

BY: Senator Forehand

AMENDMENTS TO SENATE BILL NO. 300

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 28, after “jurisdictions;” insert “authorizing certain entities to act as aggregators for certain purposes under certain circumstances; prohibiting certain entities from acting as aggregators under certain circumstances; imposing certain duties on certain entities that act as aggregators; requiring the Commission to establish certain requirements for certain entities to share certain information with certain aggregators; authorizing the Commission to adopt certain regulations relating to aggregators;”.

AMENDMENT NO. 2

On page 21, before line 17, insert:

“7-507.1.

(A) (1) A MUNICIPAL CORPORATION, AS DEFINED IN ARTICLE 23A OF THE CODE, MAY, AFTER THE INITIAL IMPLEMENTATION DATE, CHOOSE TO ACT AS A BUYERS AGGREGATOR IN ANY OR ALL OF THE FOLLOWING CAPACITIES:

(I) FOR ALL ELECTRIC LOADS FOR MUNICIPAL PURPOSES, INCLUDING THE RIGHT TO HAVE THE ELECTRIC SERVICE DELIVERED TO ONE PHYSICAL DELIVERY POINT ON THE DISTRIBUTION SYSTEM WITHIN THE MUNICIPAL BORDERS AND AT THE SAME TERMS AND CONDITIONS AS ANY CUSTOMER OF A DISTRIBUTION UTILITY OF SIMILAR SIZE;

(II) AS THE DEFAULT AGGREGATOR FOR ALL RESIDENTIAL CUSTOMERS IN THE MUNICIPAL CORPORATION, OR A DESIGNATED PORTION OF THE MUNICIPAL CORPORATION, PROVIDED THE MUNICIPAL CORPORATION HAS ENACTED LEGISLATION TO AUTHORIZE IT TO ACT AS A DEFAULT AGGREGATOR;

(Over)

AND

(III) IF THE COMMISSION DETERMINES THAT IT WILL BE IN THE PUBLIC INTEREST, AS THE DEFAULT AGGREGATOR FOR NONRESIDENTIAL CUSTOMERS IN THE MUNICIPAL CORPORATION.

(2) AFTER ENACTMENT OF AUTHORIZING LEGISLATION BY THE MUNICIPAL CORPORATION, ALL RESIDENTIAL CUSTOMERS RECEIVING ELECTRIC SERVICE IN THE MUNICIPAL CORPORATION OR THE DESIGNATED PORTION OF THE MUNICIPAL CORPORATION WHO ARE CONSIDERED UNDER § 7-510(C)(2) OF THIS SUBTITLE TO HAVE CHOSEN THE STANDARD OFFER SERVICE, WILL BECOME PART OF THE AGGREGATED CUSTOMERS OF THE MUNICIPAL CORPORATION.

(B) A COUNTY OR MUNICIPAL CORPORATION OR DESIGNATED PORTION OF A JURISDICTION MAY NOT ACT AS AGGREGATOR IN ANY OF THE CAPACITIES LISTED IN SUBSECTION (A) OF THIS SECTION IF AN EXISTING MUNICIPAL CORPORATION OR COUNTY ALREADY SERVES AS A BUYERS AGGREGATOR FOR THE COUNTY OR MUNICIPAL CORPORATION OR DESIGNATED PORTION OF THE JURISDICTION.

(C) A COUNTY OR MUNICIPAL CORPORATION ACTING AS AN AGGREGATOR:

(1) SHALL ESTABLISH A RATE, TERM, AND CONDITIONS FOR PARTICIPATION IN THE AGGREGATION OF CUSTOMERS UNDER THIS SECTION;

(2) SHALL ESTABLISH THAT RATE BASED SOLELY ON THE COST OF THE SUPPLY CONTRACT FROM AN ELECTRICITY SUPPLIER PLUS AN ADMINISTRATIVE FEE; AND

(3) MAY CREATE A MUNICIPAL ENERGY CORPORATION OR OTHER ENTITY TO ACT UNDER THE AUTHORITY OF THE MUNICIPAL CORPORATION OR COUNTY GOVERNMENT TO UNDERTAKE ANY OF THE ACTIONS AUTHORIZED BY THIS SECTION.

(D) THE COMMISSION:

(1) SHALL ESTABLISH REASONABLE REQUIREMENTS FOR ELECTRIC DISTRIBUTION UTILITIES, STANDARD OFFER SERVICE PROVIDERS, AND ELECTRICITY SUPPLIERS TO SHARE LOAD PROFILE, DEMAND, CONSUMPTION, AND

OTHER RELEVANT DATA WITH QUALIFIED AGGREGATORS:

(2) MAY NOT WITHHOLD APPROVAL OF A MUNICIPAL AGGREGATOR UNDER THIS SECTION UNLESS APPROVAL WOULD AFFECT THE SAFETY OR RELIABILITY OF THE ELECTRIC SYSTEM EITHER IN OR OUTSIDE OF THE MUNICIPAL CORPORATION;

(3) MAY ADOPT OTHER REASONABLE REGULATIONS RELATING TO AGGREGATORS THAT IT DETERMINES TO BE IN THE PUBLIC INTEREST; AND

(4) MAY, IF IT DETERMINES IT TO BE IN THE PUBLIC INTEREST, ALLOW A COUNTY TO ACT AS AN AGGREGATOR IN ANY OF THE CAPACITIES LISTED IN THIS SECTION.”.