

Chapter 203

(House Bill 597)

AN ACT concerning

Public Service Commission – Customer Education on Customer Choice

FOR the purpose of requiring the Public Service Commission to educate consumers about customer choice in accordance with a certain provision of law; requiring the Commission to host a certain section on its Web site related to customer choice; requiring the Web site to comply with certain standards and to include certain information; requiring the Commission to maintain a certain secure portal on its Web site to receive certain information from certain electricity suppliers; requiring certain electricity suppliers to submit certain information to the Commission through the secure portal at certain intervals; requiring the Commission to work with certain media outlets to develop and air certain public service announcements related to customer choice; requiring the Commission to recover certain costs in accordance with a certain provision of law; requiring the Commission to submit a certain report to the General Assembly each year by a certain date; requiring the Commission to convene a certain workgroup for a certain purpose; providing for the membership and duties of the workgroup; requiring the workgroup to report to the Commission and certain committees by a certain date; requiring the Commission to ~~implement~~ take action on certain recommendations as soon as practicable ~~by a certain date~~; and generally relating to customer choice.

BY repealing and reenacting, without amendments,

Article – Public Utilities
Section 7–504 and 7–505(a)(1)
Annotated Code of Maryland
(2010 Replacement Volume)

BY adding to

Article – Public Utilities
Section 7–510.1
Annotated Code of Maryland
(2010 Replacement Volume)

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

Article – Public Utilities

7–504.

The General Assembly finds and declares that the purpose of this subtitle is to:

- (1) establish customer choice of electricity supply and electricity supply services;
- (2) create competitive retail electricity supply and electricity supply services markets;
- (3) deregulate the generation, supply, and pricing of electricity;
- (4) provide economic benefits for all customer classes; and
- (5) ensure compliance with federal and State environmental standards.

7-505.

(a) (1) In assessing and approving each electric company's restructuring plan, and overseeing the transition process and regulation of the restructured electric industry, the Commission shall provide that the transition to a competitive electricity supply and electricity supply services market shall be orderly, maintain electric system reliability, and ensure compliance with federal and State environmental regulations, be fair to customers, electric company investors, customers of municipal electric utilities, electric companies, and electricity suppliers, and provide economic benefits to all customer classes.

7-510.1.

(A) THE COMMISSION SHALL EDUCATE CUSTOMERS ABOUT CUSTOMER CHOICE IN ACCORDANCE WITH THIS SECTION.

(B) (1) THE COMMISSION SHALL:

(I) HOST AND REGULARLY UPDATE A USER-FRIENDLY CUSTOMER CHOICE EDUCATION SECTION ON ITS WEB SITE THAT COMPLIES WITH STANDARDS ISSUED UNDER § 508 OF THE FEDERAL REHABILITATION ACT OF 1973; AND

(II) PROMINENTLY DISPLAY A LINK TO THAT SECTION OF THE COMMISSION'S WEB SITE ON THE HOME PAGE OF THE COMMISSION'S WEB SITE.

(2) THE CUSTOMER CHOICE EDUCATION SECTION OF THE COMMISSION'S WEB SITE SHALL INCLUDE:

(I) A CLEAR AND SIMPLE DESCRIPTION OF:

1. CUSTOMER CHOICE;
2. HOW CUSTOMERS CAN SHOP FOR AN ELECTRICITY SUPPLIER;
3. WHAT KINDS OF COMPETITIVE ELECTRICITY SUPPLY OPTIONS CUSTOMERS HAVE, INCLUDING:
 - A. RENEWABLE ENERGY SUPPLY;
 - B. FIXED AND VARIABLE PRICING; AND
 - C. OTHER COMMON CONTRACT TERMS;
4. THE CURRENT PRICE OF STANDARD OFFER SERVICE IN THE SERVICE TERRITORY OF EACH ELECTRIC COMPANY; AND
5. THE CONTINUING ROLE OF THE ELECTRIC COMPANY IN DELIVERING ELECTRICITY TO A CUSTOMER THAT CHOOSES AN ELECTRICITY SUPPLIER;

(II) FACT SHEETS THAT:

1. ANSWER COMMON QUESTIONS ABOUT CUSTOMER CHOICE;
2. ADVISE CUSTOMERS ABOUT THE QUESTIONS CUSTOMERS SHOULD ASK WHEN CHOOSING AN ELECTRICITY SUPPLIER; AND
3. LIST THE KINDS OF DISCLOSURES THAT ELECTRICITY SUPPLIERS MUST MAKE TO CUSTOMERS; ~~AND~~

(III) A LIST OF ALL ELECTRICITY SUPPLIERS THAT HAVE OPEN OFFERS TO SUPPLY ELECTRICITY IN A CUSTOMER'S SERVICE AREA, SEARCHABLE BY SERVICE TERRITORY OR JURISDICTION; AND

(IV) A STATEMENT INDICATING THAT CUSTOMERS WHO HAVE ENTERED INTO A CONTRACT WITH A COMPETITIVE ELECTRICITY SUPPLIER FOR ELECTRICITY SUPPLY SHOULD BE AWARE OF THE ENDING DATE OF THE CONTRACT SO THAT THEY MAY DETERMINE, BEFORE BEING PLACED INTO A

RENEWAL CONTRACT WITH THE CURRENT ELECTRICITY SUPPLIER, WHETHER THEY WOULD LIKE TO:

1. SHOP FOR AN ALTERNATIVE ELECTRICITY SUPPLIER;

2. RENEW WITH THE CURRENT ELECTRICITY SUPPLIER; OR

3. RETURN TO THE STANDARD OFFER SERVICE WHICH MAY BE OFFERED AT A PRICE THAT IS LESS THAN THE RENEWAL PRICE OFFERED BY THE CURRENT ELECTRICITY SUPPLIER.

