A BILL ENTITLED

AN ACT concerning

Electricity and Gas – Energy Suppliers – Assisted Customers

FOR the purpose of prohibiting a retail electricity supplier from knowingly enrolling a certain residential customer with or submitting an enrollment to change a certain customer's electricity supplier to a competitive supplier under certain circumstances; requiring an electric company to confirm certain matters in its records at a certain time; requiring an electric company to reject a certain enrollment or change request under certain circumstances; requiring an electric company to verify a certain customer's status at a certain time; providing that an electric customer is considered to have chosen standard offer service if the customer has received certain assistance during a certain period; prohibiting a retail natural gas supplier from knowingly enrolling a certain residential customer with or submitting an enrollment to change a certain customer's natural gas supplier to a competitive supplier under certain circumstances; requiring a gas company to confirm certain matters in its records at a certain time; requiring a gas company to reject a certain enrollment or change request under certain circumstances; requiring a gas company to verify a certain customer's status at a certain time; providing that a natural gas customer is considered to purchase natural gas supply from the gas company if the customer has received certain assistance during a certain period; providing that certain agreements for electricity supply and natural gas supply are void and unenforceable under certain circumstances; providing for the application of this Act; providing that existing obligations or contract rights may not be impaired by this Act; and generally relating to electricity and natural gas supply.

BY adding to

Article – Public Utilities
Section 7–505(e) and 7–604.2
Annotated Code of Maryland
(2010 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
SENATE BILL 685

Article – Public Utilities

Section 7–510(c)(2)

Annotated Code of Maryland
(2010 Replacement Volume and 2019 Supplement)

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

Article – Public Utilities

7–505.

(E) (1) ON AND AFTER NOVEMBER 1, 2020, A RETAIL ELECTRICITY SUPPLIER MAY NOT KNOWINGLY ENROLL A RESIDENTIAL CUSTOMER WITH, OR SUBMIT AN ENROLLMENT TO CHANGE A RESIDENTIAL CUSTOMER’S ELECTRICITY SUPPLIER TO, A COMPETITIVE SUPPLIER, IF THE RECORDS OF THE ELECTRIC COMPANY INDICATE THAT DURING THE PRECEDING 12 MONTHS THE CUSTOMER HAS:

(I) RECEIVED FINANCIAL ASSISTANCE DURING THE PRECEDING 12 MONTHS THROUGH ANY PROGRAM ADMINISTERED BY THE OFFICE OF HOME ENERGY SERVICES OF THE DEPARTMENT OF HUMAN SERVICES; OR

(II) PARTICIPATED IN ANY ASSISTANCE PROGRAM AUTHORIZED BY THE COMMISSION.

(2) (I) BEFORE AN ELECTRIC COMPANY ENROLLS A RESIDENTIAL CUSTOMER WITH, OR EXECUTES A CHANGE IN A RESIDENTIAL CUSTOMER’S ELECTRICITY SUPPLIER TO, A COMPETITIVE SUPPLIER, THE ELECTRIC COMPANY SHALL CONFIRM AT THE TIME OF THE REQUEST WHETHER ITS RECORDS INDICATE THAT DURING THE PRECEDING 12 MONTHS THE CUSTOMER HAS:

1. RECEIVED FINANCIAL ASSISTANCE DURING THE PRECEDING 12 MONTHS THROUGH ANY PROGRAM ADMINISTERED BY THE OFFICE OF HOME ENERGY SERVICES OF THE DEPARTMENT OF HUMAN SERVICES; OR

2. PARTICIPATED IN ANY ASSISTANCE PROGRAM AUTHORIZED BY THE COMMISSION.

(II) IF THE CUSTOMER HAS RECEIVED ASSISTANCE OR PARTICIPATED IN A PROGRAM UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE ELECTRIC COMPANY SHALL REJECT THE ENROLLMENT OR CHANGE REQUEST FOR THE CUSTOMER.
(3) The electric company shall verify the status of a residential customer receiving assistance at the time of each competitive supply contract renewal or change in commodity price.

(4) An agreement between a retail electricity supplier and a residential customer in violation of this section is void and unenforceable.

7–510.

