

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 703

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 10 in its entirety; in line 14, after “period;” insert “requiring the Commission to reduce certain rates for a certain time under certain circumstances;”; and in line 18, after “mechanisms;” insert “requiring the Commission to adopt certain regulations or issue certain orders by a certain time; requiring certain electricity suppliers to provide certain information in a certain manner; providing that certain provisions of this Act may not be construed as preventing the application of certain protections of laws; requiring the Department of the Environment, in consultation with the Commission, to adopt certain measures regarding certain environmental programs; requiring the Commission to consider certain evidence in determining certain costs and benefits; requiring a certain electric company to continue purchasing electricity under a certain contract under certain circumstances; requiring the Commission, in consultation with the Maryland Energy Administration, to report by a certain date on the feasibility of requiring certain renewable portfolio standards; altering the imposition of the environmental surcharge to certain customers;”.

On page 2, in line 3, after “terms;” insert “extending to a certain date the termination date of the Environmental Trust Fund; extending the termination date of a certain surcharge; requiring the Attorney General, Division of Consumer Protection, to develop and maintain certain information in a certain manner;”; in line 8, after “1-101,” insert “2-110,”; in the same line, after “7-201,” insert “7-203,”; in the same line, strike “and”; in the same line, after “7-207” insert “, and 7-211”; in line 13, strike “7-518” and substitute “7-520”; and after line 36, insert:

“BY repealing and reenacting, with amendments,

Article - Natural Resources

Section 3-302

Annotated Code of Maryland

(1997 Replacement Volume and 1998 Supplement)”.

(Over)

AMENDMENT NO. 2

On page 11, in line 28, after “CONSTRUCTION” insert “IF THE COMMISSION HAS FOUND THAT THE CAPACITY IS NECESSARY TO ENSURE A SUFFICIENT SUPPLY OF ELECTRICITY TO CUSTOMERS IN THE STATE”.

On page 12, in lines 28 and 29, strike the brackets; in lines 30, 31, 32, and 34, in each instance, strike all of the brackets; and in lines 30, 31, 32, and 34, strike “(II)”, “(III)”, “(IV)”, and “(V)”, respectively.

On page 13, in line 1, strike the brackets; and strike “(VI)”.

On page 14, after line 18, insert:

“(H) “INDEPENDENT SYSTEM OPERATOR” MEANS AN ENTITY AUTHORIZED BY THE FEDERAL ENERGY REGULATORY COMMISSION TO CONTROL A REGIONAL TRANSMISSION GRID.”;

and in lines 19, 25, and 30, strike “(H)”, “(I)”, and “(J)”, respectively, and substitute “(I)”, “(J)”, and “(K)”, respectively.

On page 15, in lines 5, 10, 12, 15, 21, and 28, strike “(K)”, “(L)”, “(M)”, “(N)”, “(O)”, and “(P)”, respectively, and substitute “(L)”, “(M)”, “(N)”, “(O)”, “(P)”, and “(Q)”, respectively.

On page 19, in line 28, strike “REGISTERED” and substitute “QUALIFIED”; in line 30, strike “AND” and after line 30, insert:

“(III) MAINTAIN ON FILE WITH THE COMMISSION THE LICENSEE’S CERTIFICATION THAT ALL APPLICABLE FEDERAL AND REGIONAL RELIABILITY REQUIREMENTS AND REQUIREMENTS OF ANY APPLICABLE INDEPENDENT SYSTEM OPERATOR ARE SATISFIED; AND”.

On page 20, after line 33, insert:

“(I) (1) THE COMMISSION SHALL ASSESS THE AMOUNT OF ELECTRICITY GENERATED IN MARYLAND AS WELL AS THE AMOUNT OF ELECTRICITY IMPORTED FROM OTHER STATES IN ORDER TO DETERMINE WHETHER A SUFFICIENT SUPPLY OF

ELECTRICITY IS AVAILABLE TO CUSTOMERS IN THE STATE.

(2) ON OR BEFORE JANUARY 1 IN 2001, 2003, 2005, AND 2007, THE COMMISSION SHALL REPORT TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE ON ITS ASSESSMENT UNDER THIS SUBSECTION, AND ANY RECOMMENDATIONS FOR LEGISLATION WHICH MAY BE NEEDED TO ENSURE AN ADEQUATE SUPPLY OF ELECTRICITY FOR CUSTOMERS IN THE STATE.”;

and in line 34, strike “(I)” and substitute “(J)”.

On page 21, in lines 13 and 18, strike “(J)” and “(K)”, respectively, and substitute “(K)” and “(L)”, respectively.

AMENDMENT NO. 3

On page 16, after line 20, insert:

“(B) (1) THE COMMISSION SHALL ISSUE THE ORDERS OR ADOPT REGULATIONS REQUIRED UNDER THIS SUBSECTION BEFORE THE IMPLEMENTATION OF CUSTOMER CHOICE.”;

in lines 21, 27, and 34, in each instance, strike “MAY” and substitute “SHALL”; in line 21, strike “(B)”; and in lines 21, 25, 27, and 34, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(2)”, “(3)”, “(4)” and “(5)”, respectively.

On page 19, in line 32, after “FOR” insert “: (I)”; and in line 33, after “CUSTOMERS” insert “: AND”

(II) THE DIFFERENT CATEGORIES OF ELECTRICITY SUPPLIERS”.

On page 20 , in line 1, strike “MAY” and substitute “SHALL”; in the same line, after “ORDERS” insert “BEFORE THE IMPLEMENTATION OF CUSTOMER CHOICE”; and in line 16, after “CIVIL PENALTY,” insert “ORDER A REFUND OR CREDIT TO A CUSTOMER,

(Over)

ORDER CANCELLATION OF CONTRACT.”.

On page 21, after line 20, insert:

“(M) AN ELECTRICITY SUPPLIER SHALL BE SUBJECT TO ALL APPLICABLE FEDERAL AND STATE ENVIRONMENTAL LAWS AND REGULATIONS.”.

AMENDMENT NO. 4

On page 9, in line 27, strike the brackets; and in the same line, strike “COST-EFFECTIVE”.

On page 13, after line 23, insert:

“7-211.

(a) Subject to review and approval by the Commission, each gas company and electric company shall develop and implement programs and services to encourage and promote the efficient use and conservation of energy by consumers, gas companies, and electric companies.

