

HOUSE BILL 1165

C5

8lr2787
CF SB 329

By: **Delegates Hecht, Harrison, and Kirk**
Introduced and read first time: February 8, 2008
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Electric Restructuring – Electricity Supply Services – Residential Customers**
3 **and Small Commercial Customers**

4 FOR the purpose of requiring the Public Service Commission to establish a
5 Competitive Electricity Supplier Referral Program by a certain date; specifying
6 the terms and conditions under which an electricity supplier may participate in
7 the Program; requiring electric companies to include certain information in
8 certain customer bills in a certain manner at certain times; requiring an electric
9 company to offer to certain customers a certain opportunity at a certain time;
10 requiring an electric company to provide a certain description and to offer to
11 transfer the customer to a certain call center under certain circumstances;
12 requiring an electric company to make available certain information on request;
13 prohibiting certain customers from being charged certain additional fees;
14 requiring an electric company to offer combined billing to certain customers;
15 requiring an electric company to pay a certain supplier in a certain manner
16 under certain circumstances; providing that an electric company retains certain
17 rights; defining certain terms; and generally relating to electricity supply
18 services for residential retail customers and small commercial retail customers.

19 BY adding to
20 Article – Public Utility Companies
21 Section 7–518
22 Annotated Code of Maryland
23 (1998 Volume and 2007 Supplement)

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

26 **Article – Public Utility Companies**

27 **7–518.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
2 MEANINGS INDICATED.

3 (2) "ELIGIBLE CUSTOMER" OR "CUSTOMER" MEANS A
4 RESIDENTIAL RETAIL ELECTRIC CUSTOMER OR A SMALL COMMERCIAL RETAIL
5 ELECTRIC CUSTOMER.

6 (3) "PARTICIPATING ELECTRICITY SUPPLIER" MEANS AN
7 ELECTRICITY SUPPLIER THAT:

8 (I) OFFERS COMPETITIVE ELECTRICITY SUPPLY SERVICES
9 TO ELIGIBLE CUSTOMERS; AND

10 (II) HAS BEEN AUTHORIZED TO PARTICIPATE IN THE
11 COMPETITIVE ELECTRICITY SUPPLIER REFERRAL PROGRAM UNDER THIS
12 SECTION.

13 (4) "QUALIFYING ELECTRIC OFFER" MEANS AN OFFER BY AN
14 ELECTRICITY SUPPLIER TO PROVIDE FULL REQUIREMENTS COMMODITY
15 ELECTRICITY SUPPLY SERVICES AND ALL OTHER GENERATION-RELATED
16 SUPPLY SERVICES TO ELIGIBLE CUSTOMERS:

17 (I) AT A FIXED PRICE PER KILOWATT-HOUR; AND

18 (II) FOR A TERM OF NOT LESS THAN 1 YEAR.

19 (B) (1) ON OR BEFORE OCTOBER 1, 2008, THE COMMISSION SHALL
20 ESTABLISH A COMPETITIVE ELECTRICITY SUPPLIER REFERRAL PROGRAM.

21 (2) THE TERMS AND CONDITIONS UNDER WHICH AN ELECTRICITY
22 SUPPLIER MAY PARTICIPATE IN THE PROGRAM:

23 (I) SHALL REQUIRE THE ELECTRICITY SUPPLIER TO MAKE
24 A QUALIFYING ELECTRIC OFFER AVAILABLE TO ELIGIBLE CUSTOMERS; AND

25 (II) MAY INCLUDE A REQUIREMENT FOR THE ELECTRICITY
26 SUPPLY SERVICES TO INCLUDE TIME-OF-USE AND REAL-TIME USE RATES IN A
27 QUALIFYING ELECTRIC OFFER TO CUSTOMERS.

28 (C) IN A MANNER APPROVED BY THE COMMISSION, EACH ELECTRIC
29 COMPANY SHALL INCLUDE IN THE BILLS OF ELIGIBLE CUSTOMERS EACH
30 CALENDAR QUARTER A LIST OF QUALIFYING ELECTRIC OFFERS FROM
31 PARTICIPATING ELECTRICITY SUPPLIERS.

1 **(D) (1) IN A MANNER APPROVED BY THE COMMISSION, EACH**
2 **ELECTRIC COMPANY SHALL OFFER AN ELIGIBLE CUSTOMER THE OPPORTUNITY**
3 **TO LEARN ABOUT THE ABILITY OF THE CUSTOMER TO CONTRACT WITH A**
4 **PARTICIPATING ELECTRICITY SUPPLIER FOR ELECTRICITY SUPPLY SERVICES**
5 **WHENEVER THE CUSTOMER:**

6 **(I) INITIATES NEW ELECTRIC SERVICE;**

7 **(II) REINITIATES ELECTRIC SERVICE FOLLOWING A CHANGE**
8 **OF RESIDENCE OR BUSINESS LOCATION;**

9 **(III) MAKES AN INQUIRY REGARDING ELECTRIC RATES; OR**

10 **(IV) SEEKS INFORMATION REGARDING ENERGY EFFICIENCY**
11 **PROGRAMS OR SERVICES.**

12 **(2) (I) IF AN ELIGIBLE CUSTOMER CHOOSES TO LEARN ABOUT**
13 **THE ABILITY OF THE CUSTOMER TO CONTRACT WITH A PARTICIPATING**
14 **ELECTRICITY SUPPLIER FOR ELECTRICITY SUPPLY SERVICES, THE ELECTRIC**
15 **COMPANY SHALL:**

