

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	03/18/2016	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 4/29/2016

2. COMAR Codification

Title	Subtitle	Chapter	Regulation
20	32	01	01, .02, .03, .04

3. Name of Promulgating Authority

Public Service Commission

4. Name of Regulations Coordinator	Telephone Number
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Title 20
PUBLIC SERVICE COMMISSION
Subtitle 32 DISPUTE PROCEDURES

20.32.01 Dispute Regulations

Authority: Public Utilities Article, §§2-112, 2-113, 2-121, and 3-102, Annotated Code of Maryland

Notice of Proposed Action

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The Public Service Commission proposes to amend Regulations .01, .02, .03, and .04 under COMAR 20.32.01 Dispute Resolutions.

This action was considered at a scheduled rule making meeting on February 22, 2016, notice of which was given under State Government Article, §10-506, Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to assign disputes involving Subscriber organizations of registered community solar energy generating systems to the dispute resolution process of the Commission's Office of External Relations.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to David J. Collins, Executive Secretary, Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, Baltimore, Maryland 21202-6806, or call 410-767-8067, or email to , or fax to 410-333-6495. Comments will be accepted through May 30, 2016. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2016

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:
Special Fund - The Public Utility Regulation Fund

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:
The Office of External Relations ("OER") handles informal complaints regarding utilities and retail suppliers. These regulations add informal complaints, if any, involving Subscriber organizations of registered community solar energy generating systems and their customers to OER's obligations using the same Staff and the same procedures. No changes in staffing or protocol are required.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

To the extent that Subscriber organizations of registered community solar energy generating systems are small businesses or have subscribers that are small businesses, these amended regulations provide a cost free forum for dispute resolution.

G. Small Business Worksheet:

To the extent that Subscriber organizations of registered community solar energy generating systems are small businesses or have subscribers that are small businesses, these amended regulations provide a cost free forum for dispute resolution, This forum would also be available to non-business subscribers. In addition to resolving specific disputes, trends in disputes may be identified, which may allow the community solar program to become more effective over time. The availability of OER to handle community solar complaints is not expected to have an economic impact.

Attached Document:

20.32 - 031416 - lvs

Title 20 PUBLIC SERVICE COMMISSION

Subtitle 32 DISPUTE PROCEDURES

Chapter 01 Dispute Regulations

Authority: Public Utilities Article, §§2-112, 2-113, 2-121, and 3-102, Annotated Code of Maryland

20.32.01.01

.01 Applicability.

A. This subtitle applies to all electric companies, gas companies, combination gas and electric companies, telephone companies, licensed suppliers, licensed brokers, *registered CSEGS Subscriber organizations*, and water companies under the jurisdiction of the Public Service Commission.

B. (text unchanged)

20.32.01.02

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

(2) "*Community Solar energy generating system*" ("*CSEGS*") has the meaning stated in *Public Utilities Article, §7-306.2, Annotated Code of Maryland*.

[(2)](3) "Customer" means any person, association, partnership, corporation, or governmental agency who has applied for utility service, in whose name a utility service account is maintained, or has been solicited by a supplier to purchase energy supply.

[(3)](4) "Dispute" means a disagreement between a utility and a customer regarding provision of utility service, disputed bills, billing practices, or terminations of service.

[(4)](5) "Disputed bill" means a bill which is the subject of a controversy between a customer and a utility regarding any billing error, including, but not limited to:

(a) – (c) (text unchanged)

[(5)](6) "Inquiry" means the written or oral communication used by a customer to request review of a dispute.

[(6)](7) "Mediation" means a third-party effort to resolve, negotiate, or conciliate a dispute.

[(7)](8) "OER" means the Office of External Relations within the Commission pursuant to this subtitle.

(9) "*Subscriber organization*" has the meaning stated in *COMAR 20.62.01.02B(19)*.

[(8)](10) "Supplier" has the meaning defined in *COMAR 20.54.01.02B(9)* and *20.51.01.02B(10)*.

[(9)](11) "Termination" means the discontinuance of electric, gas, or telephone service to a customer or premises.

[(10)](12) "Utility" means an electric company, gas company, combination gas and electric company, telephone company, or water company as defined by *Public Utilities Article, §1-101, Annotated Code of Maryland*.

20.32.01.03

.03 Inquiry to Utility.

A. A customer shall initially submit any inquiry or dispute directly to a utility, [or] supplier, *or a Subscriber organization* for resolution.

B. A utility, [or] supplier, *or Subscriber organization* shall investigate a customer dispute or inquiry, and propose a resolution of the dispute to the customer or report its findings to the customer. In responding to a customer inquiry about price and service, a utility may provide information about its SOS and Sales service rates and may refer the customer to the website of the Commission or the Office of People's Counsel for additional information.

C. - G. (text unchanged)

20.32.01.04

.04 Inquiry to Public Service Commission.

A. If a customer disputes a utility's [or] a supplier's, *or a Subscriber organization's* determination under Regulation .03 of this chapter, the customer may submit an inquiry to the Commission within 7 days of receipt of the determination.

B. If a customer contacts the Commission or its staff before contacting [a] *the utility*, [or] the supplier, *or the Subscriber organization*, the customer shall be advised of Regulation .03 of this chapter and referred to the utility, [or] supplier, *or the Subscriber organization*.

C. – F. (text unchanged)

G. [Both a]A utility, a supplier, *a Subscriber organization*, and a customer may be given an opportunity to respond to the position or information provided to OER by the other party.

H. A utility and a supplier *or Subscriber organization* shall respond to an OER request for investigation or information and shall make a good faith attempt to do so within 7 working days of its receipt.

I. An inquiry or dispute brought under this subtitle may be closed if OER determines in the course of its investigation that the:

(1) Customer has not dealt with the utility, [or] the supplier, *or Subscriber organization* in good faith;

(2) (text unchanged)

(3) Utility,[or] supplier, *or Subscriber organization* has complied with Public Utilities Article, Annotated Code of Maryland, the Commission's regulations and orders, and the utility's own tariff.

J. OER shall provide the utility, supplier if there is one, *Subscriber organization, if there is one*, and the customer with a written summary of its findings and conclusions on completion of its investigation.

K. – N. (text unchanged).