(b) The Commission shall:

(1) require each gas company and electric company to establish any program or service that the Commission deems appropriate and cost effective to encourage and promote the efficient use and conservation of energy; [and]

(2) adopt rate-making policies that provide cost recovery and, in appropriate circumstances, reasonable financial incentives for gas companies and electric companies to establish programs and services that encourage and promote the efficient use and conservation of energy.
AND

(3) ASSURE THAT ADOPTION OF ELECTRIC CUSTOMER CHOICE UNDER SUBTITLE 5 OF THIS TITLE DOES NOT ADVERSELY IMPACT THE CONTINUATION OF COST EFFECTIVE ENERGY CONSERVATION AND EFFICIENCY PROGRAMS.”.

AMENDMENT NO. 5

On page 3, in lines 6 and 7, strike “INCLUDING A COUNTY OR MUNICIPAL CORPORATION”.

On page 16, in line 27, before “THE” insert “(I)”; in line 32, strike “(II)” and substitute “2.”; and after line 33, insert:

“(II) THE COMMISSION SHALL ORDER AN AGGREGATOR TO ADOPT POLICIES AND PRACTICES DESIGNED TO PREVENT SELF-DEALING OR PRACTICES THAT COULD RESULT IN NONCOMPETITIVE ELECTRICITY PRICES TO CUSTOMERS.”.

On page 24, before line 35, insert:

“(G) A COUNTY OR MUNICIPAL CORPORATION MAY NOT ACT AS AN AGGREGATOR UNLESS THE COMMISSION DETERMINES THERE IS NOT SUFFICIENT COMPETITION WITHIN THE BOUNDARIES OF THE COUNTY OR MUNICIPAL CORPORATION.”.

AMENDMENT NO. 6

On page 16, in line 19, after “RELIABILITY,” insert “ENSURE COMPLIANCE WITH FEDERAL AND STATE ENVIRONMENTAL REGULATIONS.”; and in line 20, after “SUPPLIERS” insert “, AND PROVIDE ECONOMIC BENEFITS TO ALL CUSTOMER CLASSES”.

On page 17, strike beginning with “OF” in line 3 down through the period in line 6 and substitute “OF:”

(I) A UNIFORM COMMON SET OF INFORMATION ABOUT THE FUEL MIX OF THE ELECTRICITY PURCHASED BY CUSTOMERS INCLUDING CATEGORIES OF ELECTRICITY FROM COAL, NATURAL GAS, NUCLEAR, OIL, HYDROELECTRIC, SOLAR, BIOMASS, WIND, AND OTHER RESOURCES, OR DISCLOSURE OF A REGIONAL AVERAGE; AND

(Over)

(II) THE EMISSIONS, ON A POUND PER MEGAWATT-HOUR BASIS, OF POLLUTANTS IDENTIFIED BY THE COMMISSION, OR DISCLOSURE OF A REGIONAL AVERAGE.”.

AMENDMENT NO. 7

On page 16, in line 7, strike “MODIFY AND CLARIFY EXISTING LAW TO”; in line 28, after “TO” insert “PREVENT”; strike lines 29 through 31 in their entirety and substitute:

“1. DISCRIMINATION AGAINST A PERSON, LOCALITY, OR PARTICULAR CLASS OF SERVICE OR GIVE UNDUE OR UNREASONABLE PREFERENCE IN FAVOR OF THE ELECTRIC COMPANY’S OWN ELECTRICITY SUPPLY, OTHER SERVICES, DIVISIONS, OR AFFILIATES, IF ANY; AND”;

and in line 32, strike “PREVENT”.

On page 17, before line 7, insert:

“(6) THE COMMISSION SHALL ISSUE ORDERS OR REGULATIONS TO PREVENT AN ELECTRIC COMPANY AND AN ELECTRICITY SUPPLIER FROM DISCLOSING A RETAIL CUSTOMER’S BILLING, PAYMENT, AND CREDIT INFORMATION WITHOUT THE RETAIL CUSTOMER’S CONSENT, EXCEPT AS ALLOWED BY THE COMMISSION FOR BILL COLLECTION OR CREDIT RATING REPORTING PURPOSES.

(7) AN ELECTRICITY SUPPLIER MAY NOT ENGAGE IN UNFAIR, FALSE, MISLEADING, OR DECEPTIVE MARKETING, ADVERTISING, OR TRADE PRACTICES.”.

On page 20, in line 11, after “CUSTOMER” insert “OR ADD NEW SERVICES TO A CUSTOMER’S EXISTING ELECTRICITY SERVICE OPTIONS”; in line 14, strike “UNAUTHORIZED SWITCHING”; and in the same line, after “PREVENT” insert “THE PRACTICES DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION”.

AMENDMENT NO. 8

On page 16, in line 21, before “THE” insert “(I)”; and after line 24, insert:

“(II) 1. AS PART OF THE CONSUMER EDUCATION PROGRAM UNDER THIS PARAGRAPH, THE OFFICE OF THE ATTORNEY GENERAL, DIVISION OF CONSUMER PROTECTION, SHALL DEVELOP AND MAINTAIN INFORMATION AS TO RATES AND SERVICES OF THE ELECTRICITY SUPPLIERS LICENSED IN MARYLAND TO SERVE SMALL COMMERCIAL AND RESIDENTIAL ELECTRIC CUSTOMERS.

2. THE INFORMATION REQUIRED IN THIS SUBPARAGRAPH SHALL BE:

A. READILY UNDERSTANDABLE AND FORMATTED AS TO PROVIDE A COMPARISON OF RATES AND SERVICES AMONG SUPPLIERS OF SIMILAR SERVICES; AND

B. MADE AVAILABLE TO THE PUBLIC THROUGH THE DIVISION’S ORDINARY MEANS OF PUBLICATION, WHICH SHALL INCLUDE PUBLICATION ON THE INTERNET.”.

On page 21, before line 21, insert:

“(N) AN ELECTRICITY SUPPLIER SHALL PUBLISH ON THE INTERNET INFORMATION THAT IS READILY UNDERSTANDABLE ABOUT ITS SERVICES AND RATES FOR SMALL COMMERCIAL AND RESIDENTIAL ELECTRIC CUSTOMERS.”.

