

**Department of Legislative Services**

Maryland General Assembly

2006 Session

**FISCAL AND POLICY NOTE**

House Joint Resolution 8 (Delegates Simmons and Hubbard)

Rules and Executive Nominations

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

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This joint resolution directs the Attorney General to intervene and participate in the Public Service Commission's (PSC) proceedings, or any other case brought before any court of competent jurisdiction, regarding the merger of FPL Group, Inc. and Constellation Energy Group, Inc.

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**Fiscal Summary**

**State Effect:** The bill's requirements could be handled with existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** The Maryland Constitution provides that when required by the General Assembly by law or joint resolution, the Attorney General must aid any State's Attorney or other authorized prosecuting officer in investigating, commencing, and prosecuting any action or category of action brought by the State in any court of the State.

**Background:** On December 19, 2005, FPL Group, Inc. and Constellation Energy Group, Inc. announced the signing of a definitive agreement to create the nation's largest competitive energy supplier. Constellation Energy is the parent company of Baltimore

Gas & Electric (BGE) which supplies electricity to more than 1 million residential and business customers in the State and supplies gas to over 600,000 gas customers in 10 counties and Baltimore City. On January 23, 2006 BGE submitted a petition to PSC with respect to the proposed merger resulting in PSC opening Case No. 9054.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SJ 11 (Senator Green, *et al.*) – Finance.

**Information Source(s):** Public Service Commission, Office of People’s Counsel, Office of the Attorney General, Department of Legislative Services

**Fiscal Note History:** First Reader - March 7, 2006  
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