

# SENATE BILL 329

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8lr1555  
CF 8lr2787

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By: **Senator Klausmeier**

Introduced and read first time: January 28, 2008

Assigned to: Finance

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## 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.**

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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.