AMENDMENT NO. 9

On page 9, after line 19, insert:

“2-110.

(A) IN THIS SECTION, “PUBLIC SERVICE COMPANY” INCLUDES AN ELECTRICITY SUPPLIER AS DEFINED IN § 1-101 OF THIS ARTICLE.

[(a)] (B) (1) (i) Subject to paragraphs (2) and (3) of this subsection, the costs and expenses of the Commission shall be borne by the public service companies that are subject to the Commission's jurisdiction.

(Over)

(ii) The costs and expenses shall be assessed as provided in this section.

(2) An appropriation for the costs and expenses of the Commission shall be included in the State budget and paid from the State treasury.

(3) The State treasury shall be reimbursed from the money collected under this section.

~~[(b)]~~ (C) (1) (i) Before each State fiscal year, the Chairman of the Commission shall estimate the Commission's total costs and expenses, including:

1. the compensation and expenses of the Commission, its officers, agents, and personnel;

2. the cost of retirement contributions, Social Security, health insurance, and other benefits required to be paid by the State for the personnel of the Commission;

3. all other maintenance and operation expenses; and

4. all other direct and indirect costs.

(ii) The estimate shall exclude the costs of maintaining testing equipment reimbursable under § 2-111(a) of this subtitle.

(2) Based on the estimate, the Chairman shall determine the amount to be paid by each public service company.

(3) The Commission shall send a bill to each public service company on or before May 1st of each year.

(4) The bill shall equal the product of:

(i) the estimated total costs and expenses of the Commission during the

next fiscal year; multiplied by

(ii) the ratio of the gross operating revenues for the public service company derived from intrastate utility AND ELECTRICITY SUPPLIER operations in the preceding calendar year, or other 12-month period as the Chairman determines, to the total of the gross operating revenues derived from intrastate utility AND ELECTRICITY SUPPLIER operations for all public service companies that are billed under this section over that period.

(5) The minimum bill for a public service company shall be \$10.

(6) The public service company:

(i) shall pay the bill on or before the next July 15th; or

(ii) may elect to make partial payments on the 15th days of July, October, January, and April.

(7) A partial payment shall equal 25% of the bill and may not be less than \$10.

(8) During any State fiscal year, the Chairman may change the estimate of costs and expenses of the Commission.

(9) (i) If the estimate is changed, the Commission shall send a revised bill to each public service company that has elected to make partial payments.

(ii) The change shall be apportioned equally against the remaining payments for the fiscal year.

(10) (i) On or before September 15th of each year, the Chairman shall compute the actual costs and expenses of the Commission for the preceding fiscal year.

(ii) After deducting the amounts recovered under § 2-111(a) of this subtitle, on or before October 15th, the Chairman shall send to any public service company that is affected a statement that shows the amount due or the amount to the credit of the public service

(Over)

company.

(11) (i) A public service company shall pay an amount due within 30 days after the statement is received.

(ii) At the option of the public service company, an amount to the credit of a public service company shall be refunded or applied against any succeeding payment due.

(12) The total amount that may be charged to a public service company under this section for a State fiscal year may not exceed:

(i) 0.17% of the public service company's gross operating revenues derived from intrastate utility AND ELECTRICITY SUPPLIERS operations in the preceding calendar year, or other 12-month period that the Chairman determines, for the costs and expenses of the Commission other than that of the Office of People's Counsel; plus

(ii) 0.05% of those revenues for the costs and expenses of the Office of People's Counsel.

[(c)] (D) (1) Within 30 days after the Commission issues a bill under subsection [(b)] (C) of this section, the party billed may request a hearing as to the amount of the bill.

(2) Any amount of a bill that is not paid within 30 days after the date of determination on a hearing or, if a hearing is not requested, on the date when payment is due, shall bear annual interest at a rate, not less than 6%, that the Commission sets by regulation.”.

AMENDMENT NO. 10

On page 17, strike beginning with “HOWEVER” in line 37 down through the period in line 40; and after line 40 insert:

“(13) THE DEPARTMENT OF THE ENVIRONMENT, IN CONSULTATION WITH THE COMMISSION, SHALL EVALUATE EXISTING PROGRAMS TO MAINTAIN ENVIRONMENTAL REGULATIONS AND EVALUATE ANY NEW PROGRAMS AS APPROPRIATE TO ENSURE COMPLIANCE WITH FEDERAL AND STATE

ENVIRONMENTAL REGULATIONS.

(14) NOTHING IN THIS SUBTITLE MAY OPERATE TO PREVENT THE APPLICATION OF STATE CONSUMER PROTECTION AND ANTITRUST STATUTES APPLICABLE TO ELECTRIC COMPANIES AND THEIR AFFILIATES AND TO ELECTRICITY SUPPLIERS.”.

AMENDMENT NO. 11

On page 18, in lines 20, 27, 28, and 31, in each instance, strike “FREEZE OR”; in line 28, after “SUBTITLE” insert “THAT ARE NOT INCLUDED IN RATES ON JANUARY 1, 2000 EXCEPT FOR COSTS FOR THE UNIVERSAL SERVICE PROGRAM UNDER § 7-516 OF THIS SUBTITLE”;

and after line 32, insert:

“(4) (I) BY JULY 1, 2000, THE COMMISSION SHALL REDUCE RESIDENTIAL RATES FOR EACH INVESTOR-OWNED ELECTRIC COMPANY BY AN AMOUNT BETWEEN 3% AND 7% OF BASE RATES AS OF JUNE 30, 1999. THAT REDUCTION SHALL REMAIN IN EFFECT UNTIL THE LATER OF JULY 1, 2003 AND THE DATE WHEN ALL RESIDENTIAL CUSTOMERS HAVE THE RIGHT TO ELECT CUSTOMER CHOICE IN ELECTRIC SUPPLY.

(II) IN ACHIEVING THE RATE REDUCTION UNDER THIS PARAGRAPH, THE COMMISSION MAY CONSIDER:

1. THE EXPIRATION OF SURCHARGES;
2. CHANGES IN AN ELECTRIC COMPANY’S TAX LIABILITY;
3. COST OF SERVICE DETERMINATIONS ORDERED BY THE COMMISSION;

(Over)

4. NET TRANSITION COSTS; AND

5. THE EFFECT OF THE RATE REDUCTION ON THE COMPETITIVE ELECTRICITY SUPPLY MARKET.

(III) THE COMMISSION MAY INCREASE OR DECREASE THE ACTUAL RATE REDUCTION REQUIRED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH OR ALLOW THE RECOVERY OF ANY EXTRAORDINARY COSTS BASED ON INDIVIDUAL ELECTRIC COMPANY CIRCUMSTANCES IF IT DETERMINES THAT THE ACTION IS NECESSARY AND IN THE PUBLIC INTEREST.

