

**CG.00**  
**Public Service Commission**

***Operating Budget Data***

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(\$ in Thousands)

	<b>FY 00</b>	<b>FY 01</b>	<b>FY 02</b>		<b>% Change</b>
	<u>Actual</u>	<u>Working</u>	<u>Allowance</u>	<u>Change</u>	<u>Prior Year</u>
General Fund	\$9,078	\$9,450	\$10,029	\$579	6.1%
Special Fund	<u>5,627</u>	<u>3,000</u>	<u>193</u>	<u>(2,807)</u>	<u>(93.6%)</u>
<b>Total Funds</b>	<b>\$14,704</b>	<b>\$12,450</b>	<b>\$10,222</b>	<b>(\$2,228)</b>	<b>(17.9%)</b>

- Large decreases in expenses can be attributed to the fiscal 2001 expenditure of \$2.9 million for the consumer education program related to electric deregulation. Excluding this expenditure, the fiscal 2002 allowance increases \$772,000, or 8%, over the fiscal 2001 working appropriation.
- Major increases in expenditures are attributed to six new positions within the Common Carrier Investigations division. These expenditures are partially offset by an approximately \$42,000 decrease in expenses for temporary help, equipment, and communication.

***Personnel Data***

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	<b>FY 00</b>	<b>FY 01</b>	<b>FY 02</b>	
	<u>Actual</u>	<u>Working</u>	<u>Allowance</u>	<u>Change</u>
Regular Positions	135.00	135.00	141.00	6.00
Contractual FTEs	<u>2.50</u>	<u>2.50</u>	<u>2.50</u>	<u>0.00</u>
<b>Total Personnel</b>	<b>137.50</b>	<b>137.50</b>	<b>143.50</b>	<b>6.00</b>

***Vacancy Data: Regular***

Budgeted Turnover: FY 02	11.01	7.81%
Positions Vacant as of 12/31/00	13.00	9.63%

- The fiscal 2002 allowance adds six new positions. Five of these positions will be used for the regulation of taxicabs and passenger-for-hire services; one position will be used for the regulation of not-for-profit entities that own and operate motor coaches with certain passenger and weight specifications.

Note: Numbers may not sum to total due to rounding.

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## ***Analysis in Brief***

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### **Issues**

***Electric Deregulation in Maryland Begins July 1, 2000:*** Legislation enacted in 1999 restructured the electric utility industry beginning July 1, 2000. So far, there are 13 suppliers offering commercial or industrial service, but only three which also serve the residential market.

***Evaluating the Consumer Education Program:*** The PSC began a three-year consumer education program to assist residential customers with electric deregulation. After seven months, since customer choice began, there is little competition for residential customers. This issue will describe what the consumer education program has accomplished thus far, and how PSC plans to proceed in the future with this program.

***Debate Over Definition of Weatherization Briefly Holds Up Portion of EUSP:*** The 1999 electric deregulation legislation requires PSC to monitor the administration of the Electric Universal Service Program (EUSP). This issue will briefly summarize the efforts of PSC to oversee the administration.

### **Recommended Actions**

	<b>Funds</b>	<b>Positions</b>
1. Delete administrative specialist position requested for Chapter 297, Acts of 2000.	\$ 25,867	1.0
2. Delete funding for contractual position in the Common Carrier Investigations Division.	\$ 25,809	
3. Reduce funding for two administrative specialist positions requested to support Chapter 539, Acts of 2000.	\$ 17,254	
4. Adopt committee narrative requesting that funds for the third year of the Consumer Education Program be requested through the legislative budget process and request the submission of a report summarizing the progress of the program.		
<b>Total Reductions</b>	<b>\$ 68,930</b>	<b>1.0</b>

### **Updates**

***MAPSA Sues State Over Non-competitive Environment:*** This summer the Mid-Atlantic Power Supply Association (MAPSA) sued the State and the Baltimore Gas and Electric Company (BGE) over PSC's 1999 deregulation settlement with BGE, claiming that the settlement shut out competition. This issue will explore PSC's involvement in the MAPSA case and the effect that it had on customer service.

