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By: **Senator Green**  
Introduced and read first time: January 11, 2001  
Assigned to: Finance

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: February 2, 2001

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Retail Electric and Gas Industries - Aggregators - Counties and Municipal**  
3 **Corporations**

4 FOR the purpose of repealing the provision prohibiting a county or municipal  
5 corporation from acting as an entity that acts on behalf of a customer to  
6 purchase electricity; including counties and municipal corporations in the  
7 entities that may act as aggregators for the purchase of electricity or gas under  
8 certain circumstances; and generally relating to the ability of counties and  
9 municipal corporations to act as aggregators in the retail electric and gas  
10 industries.

11 BY repealing and reenacting, with amendments,  
12 Article - Public Utility Companies  
13 Section 1-101(b)  
14 Annotated Code of Maryland  
15 (1998 Volume and 2000 Supplement)

16 BY repealing  
17 Article - Public Utility Companies  
18 Section 7-510(f)  
19 Annotated Code of Maryland  
20 (1998 Volume and 2000 Supplement)

21 BY adding to  
22 Article - Public Utility Companies  
23 Section 7-510(f)

1 Annotated Code of Maryland  
2 (1998 Volume and 2000 Supplement)

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

5 **Article - Public Utility Companies**

6 1-101.

7 (b) (1) "Aggregator" means an entity, INCLUDING A COUNTY OR MUNICIPAL  
8 CORPORATION, or an individual that acts on behalf of a customer to purchase  
9 electricity or gas.

10 (2) "Aggregator" does not include:

11 (i) an entity or individual that purchases electricity or gas for its  
12 own use or for the use of its subsidiaries or affiliates;

13 (ii) a municipal electric utility or a municipal gas utility serving  
14 only in its distribution territory; or

15 (iii) a combination of governmental units that purchases electricity  
16 or gas for use by the governmental units.

17 7-510.

18 [(f) A county or municipal corporation may not act as an aggregator unless the  
19 Commission determines there is not sufficient competition within the boundaries of  
20 the county or municipal corporation.]

21 (F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A  
22 COUNTY OR MUNICIPAL CORPORATION MAY ACT AS AN AGGREGATOR ONLY ON  
23 BEHALF OF CUSTOMERS LOCATED WITHIN THE BOUNDARIES OF THE COUNTY OR  
24 MUNICIPAL CORPORATION.

25 (2) A COMBINATION OF TWO OR MORE COUNTIES OR MUNICIPAL  
26 CORPORATIONS MAY ACT AS AN AGGREGATOR ONLY ON BEHALF OF CUSTOMERS  
27 LOCATED WITHIN THE BOUNDARIES OF THE COUNTIES OR MUNICIPAL  
28 CORPORATIONS.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 June 1, 2001.