16 **1. DESCRIBE, IN A MANNER APPROVED BY THE**
17 **COMMISSION, EACH QUALIFYING ELECTRIC OFFER TO THE CUSTOMER; AND**

18 **2. OFFER TO TRANSFER THE CUSTOMER TO A CALL**
19 **CENTER OPERATED BY A PARTICIPATING ELECTRICITY SUPPLIER THAT OFFERS**
20 **A QUALIFYING ELECTRIC OFFER.**

21 **(II) THE DESCRIPTION OF EACH QUALIFYING ELECTRIC**
22 **OFFER BY THE ELECTRIC COMPANY SHALL INCLUDE, AT A MINIMUM, THE PRICE**
23 **AND TERM OF THE QUALIFYING ELECTRIC OFFER.**

24 **(3) IF AN ELIGIBLE CUSTOMER CHOOSES TO BE TRANSFERRED TO**
25 **A CALL CENTER OPERATED BY A PARTICIPATING ELECTRICITY SUPPLIER, THE**
26 **ELECTRIC COMPANY SHALL IMMEDIATELY TRANSFER THE CUSTOMER TO THE**
27 **CALL CENTER.**

28 **(E) ON REQUEST OF AN ELIGIBLE CUSTOMER OR THE CUSTOMER'S**
29 **AUTHORIZED REPRESENTATIVE, AN ELECTRIC COMPANY SHALL MAKE**
30 **AVAILABLE TO THE CUSTOMER OR CUSTOMER'S REPRESENTATIVE, AT NO**
31 **CHARGE TO THE CUSTOMER OR CUSTOMER'S REPRESENTATIVE, CUSTOMER**
32 **METER DATA AND USAGE INFORMATION:**

1 **(1) USING CUSTOMER IDENTIFICATION INFORMATION OTHER**
2 **THAN A CUSTOMER ACCOUNT NUMBER; AND**

3 **(2) IN A TIMELY AND EFFICIENT MANNER THAT MAY INCLUDE**
4 **PROVIDING THE INFORMATION IN AN ELECTRONIC FORMAT.**

5 **(F) (1) AN ELIGIBLE CUSTOMER RECEIVING ELECTRICITY SUPPLY**
6 **SERVICES FROM STANDARD OFFER SERVICE MAY NOT BE CHARGED, AT ANY**
7 **TIME, ANY ADDITIONAL FEE BY THE ELECTRIC COMPANY TO SWITCH THE**
8 **CUSTOMER TO A PARTICIPATING ELECTRICITY SUPPLIER.**

9 **(2) AN ELIGIBLE CUSTOMER RECEIVING ELECTRICITY SUPPLY**
10 **SERVICES FROM A PARTICIPATING ELECTRICITY SUPPLIER MAY NOT BE**
11 **CHARGED, AT ANY TIME, INCLUDING DURING THE PERIOD OF A QUALIFYING**
12 **ELECTRIC OFFER, ANY ADDITIONAL FEE BY THE ELECTRIC COMPANY TO**
13 **RETURN THE CUSTOMER TO STANDARD OFFER SERVICE OR TO SWITCH THE**
14 **CUSTOMER TO ANOTHER PARTICIPATING ELECTRICITY SUPPLIER.**

15 **(G) (1) EACH ELECTRIC COMPANY SHALL OFFER TO PROVIDE EACH**
16 **ELIGIBLE CUSTOMER THAT RECEIVES ELECTRICITY SUPPLY SERVICES FROM A**
17 **PARTICIPATING ELECTRICITY SUPPLIER A COMBINED BILL THAT INCLUDES**
18 **ELECTRICITY SUPPLY SERVICES FROM THE PARTICIPATING ELECTRICITY**
19 **SUPPLIER AND THE SERVICES PROVIDED DIRECTLY BY THE ELECTRIC COMPANY**
20 **TO THE CUSTOMER.**

21 **(2) IF AN ELECTRIC COMPANY BILLS AN ELIGIBLE CUSTOMER**
22 **FOR ELECTRICITY SUPPLY SERVICES FROM A PARTICIPATING ELECTRICITY**
23 **SUPPLIER, THE ELECTRIC COMPANY:**

24 **(I) SHALL PAY THE PARTICIPATING ELECTRICITY**
25 **SUPPLIER IN A TIMELY MANNER THE AMOUNT DUE TO THE PARTICIPATING**
26 **ELECTRICITY SUPPLIER FOR ELECTRICITY SUPPLY SERVICES, MINUS A**
27 **PERCENTAGE OF THE AMOUNT THAT REFLECTS A MEASURE OF UNCOLLECTIBLE**
28 **EXPENSES REALIZED BY THE ELECTRIC COMPANY AS APPROVED BY THE**
29 **COMMISSION; AND**

30 **(II) RETAINS THE RIGHT TO:**

31 **1. IMPOSE THE SAME TERMS ON CUSTOMERS WITH**
32 **RESPECT TO CREDIT AND COLLECTION, INCLUDING REQUESTS FOR A DEPOSIT**
33 **FROM A CUSTOMER, THAT THE ELECTRIC COMPANY IMPOSES ON CUSTOMERS**
34 **RECEIVING STANDARD OFFER SERVICE; AND**

1 **2. DISCONNECT A CUSTOMER IF THE ELECTRIC**
2 **COMPANY DOES NOT RECEIVE PAYMENT FOR ITS TARIFF SERVICES OR**
3 **PURCHASED RECEIVABLES IN THE SAME MANNER THAT THE ELECTRIC**
4 **COMPANY MAY DISCONNECT, FOR NONPAYMENT, A CUSTOMER RECEIVING**
5 **STANDARD OFFER SERVICE.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 June 1, 2008.