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***Operating Budget Analysis***

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**Program Description**

The Public Service Commission (PSC) regulates electric, gas, and water utilities, and telephone companies. PSC regulates electric suppliers by licensing them but does not influence supplier prices or product. PSC also regulates any intrastate commerce that carries passengers. PSC considers public safety, the state of the economy, the conservation of natural resources, the preservation of environmental quality, and discrimination issues in promoting economical and efficient public utility service delivery. PSC also funds, based upon a mandated formula, about 48% of the interstate Washington Metropolitan Area Transit Commission (WMATC). Revenues equivalent to PSC's operating expenses are raised through assessments on its regulated public service companies.

**Governor's Proposed Budget**

The fiscal 2002 allowance shrinks \$2.2 million, 17.9% below the fiscal 2001 working appropriation. This large decrease in expenses is attributed to a \$2.9 million increase in the fiscal 2001 working appropriation for the second year of the consumer education program. Excluding this expenditure in fiscal 2001, the fiscal 2002 allowance grows by \$772,000, or 8%.

**Common Carrier Investigations Division Grows by Six Positions**

The largest increase in expenditures, approximately \$820,000, is attributed to personnel costs, including a general salary increase, increments and other compensation, and employee and retiree health insurance.

Of this amount, \$155,000 is for six new positions within the Common Carrier Investigations division to support legislation passed during the 2000 legislative session. Chapter 539 expands PSC's regulatory and enforcement role over for-hire driving services, which include limousines, taxicabs, sedans, vans, and buses. Four investigators and one administrative specialist will support and enforce this new law. The sixth position will be used to support provisions of Chapter 297, which requires not-for-profit entities that own and operate motor coaches serving at least 30 passengers and meeting specific weight requirements to obtain a license for the vehicle from PSC.

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**Exhibit 1**

**Governor's Proposed Budget  
Public Service Commission  
(\$ in Thousands)**

<b>How Much It Grows:</b>	<b><u>General Fund</u></b>	<b><u>Special Fund</u></b>	<b><u>Total</u></b>
2001 Working Appropriation	\$9,450	\$3,000	\$12,450
2002 Governor's Allowance	<u>10,029</u>	<u>193</u>	<u>10,222</u>
Amount Change	\$579	(\$2,807)	(\$2,228)
Percent Change	6.1%	(93.6%)	(17.9%)

**Where It Goes:**

**Personnel Expenses**

Increments, fiscal 2001 increase phase-in and other . . . . .	\$445
Six new positions in Common Carriers Division to implement Chapters 297 and 539 of the 2000 legislative session . . . . .	155
Fiscal 2002 general salary increase . . . . .	137
Employee and retiree health insurance rate change . . . . .	101
Other fringe benefit adjustments . . . . .	27
Turnover adjustments . . . . .	16
Retirement contribution rate change . . . . .	(62)

**Non-Personnel Expenses**

Four new vehicles for new positions plus four replacement vehicles . . . . .	72
Reduced need for temporary help, new computer equipment, and communication . .	(42)
Second year of consumer education program contract ends fiscal 2001 . . . . .	(2,859)

**Other Expenses** . . . . . (218)

**Total** (2,228)

Note: Numbers may not sum to total due to rounding.

**Performance Analysis: Managing for Results**

**Exhibit 2** demonstrates performance measures for PSC. The commission should be lauded for developing key goals, objectives and performance measures not just for the commission as a whole, but also for each one of its divisions. Each division appears to tackle a piece of the commission’s overall mission "to promote adequate, safe, reliable, and economic delivery of services to Maryland consumers by companies subject to the commission's statutory mandates." However, limited data for many of these indicators prevent measurement of progress.

