
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~~ Stone, Gladden, Hafer, and Pipkin**

Introduced and read first time: February 22, 2006

Assigned to: Rules

Re-referred to: Finance, February 23, 2006

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 21, 2006

RESOLUTION NO. _____

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 other
 7 appropriate State or federal unit, or any case brought before any court of
 8 competent jurisdiction in the State or any federal court, regarding the merger of
 9 FPL Group, Inc., and Constellation Energy Group, Inc.

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

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

17 WHEREAS, With electricity rates expected to increase dramatically over the
 18 next 6 months, it is uncertain whether the merger between FPL Group, Inc., and
 19 Constellation Energy Group, Inc., will result in ~~a reduction or an increase in an~~
 20 additional impact on electricity rates to Maryland customers or an impact on terms
 21 and conditions of service; and

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

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

7 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That, in order
8 to protect the interests of the State and the citizens of Maryland and consistent with
9 the intent of the General Assembly, in accordance with Article V, Section 3 of the
10 Maryland Constitution, the Attorney General is hereby directed to intervene and
11 participate in the Public Service Commission, Case No. 9054 and in any other
12 hearings or other proceedings before the Public Service Commission or any other
13 appropriate State or federal unit, or any case brought before any court of competent
14 jurisdiction in the State or any federal court, regarding the merger of FPL Group,
15 Inc., and Constellation Energy Group, Inc.; and be it further

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