(IV) IN DETERMINING THE RATE REDUCTIONS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COMMISSION MAY NOT INCREASE RATES FOR NONRESIDENTIAL CUSTOMERS.

(5) THE REQUIREMENT OF PARAGRAPH (4) OF THIS SUBSECTION MAY NOT APPLY TO AN ELECTRIC COMPANY IF THE COMMISSION APPROVES A SETTLEMENT THAT IS EQUALLY PROTECTIVE OF RATEPAYERS.”.

AMENDMENT NO. 12

On page 14, in line 5, after “COSTS” insert “OR THE RETURN OF A NET TRANSITION BENEFIT”.

On page 15, in line 21, strike “COSTS” and substitute “COST”; and strike lines 22 through 27 in their entirety and substitute:

“(1) TRADITIONALLY WOULD HAVE BEEN OR WOULD BE RECOVERABLE UNDER RATE-OF-RETURN REGULATION BUT WHICH MAY NOT BE RECOVERABLE IN A RESTRUCTURED ELECTRICITY SUPPLY MARKET; OR

(2) ARISES AS A RESULT OF ELECTRIC INDUSTRY RESTRUCTURING AND IS RELATED TO THE CREATION OF CUSTOMER CHOICE.”.

On page 17, in lines 14 and 15, strike “REQUIRE AN ELECTRIC COMPANY TO DIVEST

ITSELF OF A GENERATION ASSET OR”.

On page 21, in lines 26 and 32, in each instance, after “COSTS” insert “OR BENEFITS”.

On page 23, in line 3, after “COSTS” insert “OR BENEFITS”; and in line 21, after “UTILITIES” insert “IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION”.

On page 27, in line 31, after “ELECTRIC COMPANY” insert “OR AN AFFILIATE”; and after line 33, insert:

“(E) (1) IN DETERMINING THE APPROPRIATE TRANSITION COSTS OR BENEFITS FOR EACH ELECTRIC COMPANY’S GENERATION-RELATED ASSETS, THE COMMISSION SHALL CONDUCT AN EVIDENTIARY HEARING TO ESTABLISH THE VALUE OF THOSE GENERATION ASSETS.

(2) THE COMMISSION MAY CONSIDER IN THE DETERMINATION OF THE VALUATION OF EACH ASSET EVIDENCE OF BOOK VALUE, FAIR MARKET VALUE, SALES OF COMPARABLE ASSETS, APPRAISALS, THE REVENUE THE COMPANY WOULD RECEIVE UNDER RATE-OF-RETURN REGULATION, THE REVENUE THE COMPANY WOULD RECEIVE IN A RESTRUCTURED ELECTRICITY SUPPLY MARKET, OTHER APPROPRIATE EVIDENCE OF VALUE, AND OTHER ISSUES CONSIDERED BY THE COMMISSION.

(3) THE COMMISSION SHALL DETERMINE AN EQUITABLE ALLOCATION OF COSTS OR BENEFITS BETWEEN SHAREHOLDERS AND RATEPAYERS. IN DETERMINING THE ALLOCATION OF TRANSITION COSTS OR BENEFITS, THE COMMISSION SHALL CONSIDER THE FOLLOWING FACTORS:

(I) THE PRUDENCE AND VERIFIABILITY OF THE ORIGINAL INVESTMENT;

(II) WHETHER THE INVESTMENT CONTINUES TO BE USED AND USEFUL;

(Over)

(III) WHETHER THE LOSS IS ONE OF WHICH INVESTORS CAN BE SAID TO HAVE REASONABLY BORNE THE RISK; AND

(IV) WHETHER INVESTORS HAVE ALREADY BEEN COMPENSATED FOR THE RISK. “.

AMENDMENT NO. 13

On page 26, in line 21, strike “OR”; in line 28, strike “1999.” and substitute “1999; OR”; and strike lines 29 through 31 in their entirety and substitute:

“3. THE FIRST 500 KILOWATT-HOURS PER MONTH OF ANY ON-SITE GENERATED ELECTRICITY FACILITY:

A. TO THE EXTENT OF THE FIRST 80 MEGAWATTS, ON A STATEWIDE BASIS, OF THE AGGREGATE GENERATING CAPACITY OF ON-SITE GENERATING FACILITIES; OR

B. INSTALLED AFTER JANUARY 1, 2000 FROM FUEL CELLS, PHOTOVOLTAICS, WIND MACHINES, OR MICROTURBINES WHICH HAVE ENERGY CONVERSION EFFICIENCIES GREATER THAN 50%.”.

AMENDMENT NO. 14

On page 17, in lines 20 and 21, strike “. IN DOING SO, THE COMMISSION SHALL CONSIDER, AMONG OTHER FACTORS” and substitute “BY REQUIRING”; in line 28, strike “FUNCTIONAL, OPERATIONAL”; in the same line, after “STRUCTURAL”, strike the comma; in line 35, after “CONDUCT” insert “BEFORE JULY 1, 2000 THAT HAS BEEN APPROVED BY THE COMMISSION”; and in line 23, strike “ANY” and substitute “AN”.

On page 22, in line 23, after “(II)” insert “AS PART OF A SETTLEMENT APPROVED OR ORDER ISSUED BY THE COMMISSION,”; in line 26, after “(B)” insert “(1)”; in line 29, strike “(1)” and substitute “(I)”; in line 32, strike “(2)” and substitute “(II)”; and after line 33, insert:

“(2) FOR AN ELECTRIC COMPANY WHOSE RETAIL PEAK LOAD IN THE STATE ON JANUARY 1, 1999 WAS LESS THAN 1,000 MEGAWATTS, THE COMMISSION MAY REVIEW THE CORPORATE STRUCTURE OF THE ELECTRIC COMPANY IN ORDER

TO ENSURE THE STRUCTURE DOES NOT RESULT IN AN UNDUE ADVERSE EFFECT ON THE PROPER FUNCTION OF A COMPETITIVE ELECTRICITY SUPPLY MARKET.