**Exhibit 2**

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**Program Measurement Data  
Public Service Commission  
Fiscal Years**

	<u>Actual 1999</u>	<u>Est. 2000</u>	<u>Actual 2000</u>	<u>Est. 2001</u>	<u>Est. 2002</u>	<u>Ann. Chg. 00-02</u>
% of vehicles inspected twice annually	99.0%	n/a	96.0%	100.0%	100.0%	2.1%
% of taxicabs and for-hire services that maintain liability insurance coverage w/o interruption	93.0%	n/a	97.0%	97.0%	97.0%	0.0%
% of common carrier complaints resolved or referred within 30 days	95.0%	n/a	95.0%	96.0%	97.0%	1.0%
Household telephone penetration rate	95.0%	n/a	95.0%	95.0%	95.0%	0.0%
% of customers reporting dissatisfaction with telecommunication services	0.0%	n/a	0.0%	0.0%	0.0%	0.0%
Average cost of phone services compared to regional average	+\$2.43	n/a	+\$2.43	+\$2.43	+\$2.43	0.0%

Note: n/a denotes not available.

Source: Maryland Public Service Commission

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### **PSC Meets or Exceeds Performance Goals for Common Carriers Investigations**

Part of PSC's regulatory role is to "promote safe and reliable taxicab service in Baltimore City, Baltimore County, Cumberland, and Hagerstown, and promote safe and reliable passenger carrier service throughout Maryland." Almost 100% of the regulated vehicles were inspected twice annually, and there were no fatalities from accidents related to safety violations by taxicabs and passenger-for-hire vehicles. Moreover, PSC has exceeded its target that at least 90% of all carriers maintain liability insurance coverage without interruptions during 1999 and 2000. Goals to accomplish actions by deadlines and process complete applications for for-hire licenses or taxicab transfers within 30 days have all been met or exceeded in fiscal 1999 and 2000.

### **Success in Other Goal Areas Mixed or Unclear Due to Limited Performance Data**

Indicators for other areas of PSC's purview demonstrate mixed or unclear progress. This is partially due to the fact that PSC has limited control over the services utilities provide. In the area of telecommunications, for example, PSC has consistently met its goals of annually maintaining a 95% household telephone penetration rate in Maryland and less than 1% of consumers report dissatisfaction with the reliability of service in the State. Yet, PSC has not met its objective that the State average cost of telephone services is below that of the regional average.

Performance data are unavailable for many objectives, particularly for fiscal 1999 and 2000, and in some cases, estimates for fiscal 2001 and 2002. Moreover, indicators demonstrate progress of internal document flow, but do not reflect the impact of PSC's work on the utility market and the general public. For instance, the Integrated Resource Planning Division's mission is to provide long-term, comprehensive recommendations on the electricity industry, energy markets, and electric service reliability in Maryland. Rather than focus on PSC's long-term impact on Maryland's utility markets, indicators focus on internal documentation, such as number of days to complete bucksheets or number of substantive changes needed in the final version of the ten-year plan.

**Issues**

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**1. Electric Deregulation in Maryland Begins July 1, 2000**

Legislation adopted in April 1999 authorized the deregulation of the electric utility industry beginning July 1, 2000. The Electric Customer Choice and Competition Act established the legal framework for the restructuring and regulation of the electric industry in Maryland.

**Competition Off to a Slow Start**

Since deregulation began, there has been some movement toward competition in the industrial and commercial markets but almost no competition in the residential market.

A number of suppliers have obtained licenses from PSC to supply electricity to residential (66), commercial (125) and industrial customers (111). Yet, only a small percentage of these suppliers are offering or providing service throughout the State. As **Exhibit 3** demonstrates, there are 13 suppliers providing service to non-residential customers (commercial and industrial markets) and only three suppliers providing service to both residential and non-residential customers.

**Exhibit 3**

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**Competitive Electric Activity in Maryland  
Number of Electric Suppliers Serving Enrolled Customers in Maryland**

<u>Service Area</u>	<u>Residential Suppliers</u>	<u>Non-Residential Suppliers</u>	<u>Residential and Non-Residential Suppliers</u>
Baltimore Gas & Electric (BGE)	0	3	1
Delmarva Power & Light/Connectiv (DP&L)	0	5	0
Potomac Edison/Allegheny Power (PE)	0	2	0
Potomac Electric Power Company (PEPCO)	0	3	2
<b>Total</b>	<b>0</b>	<b>13</b>	<b>3</b>

Note: These suppliers may serve multiple customer classes in multiple service areas.

