

# HOUSE BILL 689

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CF SB 517

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By: **Delegates Carey and D.E. Davis**

Introduced and read first time: February 7, 2019

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Electricity – Customer Choice – Education**

3 FOR the purpose of requiring the Public Service Commission to establish a certain  
4 customer choice website for electric customers; specifying the contents of the website;  
5 requiring the Commission to use certain information to maintain the information on  
6 the website; requiring the Commission to include certain information on a certain  
7 customer education webpage; requiring each electricity supplier that is actively  
8 seeking customers in a service territory in the State to maintain at least one open  
9 offer on the Commission's website at all times; requiring the Commission to recover  
10 certain costs in accordance with a certain provision of law; stating the intent of the  
11 General Assembly; requiring the Commission to include certain information in  
12 certain reports to the General Assembly and certain committees; encouraging the  
13 Commission to review and consult with certain entities for certain purposes; making  
14 stylistic changes; and generally relating to the Public Service Commission and  
15 electric customer choice.

16 BY repealing and reenacting, without amendments,  
17 Article – Public Utilities  
18 Section 7–501(a), (e), and (f)  
19 Annotated Code of Maryland  
20 (2010 Replacement Volume and 2018 Supplement)

21 BY repealing and reenacting, with amendments,  
22 Article – Public Utilities  
23 Section 7–510.1  
24 Annotated Code of Maryland  
25 (2010 Replacement Volume and 2018 Supplement)

26 BY adding to  
27 Article – Public Utilities  
28 Section 7–510.2

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland  
2 (2010 Replacement Volume and 2018 Supplement)

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

5 **Article – Public Utilities**

6 7–501.

7 (a) In this subtitle the following words have the meanings indicated.

8 (e) “Consumer” and “customer” each means a retail electric customer.

9 (f) “Customer choice” means the right of electricity suppliers and customers to  
10 utilize and interconnect with the electric distribution system on a nondiscriminatory basis  
11 at rates, terms, and conditions of service comparable to the electric company’s own use of  
12 the system to distribute electricity from an electricity supplier to a customer, under which  
13 a customer has the opportunity to purchase electricity from the customer’s choice of  
14 licensed electricity suppliers.

15 7–510.1.

16 (a) The Commission shall educate customers about customer choice in accordance  
17 with this section.

18 (b) (1) The Commission shall:

19 (i) host and regularly update a user–friendly customer choice  
20 education section on its [Web site] **WEBSITE** that complies with standards issued under §  
21 508 of the federal Rehabilitation Act of 1973; and

22 (ii) prominently display a link to that section of the Commission’s  
23 [Web site] **WEBSITE** on the home page of the Commission’s [Web site] **WEBSITE**.

24 (2) The customer choice education section of the Commission’s [Web site]  
25 **WEBSITE** shall include:

26 (i) a clear and simple description of:

27 1. customer choice;

28 2. how customers can shop for an electricity supplier;

29 3. what kinds of competitive electricity supply options  
30 customers have, including:

