

# SENATE BILL 540

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By: **Senators Klausmeier and Middleton**

Introduced and read first time: February 2, 2007

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Electricity Suppliers – Customer Information**

3 FOR the purpose of requiring an electric company, on written request of a certain  
4 electricity supplier, to give to the requesting electricity supplier certain  
5 information regarding certain customers; requiring a certain list to contain  
6 certain information; requiring a certain list to be provided in electronic form  
7 and to be updated quarterly; authorizing a certain electric company to request  
8 that the Public Service Commission set a certain fee; requiring a certain electric  
9 company to provide certain notice to certain customers at certain times;  
10 providing for the contents of a certain notice; providing that a certain customer  
11 may withhold or withdraw permission for certain information to be released to  
12 certain persons under certain circumstances; providing that a certain customer  
13 is deemed to have given a certain electric company permission to release certain  
14 information to certain persons under certain circumstances; providing that a  
15 certain electricity supplier may only use certain information for certain  
16 purposes; prohibiting a certain electricity supplier from selling or transferring  
17 certain information to any other person under certain circumstances;  
18 authorizing a certain electricity supplier to provide certain information to a  
19 certain authorized agent for certain circumstances; and generally relating to the  
20 release of customer information from an electric company to an electricity  
21 supplier.

22 BY adding to  
23 Article – Public Utility Companies  
24 Section 7–506.1  
25 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1998 Volume and 2006 Supplement)

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

4 **Article – Public Utility Companies**

5 **7-506.1.**

6 (A) ON A WRITTEN REQUEST BY AN ELECTRICITY SUPPLIER LICENSED  
7 IN THE STATE, AN ELECTRIC COMPANY SHALL PROVIDE A LIST OF  
8 INFORMATION REGARDING RESIDENTIAL AND SMALL COMMERCIAL CUSTOMERS  
9 LOCATED IN THE ELECTRIC COMPANY'S SERVICE TERRITORY.

10 (B) THE LIST IN SUBSECTION (A) OF THIS SECTION SHALL INCLUDE FOR  
11 EACH CUSTOMER:

12 (1) THE ACCOUNT NAME;

13 (2) THE BILLING ADDRESS;

14 (3) THE SERVICE ADDRESS;

15 (4) THE UTILITY RATE CLASS; AND

16 (5) THE UTILITY STANDARD OFFER SERVICE TYPE.

17 (C) THE LIST SHALL BE PROVIDED IN ELECTRONIC FORM AND SHALL BE  
18 UPDATED QUARTERLY.

19 (D) AN ELECTRIC COMPANY MAY REQUEST THAT THE COMMISSION SET  
20 A FEE TO BE PAID BY THE ELECTRICITY SUPPLIER TO THE ELECTRIC COMPANY  
21 FOR THE PROVISION OF THE LIST TO AN ELECTRICITY SUPPLIER.

22 (E) (1) BEFORE THE ELECTRIC COMPANY MAY PROVIDE A LIST OF  
23 INFORMATION REGARDING RESIDENTIAL AND SMALL COMMERCIAL CUSTOMERS  
24 TO AN ELECTRICITY SUPPLIER, THE ELECTRIC COMPANY SHALL PROVIDE  
25 WRITTEN NOTICE TO CUSTOMERS.

26 (2) THE NOTICE REQUIRED UNDER THIS SUBSECTION SHALL:

1           (I) STATE THE TYPE OF INFORMATION THAT MAY BE  
2 PROVIDED TO ELECTRICITY SUPPLIERS; AND

3           (II) PROVIDE TO RESIDENTIAL AND SMALL COMMERCIAL  
4 CUSTOMERS THE RIGHT TO REFUSE TO ALLOW INFORMATION REGARDING THAT  
5 CUSTOMER TO BE PROVIDED TO ELECTRICITY SUPPLIERS.

6           (3) THE NOTICE REQUIRED UNDER THIS SUBSECTION SHALL BE  
7 PROVIDED TO EACH NEW RESIDENTIAL AND SMALL COMMERCIAL CUSTOMER  
8 WHEN THE CUSTOMER APPLIES FOR SERVICE AND TO ALL RESIDENTIAL AND  
9 SMALL COMMERCIAL CUSTOMERS AT LEAST ONCE EACH YEAR.

10          (4) A CUSTOMER IS DEEMED TO HAVE GIVEN PERMISSION FOR  
11 INFORMATION REGARDING THAT CUSTOMER TO BE RELEASED TO ELECTRICITY  
12 SUPPLIERS:

13           (I) ON RECEIPT BY THE ELECTRIC COMPANY OF A  
14 RETURNED NOTICE EXPLICITLY GRANTING PERMISSION; OR

15           (II) IF THE ELECTRIC COMPANY HAS NOT RECEIVED A  
16 RETURNED NOTICE WITHIN 21 DAYS AFTER NOTICE IS GIVEN.

17          (5) A CUSTOMER MAY WITHDRAW PERMISSION FOR  
18 INFORMATION REGARDING THAT CUSTOMER TO BE RELEASED TO ELECTRICITY  
19 SUPPLIERS AT ANY TIME BY NOTIFYING THE ELECTRIC COMPANY IN WRITING  
20 THAT THE CUSTOMER IS WITHDRAWING PERMISSION.

21          (F) (1) AN ELECTRICITY SUPPLIER MAY ONLY USE THE INFORMATION  
22 PROVIDED IN ACCORDANCE WITH THIS SECTION FOR PURPOSES OF MARKETING  
23 ELECTRICITY SUPPLY AND ELECTRICITY SUPPLY SERVICES.

24           (2) AN ELECTRICITY SUPPLIER MAY NOT SELL OR TRANSFER  
25 INFORMATION IT RECEIVED IN ACCORDANCE WITH THIS SECTION TO ANY  
26 OTHER PERSON, INCLUDING AN AFFILIATE OF THE ELECTRICITY SUPPLIER.

27           (3) AN ELECTRICITY SUPPLIER MAY PROVIDE THE INFORMATION  
28 RECEIVED IN ACCORDANCE WITH THIS SECTION TO ITS AUTHORIZED AGENT FOR  
29 THE SOLE PURPOSE OF DEVELOPING OR IMPLEMENTING THE ELECTRICITY

1 **SUPPLIER'S SALES OR MARKETING CAMPAIGN AS AUTHORIZED BY THIS**  
2 **SUBSECTION.**

3           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2007.