Source: Public Service Commission, Electric Choice Enrollment Monthly Report; All Utilities Where Choice is Available in Maryland Month Ending December 29, 2000.

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PSC attributes the small number of suppliers to the uncertainty of summer pricing and publicity surrounding the current electric deregulation crisis in California. High electricity generation costs associated with the extremely high wholesale natural gas prices have also inhibited potential suppliers from entering the market.

Similar to the "supply" side of the electric industry, the "demand side" shows slow movement. **Exhibit 4** demonstrates that only 1.2%, or 2,505, of the State's commercial and industrial markets switched suppliers. Less than 1%, or 10,692, of the State's residential customers switched suppliers. The region historically served by Potomac Electric Power Company (PEPCO) witnessed the most switching to alternative residential, commercial, and industrial suppliers.

**Exhibit 4**

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**Competitive Electric Activity in Maryland  
Number of Electric Customers Who Have Switched Suppliers**

<u>Service Area</u>	<u>Residential Customers Who Switched Suppliers</u>	<u>Percent of Total Residential Customers</u>	<u>Non-Residential Customers Who Switched Suppliers</u>	<u>Percent of Total Non- Residential Customers</u>
Baltimore Gas & Electric (BGE)	5	0.00%	392	.35%
Delmarva Power & Light/Connectiv (DP&L)	0	0.00%	38	.16%
Potomac Edison/Allegheny Power (PE)	0	0.00%	38	.15%
Potomac Electric Power Company (PEPCO)	10,687	2.44%	2,037	4.41%
<b>Total</b>	<b>10,692</b>	<b>.59%</b>	<b>2,505</b>	<b>1.20%</b>

Source: Public Service Commission, Electric Choice Enrollment Monthly Report; All Utilities Where Choice is Available in Maryland Month Ending December 29, 2000.

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According to PSC, a major reason for the lack of "switching" by residential customers is that they can now pay less than before deregulation if they choose to remain with their original utility. Under terms of the settlement agreements with each utility, residential customers will receive an average reduction in rates of 6.5%. Further, for at least the next four years, these rates will be capped. Such favorable terms limit the incentives to switch, raising questions from potential competitors in the region about whether there really is a fair, competitive environment.

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**The Public Service Commission should be prepared to discuss its projections for the level of competition in the residential, commercial, and industrial markets in the next four years, and thereafter. In addition, the commission should discuss what role it can take in promoting competition and fair, reasonable electricity rates once the rate caps are lifted.**

### **Can the Electric Deregulation Crisis in California Happen in Maryland?**

California's deregulation of the electric industry hit a snag this past year as energy prices soared through the roof. Will Maryland suffer the same deregulation crisis? A number of issues affecting both electricity demand and supply in California have left its two major utilities facing bankruptcy and its Governor pushing for legislation to bail out these companies and the State's economy.

Maryland's deregulation is similar to California's in that settlement agreements were made between the State and utilities capping the prices utility companies could charge retail customers. However, wholesale prices for electricity were not capped and continue to fluctuate based on the market. For the most part, that is where the major similarities end. Major differences between the two states are highlighted below:

- **Supply** - In California, no new electric generation plants have been built in the last decade. Strict regulations for air quality require plants to use expensive production methods, thereby rising the cost of production and serving as a disincentive to construction. Moreover, California has not had the normal level of rainfall, drying up the hydro-electric plants that also provide electricity.

In Maryland, electric generation plants and alternative energy generation plants have been steadily growing. Two new generation facilities are currently under construction on the Eastern Shore. Additional plants planned for construction are being reviewed by PSC and will be located in: Baltimore City, College Park, Prince George's County, Dorchester County, Baltimore County, Cecil County, and Charles County.