- 1                   A.     renewable energy supply;
- 2                   B.     fixed and variable pricing; and
- 3                   C.     other common contract terms;
- 4                   4.     the current price of standard offer service in the service
- 5 territory of each electric company; and
- 6                   5.     the continuing role of the electric company in delivering
- 7 electricity to a customer that chooses an electricity supplier;
- 8                   (ii)    fact sheets that:
  - 9                   1.     answer common questions about customer choice;
  - 10                   2.     advise customers about the questions customers should
  - 11 ask when choosing an electricity supplier; [and]
  - 12                   3.     list the kinds of disclosures that electricity suppliers must
  - 13 make to customers;
  - 14                   4.     **DESCRIBE COMMON ISSUES ABOUT CONTRACTS FOR**
  - 15 **ELECTRICITY SUPPLY AND AVAILABLE OPTIONS; AND**
  - 16                   5.     **DESCRIBE CONSUMER RIGHTS AND PROTECTIONS**
  - 17 **THAT ARE AVAILABLE AND THE MEANS OF MAKING USE OF THEM;**
- 18                   (iii)   a list of all electricity suppliers that have open offers to supply
- 19 electricity in a customer’s service area, searchable by service territory or jurisdiction; [and]
- 20                   (iv)    a statement indicating that customers who have entered into a
- 21 contract with a competitive electricity supplier for electricity supply should be aware of the
- 22 ending date of the contract so that they may determine, before being placed into a renewal
- 23 contract with the current electricity supplier, whether they would like to:
  - 24                   1.     shop for an alternative electricity supplier;
  - 25                   2.     renew with the current electricity supplier; or
  - 26                   3.     return to the standard offer service which may be offered
  - 27 at a price that is less than the renewal price offered by the current electricity supplier; **AND**
- 28                   (v)    **A LINK TO THE CUSTOMER CHOICE SHOPPING WEBSITE**
- 29 **ESTABLISHED UNDER § 7-510.2 OF THIS SUBTITLE.**

1 (3) To the extent practicable, the list of electricity suppliers required under  
2 paragraph (2)(iii) of this subsection shall include:

3 (i) the terms of any open offers to supply electricity, including:

- 4 1. the duration of the contract;
- 5 2. the cost of electricity per kilowatt-hour; and
- 6 3. any cancellation fees; and

7 (ii) a link to the [Web site] WEBSITE of each electricity supplier with  
8 an open offer to supply electricity.

9 (c) (1) To ensure the currency and accuracy of information required under  
10 subsection (b)(2)(iii) of this section, the Commission shall maintain a secure portal on its  
11 [Web site] WEBSITE to receive information about offers to supply electricity from electricity  
12 suppliers.

13 (2) **EACH ELECTRICITY SUPPLIER THAT IS ACTIVELY SEEKING**  
14 **CUSTOMERS IN A SERVICE TERRITORY IN THE STATE SHALL MAINTAIN AT LEAST**  
15 **ONE OPEN OFFER TO SUPPLY ELECTRICITY ON THE COMMISSION'S WEBSITE AT ALL**  
16 **TIMES.**

17 (3) At least once each month, each electricity supplier with an open offer to  
18 supply electricity shall submit detailed information about the offer to the Commission  
19 through a secure portal maintained by the Commission on the Commission's [Web site]  
20 WEBSITE for this purpose.

21 (d) The Commission shall work with media outlets in the State to develop and air  
22 public service announcements publicizing customer choice and directing customers to the  
23 Commission's [Web site] WEBSITE for additional information.

24 (e) The Commission shall recover the cost of complying with this section in  
25 accordance with § 2-110 of this article.

26 (f) On or before December 31 of each year, the Commission shall report, in  
27 accordance with § 2-1246 of the State Government Article, to the General Assembly on the  
28 status and success of the Commission's efforts to educate customers about customer choice  
29 under this section.

30 **7-510.2.**

31 (A) **THE COMMISSION SHALL ESTABLISH A CUSTOMER CHOICE SHOPPING**  
32 **WEBSITE THAT ALLOWS A CUSTOMER TO:**

1           **(1) SORT ELECTRICITY SUPPLIERS THAT HAVE OPEN OFFERS TO**  
2 **SUPPLY ELECTRICITY IN THE CUSTOMER’S SERVICE AREA; AND**

3           **(2) INITIATE THE TRANSITION FROM ONE ELECTRICITY SUPPLIER TO**  
4 **ANOTHER ELECTRICITY SUPPLIER.**

5           **(B) THE WEBSITE SHALL INCLUDE:**

6           **(1) A LIST OF ALL ELECTRICITY SUPPLIERS THAT HAVE OPEN OFFERS**  
7 **TO SUPPLY ELECTRICITY IN A CUSTOMER’S SERVICE AREA, SORTABLE BY:**

