

SENATE BILL 2

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SB 77/01 - FIN

2002 Regular Session
2lr0215

(PRE-FILED)

By: **Senator Green**

Requested: July 2, 2001

Introduced and read first time: January 9, 2002

Assigned to: Finance

A BILL ENTITLED

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 2001 Supplement)

16 BY repealing
17 Article - Public Utility Companies
18 Section 7-510(f)
19 Annotated Code of Maryland
20 (1998 Volume and 2001 Supplement)

21 BY adding to
22 Article - Public Utility Companies
23 Section 7-510(f)
24 Annotated Code of Maryland
25 (1998 Volume and 2001 Supplement)

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

1

Article - Public Utility Companies

2 1-101.

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

6 (2) "Aggregator" does not include:

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

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

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

13 7-510.

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

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

21 (2) A COMBINATION OF TWO OR MORE COUNTIES OR MUNICIPAL
22 CORPORATIONS MAY ACT AS AN AGGREGATOR ONLY ON BEHALF OF CUSTOMERS
23 LOCATED WITHIN THE BOUNDARIES OF THE COUNTIES OR MUNICIPAL
24 CORPORATIONS.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 June 1, 2002.