
By: **Senators Green, Miller, Middleton, Astle, Brochin, Colburn, Conway, Currie, DeGrange, Della, Dyson, Forehand, Frosh, Giannetti, Greenip, Haines, Harris, Hogan, Hollinger, Hooper, Hughes, Jacobs, Jimeno, Kasemeyer, Kelley, Klausmeier, Kramer, Lawlah, McFadden, Munson, Pinsky, Ruben, Schrader, Stoltzfus, and Stone**

Introduced and read first time: February 22, 2006

Assigned to: Rules

SENATE JOINT RESOLUTION

1 A Senate Joint Resolution concerning

2 **Attorney General - Intervention and Participation in Hearings or Other**
 3 **Proceedings Regarding the Merger of FPL Group, Inc., and Constellation**
 4 **Energy Group, Inc.**

5 FOR the purpose of directing the Attorney General to intervene and participate in
 6 hearings or other proceedings before the Public Service Commission, or any case
 7 brought before any court of competent jurisdiction in the State, regarding the
 8 merger of FPL Group, Inc., and Constellation Energy Group, Inc.

9 WHEREAS, On December 19, 2005, FPL Group, Inc., and Constellation Energy
 10 Group, Inc., announced the signing of a "definitive agreement" to create the nation's
 11 largest competitive energy supplier; and

12 WHEREAS, Constellation Energy is the parent company of Baltimore Gas &
 13 Electric, an electricity and gas supplier that supplies electricity to more than
 14 1,000,000 residential and business customers and supplies gas to over 600,000 gas
 15 customers in 10 counties and Baltimore City; and

16 WHEREAS, With electricity rates expected to increase dramatically over the
 17 next 6 months, it is uncertain whether the merger between FPL Group, Inc., and
 18 Constellation Energy Group, Inc., will result in a reduction or an increase in
 19 electricity rates to Maryland customers; and

20 WHEREAS, The Public Service Commission has instituted Case No. 9054,
 21 which is a proceeding to consider the proposed merger of FPL Group, Inc., and
 22 Constellation Energy Group, Inc.; and

23 WHEREAS, In order to protect the interests of electricity customers in
 24 Maryland, the State should carefully examine the merger between FPL Group, Inc.,
 25 and Constellation Energy Group, Inc.; now, therefore, be it

26 **RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND,** That, in order
 27 to protect the interests of the citizens of Maryland, in accordance with Article V,

1 Section 3 of the Maryland Constitution, the Attorney General is hereby directed to
2 intervene and participate in the Public Service Commission, Case No. 9054 and in
3 any other hearings or other proceedings before the Public Service Commission, or any
4 case brought before any court of competent jurisdiction in the State, regarding the
5 merger of FPL Group, Inc., and Constellation Energy Group, Inc.; and be it further

6 RESOLVED, That a copy of this Resolution be forwarded by the Department of
7 Legislative Services to the Honorable Robert L. Ehrlich, Jr., Governor of Maryland;
8 the Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; the
9 Honorable Michael E. Busch, Speaker of the House of Delegates; and Attorney
10 General J. Joseph Curran, Jr.