(c) (2) Electricity supply purchased from a customer’s electric company is known as standard offer service. A customer is considered to have chosen the standard offer service if the customer:

(i) is not allowed to choose an electricity supplier under the phase in of customer choice in subsection (a) of this section;

(ii) contracts for electricity with an electricity supplier and it is not delivered;

(iii) cannot arrange for electricity from an electricity supplier;

(iv) does not choose an electricity supplier;

(v) chooses the standard offer service; [or]

(vi) has been denied service or referred to the standard offer service by an electricity supplier in accordance with § 7–507(e)(6) of this subtitle; OR

(VII) HAS:

1. received financial assistance during the preceding 12 months through any program administered by the Office of Home Energy Services of the Department of Human Services; or

2. participated in any assistance program authorized by the Commission.

7–604.2.

(A) On and after November 1, 2020, a retail natural gas supplier may not knowingly enroll a residential customer with, or submit an enrollment to change a residential customer’s natural gas supplier to, a competitive supplier, if the records of the gas company indicate that during the preceding 12 months the customer has:
(1) RECEIVED FINANCIAL ASSISTANCE DURING THE PRECEDING 12 MONTHS THROUGH ANY PROGRAM ADMINISTERED BY THE OFFICE OF HOME ENERGY SERVICES OF THE DEPARTMENT OF HUMAN SERVICES; OR

(2) PARTICIPATED IN ANY ASSISTANCE PROGRAM AUTHORIZED BY THE COMMISSION.

(B) (1) BEFORE A GAS COMPANY ENROLLS A RESIDENTIAL CUSTOMER WITH, OR EXECUTES A CHANGE IN A RESIDENTIAL CUSTOMER’S NATURAL GAS SUPPLIER TO, A COMPETITIVE SUPPLIER, THE GAS COMPANY SHALL CONFIRM AT THE TIME OF THE REQUEST WHETHER ITS RECORDS INDICATE THAT DURING THE PRECEDING 12 MONTHS THE CUSTOMER HAS:

(I) RECEIVED FINANCIAL ASSISTANCE DURING THE PRECEDING 12 MONTHS THROUGH ANY PROGRAM ADMINISTERED BY THE OFFICE OF HOME ENERGY SERVICES OF THE DEPARTMENT OF HUMAN SERVICES; OR

(II) PARTICIPATED IN ANY ASSISTANCE PROGRAM AUTHORIZED BY THE COMMISSION.

(2) IF THE CUSTOMER HAS RECEIVED ASSISTANCE OR PARTICIPATED IN A PROGRAM UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE GAS COMPANY SHALL REJECT THE ENROLLMENT OR CHANGE REQUEST FOR THE CUSTOMER.

(C) THE GAS COMPANY SHALL VERIFY THE STATUS OF A RESIDENTIAL CUSTOMER RECEIVING ASSISTANCE AT THE TIME OF EACH COMPETITIVE SUPPLY CONTRACT RENEWAL OR change IN COMMODITY PRICE.

(D) A RETAIL NATURAL GAS CUSTOMER IS CONSIDERED TO HAVE CHOSEN TO PURCHASE NATURAL GAS SUPPLY FROM THE GAS COMPANY IF THE CUSTOMER HAS:

(1) RECEIVED FINANCIAL ASSISTANCE DURING THE PRECEDING 12 MONTHS THROUGH ANY PROGRAM ADMINISTERED BY THE OFFICE OF HOME ENERGY SERVICES OF THE DEPARTMENT OF HUMAN SERVICES; OR

(2) PARTICIPATED IN ANY ASSISTANCE PROGRAM AUTHORIZED BY THE COMMISSION.

(E) AN AGREEMENT BETWEEN A RETAIL GAS SUPPLIER AND A RESIDENTIAL CUSTOMER IN VIOLATION OF THIS SECTION IS VOID AND UNENFORCEABLE.
SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all contracts for electricity and natural gas supply for customers in the State on and after November 1, 2020, including contracts that are renewed or that have any change in the price for the energy commodity supply on or after that date.

SECTION 3. AND BE IT FURTHER ENACTED, That a presently existing obligation or contract right may not be impaired in any way by this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020.