(3) THE EXCEPTION PROVIDED IN THIS SUBSECTION, AS IT APPLIES TO INVESTOR-OWNED UTILITIES, SHALL EXPIRE AND BE OF NO FURTHER FORCE AND EFFECT ON JANUARY 1, 2001. “

AMENDMENT NO. 15

On page 23, in lines 9 and 10, strike “ONE-THIRD OF THE RETAIL PEAK LOAD OF EACH CUSTOMER CLASS” and substitute “ONE-THIRD OF THE RESIDENTIAL CLASS”; after line 11, insert:

“(II) ON JANUARY 1, 2001, THE ENTIRE INDUSTRIAL CLASS AND THE ENTIRE COMMERCIAL CLASS IN THE STATE OF EACH ELECTRIC COMPANY SHALL HAVE THE OPPORTUNITY FOR CUSTOMER CHOICE.”;

in line 12, strike “(II)” and substitute “(III)”; in lines 12 and 13, strike “TWO-THIRDS OF THE RETAIL PEAK LOAD OF EACH CUSTOMER CLASS” and substitute “TWO-THIRDS OF THE RESIDENTIAL CLASS”; in line 15, strike “(III)” and substitute “(IV)”; and in line 17, strike “(IV)” and substitute “(V)”.

AMENDMENT NO. 16

On page 19, after line 10, insert:

“(E) (1) AN ELECTRICITY SUPPLIER MAY NOT DISCRIMINATE AGAINST ANY CUSTOMER BASED WHOLLY OR PARTLY ON RACE, COLOR, CREED, NATIONAL ORIGIN, OR SEX OF AN APPLICANT FOR SERVICE OR FOR ANY ARBITRARY, CAPRICIOUS, OR UNFAIRLY DISCRIMINATORY REASON.

(2) AN ELECTRICITY SUPPLIER MAY NOT REFUSE TO PROVIDE SERVICE TO A CUSTOMER EXCEPT BY THE APPLICATION OF STANDARDS THAT ARE REASONABLY RELATED TO THE ELECTRICITY SUPPLIER’S ECONOMIC AND BUSINESS PURPOSES.

(Over)

(F) AN ELECTRIC COMPANY SHALL PROVIDE STANDARD OFFER SERVICE UNDER § 7-510 OF THIS SUBTITLE.”;

and in line 21, strike “MAY” and substitute “SHALL”.

On page 24, in line 4, strike “OR”; in line 5, strike the period and substitute “OR:”

(V) HAS BEEN DENIED SERVICE OR REFERRED AS A DELINQUENT ACCOUNT TO THE STANDARD OFFER SERVICE PROVIDER BY AN ELECTRIC SUPPLIER OR AGGREGATOR.”;

strike in their entirety lines 6 through 17, inclusive, and substitute:

“(3) (I) THE OBLIGATION OF AN ELECTRIC COMPANY TO PROVIDE STANDARD OFFER SERVICE SHALL CONTINUE UNTIL JULY 1, 2003, OR A LATER DATE WHEN THE COMMISSION DETERMINES THAT A COMPETITIVE MARKET EXISTS FOR RESIDENTIAL AND SMALL COMMERCIAL CUSTOMERS.

(II) IF THE COMMISSION DOES NOT FIND THAT THE ELECTRICITY SUPPLY MARKET IS COMPETITIVE, OR FINDS THAT NO ACCEPTABLE COMPETITIVE PROPOSALS HAVE BEEN RECEIVED, THE OBLIGATION TO PROVIDE STANDARD OFFER SERVICE TO RESIDENTIAL AND SMALL COMMERCIAL CUSTOMERS SHALL BE EXTENDED AT A PRICE THAT ALLOWS RECOVERY OF VERIFIABLE PRUDENTLY INCURRED MARKET COSTS TO PROCURE OR PRODUCE THE ELECTRICITY PLUS A REASONABLE RETURN. THE COMMISSION SHALL REEXAMINE THIS FINDING ANNUALLY.

(III) ELECTRIC COOPERATIVES AND MUNICIPAL UTILITIES MAY CHOOSE TO CONTINUE PROVIDING STANDARD OFFER SERVICE IN THEIR RESPECTIVE TERRITORIES, AND MAY CEASE OFFERING THAT SERVICE AFTER NOTIFYING THE COMMISSION AT LEAST 12 MONTHS IN ADVANCE.”;

and strike beginning with “UNLESS” in line 23 down through the period in line 24.

AMENDMENT NO. 17

On page 3 in line 7, strike “, OTHER THAN A MUNICIPAL UTILITY;”.

On page 24, after line 27, insert:

“(6) AN ELECTRIC COMPANY SHALL CONTINUE TO PURCHASE ELECTRICITY UNDER ANY CONTRACT IN EFFECT ON JANUARY 1, 1999 WITH A RENEWABLE ENERGY RESOURCE FACILITY LOCATED IN THE STATE UNTIL THE LATER OF THE EXPIRATION OF THE CONTRACT OR THE EXPIRATION OR SATISFACTION OF BONDS EXISTING ON JANUARY 1, 1999 SUPPORTING THE FACILITY.

(D) (1) EACH MUNICIPAL ELECTRIC UTILITY MAY FILE WITH THE COMMISSION A SEPARATE PLAN AND SCHEDULE FOR PROVIDING CUSTOMER CHOICE OF ELECTRICITY SUPPLY TO ITS CUSTOMERS. THE COMMISSION MAY APPROVE EACH MUNICIPAL ELECTRIC UTILITY PLAN AND SCHEDULE AFTER CONSIDERING THE FEATURES THAT DISTINGUISH THE MUNICIPAL ELECTRIC UTILITY FROM OTHER ELECTRIC COMPANIES.

(2) SUBJECT TO SUBSECTION (F) OF THIS SECTION, MUNICIPAL ELECTRIC UTILITIES MAY ELECT TO INDEFINITELY CONTINUE TO PROVIDE STANDARD OFFER SERVICE FOR ELECTRICITY SUPPLY ONLY IN THEIR RESPECTIVE DISTRIBUTION TERRITORIES, INSTEAD OF IMPLEMENTING CUSTOMER CHOICE.