(3) TO THE EXTENT PRACTICABLE, THE LIST OF ELECTRICITY SUPPLIERS REQUIRED UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION SHALL INCLUDE:

(I) THE TERMS OF ANY OPEN OFFERS TO SUPPLY ELECTRICITY, INCLUDING:

- 1. THE DURATION OF THE CONTRACT;**
- 2. THE COST OF ELECTRICITY PER KILOWATT-HOUR;**
- 3. ANY CANCELLATION FEES; AND**

AND

(II) A LINK TO THE WEB SITE OF EACH ELECTRICITY SUPPLIER WITH AN OPEN OFFER TO SUPPLY ELECTRICITY.

(c) (1) TO ENSURE THE CURRENCY AND ACCURACY OF INFORMATION REQUIRED UNDER SUBSECTION (B)(2)(III) OF THIS SECTION, THE COMMISSION SHALL MAINTAIN A SECURE PORTAL ON ITS WEB SITE TO RECEIVE INFORMATION ABOUT OFFERS TO SUPPLY ELECTRICITY FROM ELECTRICITY SUPPLIERS.

(2) AT LEAST ONCE EACH MONTH, EACH ELECTRICITY SUPPLIER WITH AN OPEN OFFER TO SUPPLY ELECTRICITY SHALL SUBMIT DETAILED INFORMATION ABOUT THE OFFER TO THE COMMISSION THROUGH A SECURE PORTAL MAINTAINED BY THE COMMISSION ON THE COMMISSION'S WEB SITE FOR THIS PURPOSE.

(D) THE COMMISSION SHALL WORK WITH MEDIA OUTLETS IN THE STATE TO DEVELOP AND AIR PUBLIC SERVICE ANNOUNCEMENTS PUBLICIZING CUSTOMER CHOICE AND DIRECTING CUSTOMERS TO THE COMMISSION'S WEB SITE FOR ADDITIONAL INFORMATION.

(E) THE COMMISSION SHALL RECOVER THE COST OF COMPLYING WITH THIS SECTION IN ACCORDANCE WITH § 2-110 OF THIS ARTICLE.

(F) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE COMMISSION SHALL REPORT, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON THE STATUS AND SUCCESS OF THE COMMISSION'S EFFORTS TO EDUCATE CUSTOMERS ABOUT CUSTOMER CHOICE UNDER THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before July 1, 2011, the Public Service Commission shall convene a workgroup of interested parties to advise it on improvements to the Commission's Web site information and presentation concerning customer choice as required by this Act, and on additional information and methods of consumer education that can effectively supplement the requirements of this Act.

(b) The membership of the workgroup described under subsection (a) of this section shall be appointed by the Public Service Commission and include:

- (1) the Attorney General or the Attorney General's designee;
- (2) the Secretary of Disabilities or the Secretary's designee;
- (3) the People's Counsel or the People's Counsel's designee;
- (4) the Director of the Maryland Energy Administration or the Director's designee;
- (5) appropriate staff of the Public Service Commission;
- (6) a representative of each electric company;
- (7) at least one representative of electricity suppliers serving residential customers in the State;
- (8) a representative of the Retail Energy Supply Association;
- (9) a Web site design specialist;
- (10) an educational production and publication consultant;

(11) representatives of residential and small commercial retail electric customers; and

(12) any other individuals whom the Public Service Commission considers necessary or appropriate to the charge of the workgroup.

(c) The workgroup shall:

(1) study issues relating to:

(i) development and improvement of materials concerning customer choice on the Commission's Web site; and

(ii) options and recommendations for development of a customer education program by public units and private entities that will provide pertinent factual information to the public on the availability of customer choice, especially to customer classes that largely rely on standard offer service and to groups that may not adequately be able to rely on Web site-based sources of information on customer choice such as senior citizens and individuals with certain disabilities, and additional questions and issues that switching to or among competitive suppliers may present;

(2) develop recommendations for implementing suggested changes, new materials, and public outreach, including as appropriate a schedule for developing, funding, and deploying customer education and materials on customer choice; and

(3) on or before December 31, 2011, report its recommendations to the Commission and, in accordance with § 2-1246 of the State Government Article, the Senate Finance Committee and the House Economic Matters Committee.

(d) ~~On or before March 31, 2012~~ As soon as practicable, the Commission shall ~~implement~~ take action on the recommendations of the workgroup.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2011.

Approved by the Governor, May 10, 2011.