- **Demand** - California's population is seven times as large as Maryland and an electricity customer usage rate almost four times that of Maryland. (Compare California's 214,842 GWh versus Maryland's 57,399 GWh) Growth in the Silicon Valley and other major technology industries have driven up the demand for electricity.
- **Regional collaboration** - Maryland is a partner in a regional market structure (PJM, Interconnection, L.L.P.) that requires a capacity obligation of members to encourage the construction of new generating resources. Those who do not fulfill their obligations face a monetary penalty. California was depending on neighboring states for supply (Arizona, Nevada, and Oregon) in past years, but now those states are reserving their supplies during this time of high-growth and hot summers. Moreover, neighboring states are less likely to sell electricity for fear of becoming part of California's crisis.

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Also, it is easier for Maryland to physically import electricity from the PJM transmission network, which includes Pennsylvania and New Jersey. California, on the other hand, can import electricity only from points west of the Rocky Mountains.

- **Utility Purchase of Electricity** - California's utilities purchase power daily on the open market at prevailing rates. In contrast, Maryland's deregulation gave utilities the option to obtain electricity in a way that makes them competitive in the market. This can include retaining generating assets or securing long-term contracts that provide stable electricity prices.
- **Rising Natural Gas Prices** - Due to the tougher environmental rules on the construction of coal-burning plants, hydroelectric facilities and nuclear plants, California relies heavily on natural gas for electricity production. As a result, increased demand for natural gas is driving up the price of natural gas, and therefore the production of electricity in California. Although Maryland customers have felt the pinch of rising natural gas prices on their electric and gas bills, Maryland utilities rely less on natural gas for electricity production than California's utilities.

PSC advises that Maryland will not suffer a crisis similar to California's due to the fact that there is an adequate supply of natural gas to satisfy the State's electricity needs. Yet, PSC stated in its ten-year plan report that economic forecasts suggest that Maryland's growing economy stemming from the influx of technology and Internet-based companies will increase overall demand for electricity in the State. Also, once the price caps are lifted after four years, all bets are off as to how suppliers will shift costs of production to consumers or engage in price-fixing.

**Therefore, PSC should be prepared to discuss what it is doing to ensure that this demand will not outpace supply and to prevent a crisis similar to that in California from occurring in Maryland once the price caps are lifted.**

## **2. Evaluating the Consumer Education Program**

In accordance with the 1999 legislation deregulating the electric industry, PSC began a three-year consumer education program (CEP) to assist residential customers with electric utility industry restructuring beginning in July 2000. To reach these customers, the commission used several strategies and media.

- **Printed materials** - Published two consumer reference guides on electric competition and brochures on the introduction of electric competition, aggregation and group buying, choosing an electric supplier, and the Electric Universal Service Program (EUSP). Almost 120,000 Consumer Guides were requested as of November 2000.
- **Toll-free hotline** - Established a toll-free Electric Competition Answer Center number that provides trained representatives to answer questions and take requests for printed materials. As of November 2000, over 50,000 consumers used the hotline number.

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- ***Electric Competition Web Site*** - Provides a number of resources and information on the electric deregulation. As of November 2000, the web site received almost two million hits and nearly fifty thousand brochure downloads.

### **Consumer Education Program Continues during Backdrop of Little Residential Competition**

Due to the low level of competition among residential customers, the Consumer Education Program (CEP) has temporarily been put "on hold." PSC has not signed off with its contractor for media intensive outreach, such as television or radio advertisements. Other methods of outreach such as the 1-800 number and call center are still running. In its November 1, 2000 report, PSC noted that activity at the answer center and web site have slowed down while the level of competition remains low.

Special funds in the amount of \$6 million and \$3 million for the first and second years, respectively, of the CEP were brought in through budget amendment. Funding for the third year of the program was not included in the fiscal 2002 allowance. PSC plans to bring in the remaining funds (\$2,672,500) for the CEP into the 2002 budget through budget amendment.