(3) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO REQUIRE THE FUNCTIONAL, OPERATIONAL, STRUCTURAL, OR LEGAL SEPARATION OF A MUNICIPAL UTILITY’S REGULATED AND NONREGULATED OPERATIONS.”;

in lines 28 and 32, strike “(D)” and “(E)”, respectively, and substitute “(E)” and “(F)”, respectively; and after line 34, insert:

“(G) IF A MUNICIPAL UTILITY SERVES CUSTOMERS OUTSIDE ITS DISTRIBUTION TERRITORY, ANY ELECTRICITY SUPPLIER LICENSED UNDER § 7-507 OF THIS SUBTITLE MAY SERVE THE CUSTOMERS WITHIN THE DISTRIBUTION TERRITORY OF THE MUNICIPAL UTILITY.”.

(Over)

On page 19, in line 13, after “SUBTITLE” insert “OR A MUNICIPAL UTILITY SERVING CUSTOMERS SOLELY IN ITS DISTRIBUTION TERRITORY”.

AMENDMENT NO. 18

On page 3, after line 11, insert:

“(C) “BILLING AGENT” MEANS AN ENTITY THAT PROVIDES BILLING AND COLLECTION SERVICES AND DISTRIBUTION OF RECEIPTS TO UNITS COVERED IN THE BILLING.”;

in lines 12, 15, and 16, strike “(C)”, “(D)”, and “(E)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively.

On page 4, in lines 4, 7, 8, and 33, strike “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(G)”, “(H)”, “(I)”, and “(J)”, respectively.

On page 5, in lines 1, 18, and 27, strike “(J)”, “(K)”, and “(L)”, respectively, and substitute “(K)”, “(L)”, and “(M)”, respectively.

On page 6, in lines 1, 3, 5, 7, 14, 15, 18, 21, 24, 28, and 32, strike “(M)”, “(N)”, “(O)”, “(P)”, “(Q)”, “(R)”, “(S)”, “(T)”, “(U)”, “(V)”, and “(W)”, respectively, and substitute “(N)”, “(O)”, “(P)”, “(Q)”, “(R)”, “(S)”, “(T)”, “(U)”, “(V)”, “(W)”, “(X)”, respectively.

On page 7, in lines 2, 6, 18, 29, and 31, strike “(X)”, “(Y)”, “(Z)”, “(AA)”, and “(BB)”, respectively, and substitute “(Y)”, “(Z)”, “(AA)”, “(BB)”, and “(CC)”, respectively.

On page 8, in lines 3, 7, 9, 13, 21, 25, and 28, strike “(CC)”, “(DD)”, “(EE)”, “(FF)”, “(GG)”, “(HH)”, and “(II)”, respectively, and substitute “(DD)”, “(EE)”, “(FF)”, “(GG)”, “(HH)”, “(II)”, and “(JJ)”, respectively.

On page 9, in lines 2, 5, 7, 16, and 18, strike “(JJ)”, “(KK)”, “(LL)”, “(MM)”, and “(NN)”, respectively, and substitute “(KK)”, “(LL)”, “(MM)”, “(NN)”, and “(OO)”, respectively.

On page 5, in line 3 after “SERVICES” insert “OR COMPETITIVE BILLING OR”

COMPETITIVE METERING SERVICES"; and in line 6, strike "AND MARKETER" and substitute "OR A MARKETER OF ELECTRICITY, AND A BILLING AGENT".

On page 17, strike beginning with the second "THE" in line 9 down through "PURPOSES." in line 10 and substitute "THE COMMISSION SHALL ORDER THE BILLING AGENT TO SEPARATE BILLING TO INDICATE CHARGES FOR:

- (I) DISTRIBUTION AND TRANSMISSION;
- (II) TRANSITION CHARGE OR CREDIT;
- (III) UNIVERSAL SERVICE PROGRAM CHARGES;
- (IV) CUSTOMER CHARGES;
- (V) TAXES; AND
- (VI) OTHER CHARGES IDENTIFIED BY THE COMMISSION.";

and in lines 7, 11, 13, 17, and 32, strike "(5)", "(6)", "(7)", "(8)", and "(9)", respectively, and substitute "(8)", "(9)", "(10)", "(11)", and "(12)", respectively.

On page 25, after line 4, insert:

"(B) (1) AS A CONDITION OF LICENSING TO ACT AS A BILLING AGENT IN THE STATE, THE COMMISSION SHALL REQUIRE A LICENSEE TO:

(I) MAINTAIN ASSETS IN THE STATE SUFFICIENT TO COVER AT LEAST 3 MONTHS' BILLING REVENUES, INCLUDING ALL STATE AND LOCAL TAXES AND FEES, UNIVERSAL SERVICE CHARGES, COMPETITIVE TRANSITION CHARGES, AND OTHER CHARGES REQUIRED BY STATE OR LOCAL LAW OR REGULATION; OR

(II) POST A BOND WITH THE COMMISSION IN AN AMOUNT

(Over)

SUFFICIENT TO COVER AT LEAST 3 MONTHS' BILLING REVENUES, INCLUDING ALL STATE AND LOCAL TAXES AND FEES, UNIVERSAL SERVICE CHARGES, COMPETITIVE TRANSITION CHARGES, AND OTHER CHARGES REQUIRED BY STATE OR LOCAL LAW OR REGULATION.

(2) THE STATE, ON ITS OWN MOTION OR WITHIN 2 WEEKS AFTER A REQUEST BY A LOCAL GOVERNMENT, MAY FORECLOSE ON THE BOND OR INITIATE ATTACHMENT PROCEEDINGS AT ANY TIME THAT A LICENSEE FAILS TO MEET THE DUE DATE FOR REMISSION OF TAXES OR OTHER STATE OR LOCAL GOVERNMENT CHARGES UNDER THIS SUBSECTION.

(3) IN ADDITION TO THE COMMISSION'S AUTHORITY TO SUSPEND OR REVOKE A LICENSE UNDER THIS SUBTITLE, THE COMMISSION SHALL SUSPEND OR REVOKE THE LICENSE OF A BILLING AGENT ON APPLICATION OF A LOCAL GOVERNMENT FOR NONPAYMENT OF LOCAL TAXES OR FEES.”;

and in line 5, strike “(B)” and substitute “(C)”.