8                   **(I) COST OF SERVICE;**

9                   **(II) COST OF ELECTRICITY PER KILOWATT-HOUR;**

10                   **(III) RATE STRUCTURE;**

11                   **(IV) DURATION OF THE CONTRACT;**

12                   **(V) CANCELLATION FEE; AND**

13                   **(VI) ANY OTHER ASPECT OF SERVICE THAT THE COMMISSION**  
14 **CONSIDERS NECESSARY;**

15           **(2) A WAY TO COMPARE ELECTRICITY SUPPLIERS BASED ON THE**  
16 **SORTABLE ITEMS SPECIFIED UNDER ITEM (1) OF THIS SUBSECTION;**

17           **(3) A LINK TO THE WEBSITE OF EACH ELECTRICITY SUPPLIER WITH**  
18 **AN OPEN OFFER TO SUPPLY ELECTRICITY;**

19           **(4) A LINK TO THE CUSTOMER EDUCATION WEBPAGE ESTABLISHED**  
20 **UNDER § 7-510.1 OF THIS SUBTITLE;**

21           **(5) A WAY FOR A CUSTOMER TO INITIATE THE TRANSITION FROM THE**  
22 **CUSTOMER’S CURRENT ELECTRICITY SUPPLIER TO ANOTHER ELECTRICITY**  
23 **SUPPLIER;**

24           **(6) A LINK TO AN INFORMAL COMPLAINT PROCESS THAT PROVIDES**  
25 **ACCESS FOR THE CUSTOMER TO PROTECT THE CUSTOMER’S RIGHTS AND MAKE USE**  
26 **OF CONSUMER PROTECTIONS THROUGH THE COMMISSION; AND**

27           **(7) FACT SHEETS ON THE PROCESS FOR:**

1                   **(I)    COMPARING OFFERS FROM ELECTRICITY SUPPLIERS ON**  
2 **THE WEBSITE, INCLUDING RELEVANT CONTRACT TERMS, REQUIREMENTS,**  
3 **LIMITATIONS, AND FEES; AND**

4                   **(II)   EMPLOYING THE WEBSITE TO TRANSITION FROM THE**  
5 **CUSTOMER'S CURRENT ELECTRICITY SUPPLIER TO ANOTHER ELECTRICITY**  
6 **SUPPLIER.**

7           **(C)    THE COMMISSION SHALL USE THE INFORMATION RECEIVED FROM AN**  
8 **ELECTRICITY SUPPLIER UNDER § 7-510.1 OF THIS SUBTITLE TO MAINTAIN THE**  
9 **INFORMATION ON THE WEBSITE.**

10           **(D)   THE COMMISSION SHALL RECOVER THE COST OF COMPLYING WITH**  
11 **THIS SECTION IN ACCORDANCE WITH § 2-110 OF THIS ARTICLE.**

12           SECTION 2. AND BE IT FURTHER ENACTED, That:

13           (a)    It is the intent of the General Assembly that the Public Service Commission  
14 shall fully implement this Act and revamp its customer education and customer choice  
15 shopping websites under §§ 7-510.1 and 7-510.2 of the Public Utilities Article, as enacted  
16 by this Act, no later than October 1, 2020.

17           (b)    The Commission shall include information on its compliance with this Act in:

18                   (1)   its annual reports on the customer choice website required under §  
19 7-510.1(f) of the Public Utilities Article in 2019 and 2020; and

20                   (2)   an interim report to the Senate Finance Committee and the House  
21 Economic Matters Committee no later than June 30, 2020.

22           (c)    In revising and expanding its customer choice education website and creating  
23 a customer choice shopping website under this Act, the Commission is encouraged to review  
24 and consult with the utility regulatory commissions of other jurisdictions that have adopted  
25 customer choice, particularly reviewing for guidance the commission customer choice  
26 websites in Pennsylvania and Texas.

27           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2019.