**In light of the fact that residential competition is still absent in most regions of the State and the CEP is temporarily "on hold," PSC should address when and how funds will be used for the second year of the program. In addition, the Department of Legislative Services recommends that the following narrative be adopted:**

**Third-Year Funding and Report on the Consumer Education Program:** It is the intent of the committees that any special funds remaining in the Dedicated Purpose Fund intended for the Public Service Commission's Consumer Education Program not be brought into the fiscal 2002 budget through budget amendment. Funding for the third year of the program may be requested through the fiscal 2003 budget request process. These funds shall remain in the Dedicated Purpose Account until they are requested through the legislative budget process. Further, it is the intent of the committees that the Public Service Commission report to the committees on the performance of the second year of the education program and its plans for the third year by December 1, 2001.

**Explanation:** As of January 2001, residential electric competition throughout the State is scarce or non-existent. PSC has put "on hold" its consumer education program informing residential consumers of the electric choice, or lack thereof, they now have under electric utility deregulation. Until there is sufficient electric competition in Maryland, educating Maryland's consumers about their choice of suppliers and deregulation is questionable and should be postponed until justified.

### **3. Debate over Definition of Weatherization Holds Up Portion of EUSP**

The electric deregulation legislation also required PSC to collect \$34.0 million from electric utility customers to help low-income customers with bill assistance, arrearage retirement, and low-income weatherization. The \$34.0 million is collected by the utility companies from industry, small business, and

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residential customers to fund the Electric Universal Service Program (EUSP). PSC's role in the EUSP is to monitor the collection of these funds and the administration of the program by the Department of Human Resources (DHR).

The General Assembly placed restrictive language on funding (\$3.5 million) for the weatherization component of the EUSP, requiring that funds not be spent until PSC and DHR "jointly develop a common definition of weatherization." In June, 2000, PSC requested that these funds be released. The Department of Legislative Services initially recommended that these funds not be released, citing the apparent impasse that PSC and DHR had reached in developing the definition. In response, PSC cited that as a quasi-judicial entity, it could not work together with DHR, which was seeking a more expansive definition than PSC was suggesting. After some debate and discussion, DHR agreed to PSC's definition for fiscal 2001. Consequently, the budget committees agreed to release the funds to PSC and DHR.

Given the limited time for DHR to implement the weatherization component in fiscal 2001, PSC has agreed to DHR's Memorandum of Understanding with the Department of Housing and Community Development (DHCD), which will run the program until fiscal 2002. DHCD runs the federal low-income weatherization program. In the meantime, PSC and DHR are looking to the legislature to provide guidance on the definition of "weatherization."

**PSC should discuss the differences in opinion over the appropriate definition of "weatherization."**

**Recommended Actions**

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	<u>Amount Reduction</u>		<u>Position Reduction</u>
1. Delete administrative specialist position requested for Chapter 297, Acts of 2000. The Public Service Commission advises that the total number of not-for-profit entities to be regulated under this law is unknown, and therefore the workload required by this position is unknown. Moreover, the commission is still in the process of developing a system with the Motor Vehicle Administration to make this act administerable. Funding for this position should be deferred for another year until a system is in place and there is better understanding of the required support needs.	\$ 25,867	GF	1.0
2. Delete funding for contractual position in the Common Carrier Investigations Division. A permanent position that would perform the same duties as an administrative specialist supporting the new For-Hire Driving Services legislation is provided for in the fiscal 2002 allowance.	\$ 25,809	GF	
3. Reduce funding for two administrative specialist positions by increasing turnover to 50%. These two positions are requested to support and enforce provisions of the new For-Hire Driving legislation passed in 2000. The Public Service Commission advises that this program is not currently being implemented and will be phased in during fiscal 2002. This reduction will give the Public Service Commission time to transition in a total of five new positions requested for this legislation.	\$ 17,254	SF	
4. Adopt the following narrative:			

**Third-Year Funding and Report on the Consumer Education Program:** It is the intent of the committees that any special funds remaining in the Dedicated Purpose Fund intended for the Public Service Commission's Consumer Education Program not be brought into the fiscal 2002 budget through budget amendment. Funding for the third year of the program may be requested through the fiscal 2003 budget request process. These funds shall remain in the Dedicated Purpose Account until they are requested through the legislative budget process. Further, it is the intent of the committees that the Public Service Commission report to the committees on the performance of the second year of the education program and its plans for the third year by December 1, 2001.