AMENDMENT NO. 19

On page 15, in line 30 strike “ASSISTANCE” and substitute “BILL REDUCTION AND AFFORDABILITY.”.

On page 16, in line 26, strike “IN EACH ELECTRIC COMPANY'S DISTRIBUTION TERRITORY” and substitute “ON A STATEWIDE BASIS TO LOW-INCOME CUSTOMERS”.

On page 25, in line 25, after “TERRITORY” insert “, EXCEPT THAT THE UNIVERSAL SERVICE PROGRAM IN § 7-516 OF THIS SUBTITLE SHALL BE FUNDED ON A STATEWIDE BASIS.”; and in line 28, after “TERRITORY” insert “OR STATE, AS APPROPRIATE”.

On page 28, after line 16, insert:

“7-516.”

(A) THE COMMISSION SHALL ESTABLISH A UNIVERSAL SERVICE PROGRAM

TO ASSIST ELECTRIC CUSTOMERS WITH AN ANNUAL INCOME LEVEL AT OR BELOW 150% OF THE FEDERAL POVERTY LEVEL, WITH INPUT FROM A PANEL OR ROUNDTABLE OF INTERESTED PARTIES. THE DEPARTMENT OF HUMAN RESOURCES SHALL BE RESPONSIBLE FOR ADMINISTERING THE UNIVERSAL SERVICE PROGRAM THROUGH THE MARYLAND ENERGY ASSISTANCE PROGRAM. THE COMMISSION SHALL HAVE OVERSIGHT RESPONSIBILITY FOR THE UNIVERSAL SERVICE PROGRAM.

(B) ALL CUSTOMERS WILL CONTRIBUTE TO THE FUNDING OF THIS PROGRAM THROUGH A SYSTEMS BENEFIT SURCHARGE COLLECTED BY EACH ELECTRIC COMPANY FROM WITHIN ITS DISTRIBUTION TERRITORY. ON A STATEWIDE BASIS, THE SURCHARGE MAY NOT EXCEED \$24 MILLION IN ANY YEAR. THE COMMISSION SHALL ALLOCATE FUNDING FOR THIS PROGRAM IN THE FOLLOWING MANNER:

(1) 80% OF THE FUNDING SHALL BE PAID BY THE INDUSTRIAL AND COMMERCIAL CLASSES; AND

(2) 20% OF THE FUNDING SHALL BE PAID BY THE RESIDENTIAL CLASS.

(C) THE UNIVERSAL SERVICE PROGRAM SHALL PROVIDE FINANCIAL SUPPORT TO ELIGIBLE CUSTOMERS FOR:

(1) BILL PAYMENT; AND

(2) LOW-INCOME WEATHERIZATION AND LOW INCOME ENERGY EFFICIENCY PROGRAMS; AND

(3) ARREARAGES IN EXISTENCE ON JULY 1, 1999.

(D) ON JANUARY 1, 2000, THE COMMISSION SHALL ISSUE A RECOMMENDATION TO THE GENERAL ASSEMBLY ON THE UNIVERSAL SERVICE PROGRAM INCLUDING THE APPROPRIATE AMOUNT TO BE COLLECTED FROM CUSTOMERS.

(Over)

(E) THE ELECTRIC COMPANY SHALL RECOVER UNIVERSAL SERVICE PROGRAM COSTS IN ACCORDANCE WITH § 7-512 OF THIS SUBTITLE.”.

On page 18, in line 29, after “7-513” insert “AND THE RECOVERY OF COSTS FOR THE UNIVERSAL SERVICE PROGRAM UNDER § 7-516 OF THIS SUBTITLE”.”

On page 25, in line 29, after “(11)” insert “EXCEPT FOR PARAGRAPH (3) OF THIS SUBSECTION,”; and after line 31, insert:

“(3) THE RECOVERY OF COSTS BY AN ELECTRIC COMPANY FOR THE UNIVERSAL SERVICE PROGRAM UNDER § 7-516 OF THIS SUBTITLE IS SUBJECT TO ANY APPLICABLE CAP REGARDLESS OF WHEN THE COSTS ARE INCLUDED IN RATES.”.

AMENDMENT NO. 20

On page 28, before line 17, insert:

“7-517.

(A) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO AFFECT THE AUTHORITY OF THE DIVISION OF CONSUMER PROTECTION IN THE OFFICE OF THE ATTORNEY GENERAL TO ENFORCE CIVIL AND CRIMINAL VIOLATIONS OF TITLES 13 AND 14 OF THE COMMERCIAL LAW ARTICLE OR ANY OTHER APPLICABLE STATE LAW OR REGULATION IN CONNECTION WITH THE ACTIVITIES OF ELECTRICITY SUPPLIERS.

(B) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO AFFECT THE OBLIGATIONS OF AN ELECTRIC COMPANY OR AN ELECTRICITY SUPPLIER TO COMPLY WITH ADMINISTRATIVE RULES AND REGULATIONS REGARDING ANY GRANTS, PAYMENTS OR CREDITS FOR ELIGIBLE CUSTOMERS, AND OTHER ADMINISTRATIVE AND REPORTING DETAILS REQUIRED TO IMPLEMENT THE UNIVERSAL SERVICE PROGRAMS UNDER § 7-517 OF THIS SUBTITLE.”;

and in lines 17, 20, and 21, strike “7-516.”, “7-517.” and “7-518.”, respectively, and substitute “7-518.”, “7-519.”, and “7-520.”, respectively.

AMENDMENT NO. 22

On page 28, in line 24, strike “SHALL” and substitute “MAY”; in lines 25 and 26, strike “, TO THE MAXIMUM EXTENT POSSIBLE”; and after line 36, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Public Utility Companies

7-203.

(a) (1) The Commission shall:

(i) impose an environmental surcharge per kilowatt hour of electricity [generated] DISTRIBUTED TO RETAIL CUSTOMERS within the State; and

(ii) authorize each electric company to add the full amount of the surcharge to its customers' bills.

(2) To the extent that an electric company fails to collect the surcharge from its customers, the amount uncollected shall be deemed a cost of power [generation] DISTRIBUTION and allowed and computed as such together with other allowable expenses for purposes of rate-making.

(b) (1) The Comptroller shall collect the revenue from the surcharge imposed under subsection (a) of this section and place the revenue into a special fund, the Environmental Trust Fund.

