

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulations  
Public Service Commission  
(DLS Control No. 15-330)**

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**Overview and Legal and Fiscal Impact**

The regulations enhance and clarify existing customer dispute procedures of the Public Service Commission and add specific references to competitive electricity suppliers and gas suppliers to existing provisions on those procedures.

The regulations present no legal issues of concern.

There is no fiscal impact on State or local agencies.

**Regulations of COMAR Affected**

**Public Service Commission:**

Dispute Procedures: Dispute Regulations: COMAR 20.32.01.01, .02, .03, and .04

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**Legal Analysis**

**Summary of Regulations**

The regulations update existing dispute procedures of the commission to include specific references to licensed suppliers and brokers of electricity and natural gas distributed through public utilities. Additions to Regulations .01, .02, .03A and B, and .04 add the defined term “supplier” as appropriate to current provisions.

In addition, amendments to Regulation .03B authorize a utility or supplier to propose a resolution of a dispute to the customer, not merely investigate the dispute. The amendments clarify that a utility may provide information about its standard offer service and other service rates to the customer, in addition to other information, when responding to a customer inquiry about price and service.

Amendments to Regulation .04C provide greater detail for investigations conducted by the commission’s Office of External Relations. The amendments specifically authorize the office to review and investigate an inquiry from a customer, not just the commission or its staff. Regulation .04G changes the opportunity for a utility, supplier, or customer to respond to the position or information provided by the other party from a mandatory opportunity to a discretionary opportunity. Changes to Regulation .04N prohibit a utility from pursuing recovery

of certain charges or fees billed to the customer but not purchased by the utility while a dispute or inquiry is pending. The remaining changes in Regulation .04 are technical.

### **Legal Issues**

The regulations present no legal issues of concern.

### **Statutory Authority and Legislative Intent**

The commission cites §§ 2-112, 2-113, 2-121, and 3-102 of the Public Utilities Article as statutory authority for the regulations. Sections 2-112 and 2-113 contain the jurisdiction and regulatory powers, respectively, of the commission. Section 2-121 is the commission's express and broad authority to adopt regulations. Section 3-102 authorizes complaints and other procedures for commission proceedings.

Although not cited by the commission, §§ 7-507 and 7-603 of the Public Utilities Article provide additional statutory authority for the regulations. Section 7-507 provides to the commission the express authority to license electricity suppliers, including generators and brokers. Section 7-603 provides to the commission the express authority to license gas suppliers in the same manner as electricity suppliers are licensed under § 7-507.

With the addition of §§ 7-507 and 7-603 of the Public Utilities Article, this authority is correct and complete. The regulations comply with the legislative intent of the law.

### **Technical Corrections and Special Notes**

The commission staff has agreed to add citations to §§ 7-507 and 7-603 of the Public Utilities Article to the authority cited for these regulations at time of publication.

### **Fiscal Analysis**

There is no fiscal impact on State or local agencies.

### **Agency Estimate of Projected Fiscal Impact**

The commission advises that the regulations have minimal or no impact on State or local governments. The Department of Legislative Services concurs.

### **Impact on Budget**

There is no impact on the State operating or capital budget.

## **Agency Estimate of Projected Small Business Impact**

The commission advises that the regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

### **Contact Information**

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