**Information Request**

**Authors**

**Due Date**

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PSC

December 1, 2001

Report on the performance of  
the consumer education  
program which includes:

- statistics and analysis  
of the current level of  
competition in the  
residential markets;
- performance of the  
program in the second  
year; and
- developed plans for the  
third year of the  
program.

<b>Total Reductions</b>	<b>\$ 68,930</b>	<b>1.0</b>
<b>Total General Fund Reductions</b>	<b>\$ 51,676</b>	
<b>Total Special Fund Reductions</b>	<b>\$ 17,254</b>	

## ***Updates***

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### **1. MAPSA Sues State over Non-Competitive Environment**

This summer the Mid-Atlantic Power Supply Association (MAPSA) sued the State and BGE over PSC's deregulation settlement with BGE, claiming that the settlement shut out competition. Among its arguments, MAPSA claims that the settlement created a "competition death sentence" of high stranded costs, improper unbundling of services, long transition periods, and rate cuts on services providing a 4.2 cent/KWh shopping credit.

Created in 1991 and based in New Jersey, MAPSA is a trade organization representing independent suppliers of electric power and services to public utilities in the mid-Atlantic region (Maryland, Delaware, Pennsylvania, New Jersey, Ohio, and the District of Columbia). MAPSA's suit put a temporary halt to deregulation in the Baltimore region and the four-year 6.5% rate cut for customers approved by PSC in its settlement with BGE. The case made its way to the Court of Appeals to decide whether MAPSA, as a trade organization, had the right to file an appeal to an earlier judgment against the organization. The court sent the case back down to the Baltimore City Circuit Court, giving MAPSA standing to appeal and lifting the stay that halted deregulation temporarily. The Circuit Court eventually found in favor of the PSC settlement agreement with BGE.

For just a short time during these cases, approximately one month, customers did not have electric utility service choice in the Baltimore region. However, no residential marketers had entered the market to provide alternative service. BGE provided its customers the anticipated rate cut retroactive to July 1, when other utilities instituted customer choice.

## *Current and Prior Year Budgets*

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### Current and Prior Year Budgets Public Service Commission (\$ in Thousands)

	<u>General Fund</u>	<u>Special Fund</u>	<u>Federal Fund</u>	<u>Reimb. Fund</u>	<u>Total</u>
<b>Fiscal 2000</b>					
Legislative Appropriation	\$8,948	\$0	\$0	\$0	\$8,948
Deficiency Appropriation	0	0	0	0	0
Budget Amendments	134	6,000	0	0	6,134
Reversions and Cancellations	(5)	(373)	0	0	(378)
<b>Actual Expenditures</b>	<b>\$9,077</b>	<b>\$5,627</b>	<b>\$0</b>	<b>\$0</b>	<b>\$14,704</b>
<b>Fiscal 2001</b>					
Legislative Appropriation	\$9,378	\$0	\$0	\$0	\$9,378
Budget Amendments	72	3,000	0	0	3,072
<b>Working Appropriation</b>	<b>\$9,450</b>	<b>\$3,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$12,450</b>

Note: Numbers may not sum to total due to rounding.

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The fiscal 2000 appropriation grew by \$6 million in special funds and was used for the first of a three-year consumer education program authorized under the 1999 legislation that deregulated the electric industry. The fiscal 2001 appropriation grew by \$3 million in special funds for the second year of this program.

