

SENATE BILL 619

C5

11r0942

By: **Senators Manno, Benson, Pinsky, Ramirez, Raskin, and Rosapepe**
Introduced and read first time: February 4, 2011
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Public Service Commission – Telephone Companies – Line Assessment**

3 FOR the purpose of requiring the Public Service Commission to require a telephone
4 company to conduct an assessment of certain lines at certain intervals for
5 certain purposes; requiring a telephone company subject to a certain
6 requirement to submit a certain report containing certain information to the
7 Commission by a certain deadline; requiring the Commission, by order or
8 regulation, to establish a certain reporting deadline and certain information
9 required in a certain report; requiring the Commission, with a certain
10 exception, to make certain reports available to the public and to provide an
11 opportunity for public comment; requiring the Commission to protect certain
12 proprietary information in a certain report by certain means; defining certain
13 terms; and generally relating to an assessment of telephone lines by telephone
14 companies.

15 BY adding to
16 Article – Public Utilities
17 Section 8–109
18 Annotated Code of Maryland
19 (2010 Replacement Volume)

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

22 **Article – Public Utilities**

23 **8–109.**

24 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
25 **MEANINGS INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 **(2) “ASSESSMENT REPORT” MEANS A REPORT REQUIRED UNDER**
2 **SUBSECTION (C) OF THIS SECTION.**

3 **(3) “LINE” MEANS A NONFIBER–OPTIC TELEPHONE LINE**
4 **LOCATED IN THE STATE.**

5 **(4) “PROPRIETARY INFORMATION” MEANS:**

6 **(I) A TRADE SECRET;**

7 **(II) CONFIDENTIAL COMMERCIAL INFORMATION; OR**

8 **(III) CONFIDENTIAL FINANCIAL INFORMATION.**

9 **(B) THE COMMISSION SHALL REQUIRE A TELEPHONE COMPANY TO**
10 **CONDUCT AN ASSESSMENT OF LINES OWNED OR OPERATED BY THE TELEPHONE**
11 **COMPANY EVERY 3 YEARS TO STUDY ANY MAINTENANCE, SECURITY, OR**
12 **RELIABILITY PROBLEMS ON THE LINES.**

13 **(C) (1) A TELEPHONE COMPANY REQUIRED TO CONDUCT AN**
14 **ASSESSMENT UNDER SUBSECTION (B) OF THIS SECTION SHALL SUBMIT A**
15 **WRITTEN ASSESSMENT REPORT OF ITS FINDINGS TO THE COMMISSION BY THE**
16 **DEADLINE IMPOSED BY THE COMMISSION, INCLUDING ANY DATA REQUIRED BY**
17 **THE COMMISSION AND A DETAILED DESCRIPTION OF HOW THE TELEPHONE**
18 **COMPANY WILL RESOLVE ANY PROBLEMS DISCOVERED IN THE STUDY.**

19 **(2) A TELEPHONE COMPANY SHALL NOTIFY THE COMMISSION OF**
20 **ANY INFORMATION IN AN ASSESSMENT REPORT THAT THE TELEPHONE**
21 **COMPANY CONSIDERS PROPRIETARY INFORMATION.**

22 **(D) BY REGULATION OR ORDER THE COMMISSION SHALL ESTABLISH:**

23 **(1) THE DEADLINE FOR SUBMITTING AN ASSESSMENT REPORT;**
24 **AND**

25 **(2) THE INFORMATION REQUIRED IN THE REPORT.**

26 **(E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
27 **SUBSECTION, THE COMMISSION SHALL MAKE ASSESSMENT REPORTS**
28 **AVAILABLE TO THE PUBLIC AND PROVIDE AN OPPORTUNITY FOR PUBLIC**
29 **COMMENT.**

1 **(2) THE COMMISSION SHALL PROTECT ANY PROPRIETARY**
2 **INFORMATION IN AN ASSESSMENT REPORT, AS DETERMINED BY THE**
3 **COMMISSION, BY:**

4 **(I) REDACTING THE PROPRIETARY INFORMATION; OR**

5 **(II) PUBLISHING THE DATA IN THE REPORT IN A**
6 **DISAGGREGATED FORM.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2011.