

Section 2(b) of Title 30 is amended to add subdivision (h) to read as follows:

(h) The Department of Public Service shall investigate any complaints related to compliance with sections 246, 248, 248a, and 8010 of this title.

Section 247 of Title 30 is amended to read as follows:

§ 247. Penalty

- (a) In addition to any civil penalty imposed under section 30 and section 230 of this title, any person, partnership, unincorporated association, company, or corporation, or the officers of any unincorporated association, company, or corporation who violates section 230 or section 248 of this title shall be fined not more than \$100.00 or imprisoned not more than 60 days, or both. (Amended 1995, No. 99 (Adj. Sess.), § 10.)
- (b) If the Department determines that a person, partnership, unincorporated association, company, or corporation has violated section 246, 248, 248a, or 8010 of this title, any rule adopted pursuant to those sections, or any certificate of public good issued pursuant to those sections, it may issue a notice of violation to the person alleged to have committed the violation. The Department shall file a copy of the notice with the Board.
 - (1) The notice of violation shall identify the relevant facts and may request that the alleged violator take remedial action and pay a civil fine of not more than \$5000 for any violation.
 - (2) Within 30 days of receipt of a notice of violation, the person who is the subject of the notice shall either:
 - a. Agree to the remedial action set forth in the notice and submit a plan for compliance to the Department; or
 - b. Request that the Board review the remedial actions and penalties proposed by the Department.
 - (3) If a person who is the subject of an enforcement action under this subdivision requests that the Board review the reasonableness of the remediation and penalty proposed by the Department, the Board shall open a proceeding and shall provide an opportunity for hearing before rendering a final judgment. The Board may consolidate such a proceeding with an investigation of penalties under section 30 or section 247(a) of this title
 - (4) Unless otherwise specified by the Board, any penalty imposed under this subdivision shall be in addition to a penalty under section 30 or section 247(a) of this title and shall not prevent further penalties imposed by the Board under those provisions.