**Object/Fund Difference Report  
Public Service Commission**

<b>Positions</b>	<b>Object/Fund</b>	FY00	FY01	FY02	FY01 - FY02	Percent Change
		<b>Actual</b>	<b>Working Appropriation</b>	<b>Allowance</b>	<b>Amount</b>	
01	Regular	137.50	135.00	141.00	6.00	4.4%
02	Contractual	2.50	2.50	2.50	0	0%
<b>Total Positions</b>		<b>140.00</b>	<b>137.50</b>	<b>143.50</b>	<b>6.00</b>	<b>4.4%</b>
<b>Objects</b>						
01	Salaries and Wages	\$ 7,407,265	\$ 7,532,075	\$ 8,352,060	\$ 819,985	10.9%
02	Technical & Spec Fees	119,002	118,357	111,073	(7,284)	(6.2%)
03	Communication	110,565	144,632	138,082	(6,550)	(4.5%)
04	Travel	105,112	127,350	129,076	1,726	1.4%
07	Motor Vehicles	113,098	136,437	217,352	80,915	59.3%
08	Contractual Services	5,838,065	3,370,303	232,493	(3,137,810)	(93.1%)
09	Supplies & Materials	84,112	70,050	81,225	11,175	16.0%
10	Equip - Replacement	28,796	47,842	50,650	2,808	5.9%
11	Equip - Additional	114,946	33,137	4,700	(28,437)	(85.8%)
12	Grants, Subsidies, Contr	284,450	300,012	311,095	11,083	3.7%
13	Fixed Charges	498,981	569,637	593,848	24,211	4.3%
<b>Total Objects</b>		<b>\$ 14,704,392</b>	<b>\$ 12,449,832</b>	<b>\$ 10,221,654</b>	<b>(\$ 2,228,178)</b>	<b>(17.9%)</b>
<b>Funds</b>						
01	General Fund	\$ 9,077,562	\$ 9,449,832	\$ 10,028,606	\$ 578,774	6.1%
03	Special Fund	5,626,830	3,000,000	193,048	(2,806,952)	(93.6%)
<b>Total Funds</b>		<b>\$ 14,704,392</b>	<b>\$ 12,449,832</b>	<b>\$ 10,221,654</b>	<b>(\$ 2,228,178)</b>	<b>(17.9%)</b>

Note: Full-time and contractual positions and salaries are reflected for operating budget programs only.

**Fiscal Summary  
Public Service Commission**

<u>Unit/Program</u>	FY00	FY01	FY01	FY00 - FY01	FY02	FY01 - FY02
	<u>Actual</u>	<u>Legislative Appropriation</u>	<u>Working Appropriation</u>	<u>% Change</u>	<u>Allowance</u>	<u>% Change</u>
01 General Administration and Hearings	\$ 10,159,839	\$ 4,634,284	\$ 7,706,381	(24.1%)	\$ 4,885,704	(36.6%)
02 Telecommunications Division	435,504	493,228	493,228	13.3%	487,488	(1.2%)
03 Engineering Investigations	679,145	662,439	662,439	(2.5%)	717,113	8.3%
04 Accounting Investigations	390,300	433,567	433,567	11.1%	495,644	14.3%
05 Common Carrier Investigations	821,301	827,263	827,263	0.7%	1,214,732	46.8%
06 Washington Metropolitan Area Transit	237,700	252,492	252,492	6.2%	262,625	4.0%
07 Rate Research And Economics	552,341	595,801	595,801	7.9%	571,792	(4.0%)
08 Hearing Examiner Division	506,124	541,680	541,680	7.0%	604,700	11.6%
09 Staff Attorney	531,625	526,941	526,941	(0.9%)	564,086	7.0%
10 Integrated Resource Planning Division	390,513	410,040	410,040	5.0%	417,770	1.9%
<b>Total Expenditures</b>	<b>\$ 14,704,392</b>	<b>\$ 9,377,735</b>	<b>\$ 12,449,832</b>	<b>(15.3%)</b>	<b>\$ 10,221,654</b>	<b>(17.9%)</b>
18 General Fund	\$ 9,077,562	\$ 9,377,735	\$ 9,449,832	4.1%	\$ 10,028,606	6.1%
Special Fund	5,626,830	0	3,000,000	(46.7%)	193,048	(93.6%)
<b>Total Appropriations</b>	<b>\$ 14,704,392</b>	<b>\$ 9,377,735</b>	<b>\$ 12,449,832</b>	<b>(15.3%)</b>	<b>\$ 10,221,654</b>	<b>(17.9%)</b>