of this Act; and generally relating to metering for electricity and natural gas in residential multiple occupancy buildings ~~and shopping centers~~.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–301
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–304.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

Article – Public Utility Companies

7–301.

(a) A person may not furnish or put in use for revenue billing purposes a gas meter or electric meter unless the Commission has authorized the meter's use.

(b) (1) Each gas company and electric company shall maintain suitable equipment, approved by the Commission, for testing the accuracy of a gas meter or electric meter furnished by the company for use by its customers.

(2) The gas company or electric company shall test a customer's meter with the equipment in accordance with § 7-302 of this subtitle.

(3) A small rural electric cooperative described in § 7-502(a) of this title may satisfy this section by demonstrating that the electric meters which it furnishes to customers comply with the standards of the utility regulatory body of the state in which the cooperative has its principal place of business.

(c) (1) This subsection applies to:

(i) a new residential multiple occupancy building;

(ii) a new shopping center; or

(iii) a new housing unit that is constructed, managed, operated, developed, or subsidized by a local housing authority established under Division II of the Housing and Community Development Article.

(2) The service restrictions imposed under this subsection do not apply to central hot water.

(3) **[The] EXCEPT AS PROVIDED IN § 7-304.1 OF THIS SUBTITLE, THE** Commission may not authorize a gas company or electric company to service an occupancy unit or shopping center unit subject to this subsection unless the building or shopping center has individual metered service or submetering as provided under § 7-303 or § 7-304 of this subtitle for each individually leased or owned occupancy unit or shopping center unit.

(4) In accordance with its regulations, the Commission may authorize a gas company or electric company to provide service for central heating or cooling systems, or a combination of those systems, to an occupancy unit or shopping center unit subject to this subsection if the Commission is satisfied that the service will result in a substantial net saving of energy over the energy saving that would result from individual metering or submetering as provided under § 7-303 or § 7-304 of this subtitle.

(d) The owner, operator, or manager of a residential multiple occupancy building or shopping center subject to this section may not impose a utility cost on an occupancy unit or shopping center unit, except for charges that:

(1) the Commission authorizes the gas company or electric company to impose; and

(2) the gas company or electric company actually imposes on the owner, operator, or manager.

7-304.1.

(A) ~~(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(2) “MASTER, “MASTER METER” MEANS A METER USED TO MEASURE, FOR BILLING PURPOSES, THE TOTAL AMOUNT OF ELECTRICITY OR NATURAL GAS USED IN A BUILDING BY A HEATING, VENTILATION, AND AIR CONDITIONING SYSTEM, INCLUDING THE COMBINED USE FROM ALL INDIVIDUALLY LEASED OR OWNED UNITS AND ALL COMMON AREAS.~~

~~(3) “SHOPPING CENTER” HAS THE MEANING STATED IN § 7-303 OF THIS SUBTITLE.~~

(B) THE COMMISSION MAY AUTHORIZE THE USE OF A MASTER METER IN A RESIDENTIAL MULTIPLE OCCUPANCY BUILDING ~~OR SHOPPING CENTER~~ FOR HEATING, VENTILATION, AND AIR CONDITIONING SERVICES WITHOUT REQUIRING INDIVIDUAL METERING OR SUBMETERING FOR HEATING, VENTILATION, AND AIR CONDITIONING SERVICES AS PROVIDED UNDER § 7-303 OR § 7-304 OF THIS SUBTITLE IF:

(1) THE UTILITY BILL FOR HEATING, VENTILATION, AND AIR CONDITIONING SERVICES FOR EACH INDIVIDUALLY LEASED OR OWNED OCCUPANCY UNIT ~~OR SHOPPING CENTER UNIT~~ IS INCLUDED IN THE RENT ~~OR MONTHLY FEE OR ASSESSMENT~~ FOR THAT UNIT; ~~AND~~

(2) THE COMMISSION IS SATISFIED THAT THE USE OF THE MASTER METER FOR HEATING, VENTILATION, AND AIR CONDITIONING SERVICES WILL RESULT IN A NET SAVINGS OF ENERGY OVER THE ENERGY SAVINGS THAT WOULD RESULT FROM INDIVIDUAL METERING OR SUBMETERING FOR HEATING, VENTILATION, AND AIR CONDITIONING SERVICES; AND

(3) EACH INDIVIDUALLY LEASED OR OWNED OCCUPANCY UNIT:

(I) HAS INDIVIDUAL METERED SERVICE FOR OTHER ENERGY SERVICES; AND

(II) DIRECTLY RECEIVES THE UTILITY BILL FOR THE OTHER ENERGY SERVICES.

(C) BEFORE AUTHORIZING THE USE OF A MASTER METER FOR HEATING, VENTILATION, AND AIR CONDITIONING SERVICES, THE COMMISSION MAY REVIEW THE PROPOSED ALLOCATION OF ~~UTILITY~~ HEATING, VENTILATION, AND AIR CONDITIONING SYSTEM EXPENSES AMONG INDIVIDUAL UNITS AND COMMON AREAS SERVED BY THE MASTER METER.

(D) IN ACCORDANCE WITH § 7-301 OF THIS SUBTITLE, AN ELECTRIC COMPANY OR A GAS COMPANY MAY INSPECT AND TEST A MASTER METER AUTHORIZED FOR USE BY THE COMMISSION UNDER THIS SECTION.

~~(E) THIS SECTION DOES NOT APPLY TO ELECTRICITY SUPPLIED IN THE SERVICE TERRITORY OF AN ELECTRIC COOPERATIVE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ *July 1, 2010. It shall remain effective for a period of 3 years and, at the end of June 30, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.*

Approved by the Governor, May 4, 2010.