(2) The Comptroller shall maintain the method of collection of the surcharge from each electric company, and the money collected shall accrue to the Fund.

(Over)

(c) (1) Each fiscal year, the Secretary of Natural Resources shall coordinate the preparation of the annual budget required to carry out the provisions of the Power Plant Research Program under Title 3, Subtitle 3 of the Natural Resources Article.

(2) Each fiscal year, on approval of the annual budget by the General Assembly for the Power Plant Research Program, the Commission shall establish the amount of the environmental surcharge per kilowatt hour of electric energy [generated] DISTRIBUTED in the State that is to be imposed on each electric company in accordance with subsection (a) of this section.

(d) (1) Notwithstanding any other provision of this subtitle, the amount of the surcharge for each account OF EACH RETAIL CUSTOMER may not exceed the lesser of 0.15 mill per kilowatt hour or \$1,000 per month.

(2) The Department of Natural Resources shall credit against the amount the Commission requires each electric company to pay into the Environmental Trust Fund 1.5% of the total surcharge amount attributed to the electric company on the basis of the amount of the electricity [generated] DISTRIBUTED in the State.

(e) The surcharge imposed under this subtitle shall terminate on June 30, [2000] 2005.

Article - Natural Resources

3-302.

(a) There is an Environmental Trust Fund. For the purpose of this subtitle, there is established as an added cost of [generation] ELECTRICITY DISTRIBUTED TO RETAIL ELECTRIC CUSTOMERS WITHIN THE STATE, an environmental surcharge per kilowatt hour of electric energy [generated] DISTRIBUTED in the State to be paid by any electric company as defined in § 1-101 of the Public Utility Companies Article. [This surcharge initially shall be assessed at 0.1 mill per kilowatt hour as of January 1, 1972.] The Public Service Commission shall impose the surcharge per kilowatt hour of electric energy [generated] DISTRIBUTED TO RETAIL ELECTRIC CUSTOMERS within the State and shall authorize the electric companies to add the

full amount of the surcharge to RETAIL ELECTRIC customers' bills. To the extent that the surcharge is not collected from RETAIL ELECTRIC customers, the surcharge shall be deemed a cost of [generation] DISTRIBUTION and shall be allowed and computed as such, together with other allowable expenses, for rate-making purposes. Revenues from the surcharge shall be collected by the Comptroller and placed in the Fund.

(b) (1) The Secretary, in consultation with the Director of the Maryland Energy Administration, annually shall coordinate the preparation of a budget required to carry out the provisions of this subtitle. Upon approval of the budget by the General Assembly, the Public Service Commission shall establish the amount of the surcharge per kilowatt hour for the fiscal year beginning July 1, 1972, and for each subsequent fiscal year.

(2) Notwithstanding any other provisions of this subtitle, the amount of the surcharge for each account FOR EACH RETAIL CUSTOMER may not exceed the lesser of 0.15 mil per kilowatt hour or \$1,000 per month and the surcharge may not continue beyond Fiscal Year [2000] 2005.

(3) The Comptroller shall maintain the method of collection of the surcharge from the companies and the collections shall accrue to the Fund. The Department shall credit against the amount required to be paid into the Environmental Trust Fund by each electric company an amount equal to 1 1/2% of the total surcharge attributed to each company on the basis of the electricity [generated] DISTRIBUTED within Maryland.

(c) The Secretary shall administer the Fund. The Fund is subject to the provisions for financial management and budgeting established by the Department of Budget and Management. The moneys in the Fund shall be used to carry out the provisions of this subtitle as provided for in the budget, except that 10 percent of all moneys accruing to the Fund from July 1, 1978 through June 30, 1983 shall be used to supplement funds necessary to carry out the duties of the People's Counsel of the Public Service Commission. The People's Counsel shall submit an annual budget of necessary supplemental funds to the Department to be incorporated in the Department's budget. For the purposes of this subtitle, the Secretary, in consultation with the Director of the Maryland Energy Administration, may execute appropriate contracts with any State or federal agency, research organization, industry, or academic institution to conduct the necessary research, construct or

(Over)

acquire, or both, real property including physical predictive models, laboratories, buildings, land, and appurtenances, or support the technological development of extraordinary systems related to power plants designed to minimize environmental impact. [He] THE SECRETARY may utilize available expertise in any other State unit in the development, execution, and management of contracts and agreements on projects relating to their areas of prime responsibility.

(d) (1) The Maryland Energy Administration shall receive administrative and fiscal support from the Fund for studies relating to the conservation or production of electric energy.

(2) Fiscal support to the Maryland Energy Administration from the Fund may not exceed \$250,000 in any fiscal year.

(e) The Legislative Auditor shall conduct post audits of a fiscal and compliance nature of the Fund and of the appropriations and expenditures made for the purposes of this subtitle. The cost of the fiscal portion of the post audit examinations shall be an operating cost of the Fund.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on July 1, 2000, provided that, if the Public Service Commission delays implementation of customer choice in accordance with the provisions of § 7-510(b) of the Public Utilities Article, as enacted by this Act, the surcharge funding the Environmental Trust Fund under § 7-203 of the Public Utility Companies Article shall continue to be collected as a per-kilowatt-hour surcharge on electricity generated within the State until customer choice is implemented.”.

AMENDMENT NO. 23

On page 29, after line 17, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That on or before February 1, 2000, the Commission, in consultation with the Maryland Energy Administration, shall report to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly on the feasibility of requiring a renewables portfolio standard and the estimated costs and benefits of establishing this requirement.

SECTION 8. AND BE IT FURTHER ENACTED, That the Commission shall report to the General Assembly by January 1, 2000, regarding: (1) the status of implementation of the regulations

or orders required under this Act; (2) the projected population and needs served by the Universal Service Program under this Act; (3) the final report of the Commission’s roundtables; and (4) any recommendations as to legislation which may be necessary to ensure a smooth transition for customers into a competitive retail electricity market.”;

in lines 1, 8, 14, and 18, strike “2.”, “3.”, “4.” and “5.”, respectively, and substitute “4.”, “5.”, “6.”, and “9.”, respectively; in line 14, strike “2” and substitute “4”; and in line 18, strike “3, and 4” and substitute “5, and 6”.