

Chapter 305

(Senate Bill 517)

AN ACT concerning

~~Electricity – Customer Choice – Education~~
Public Utilities – Electricity and Natural Gas Suppliers – Information

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

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

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

BY adding to
 Article – Public Utilities
 Section 7–510.2 and 7–604.1
 Annotated Code of Maryland
 (2010 Replacement Volume and 2018 Supplement)

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

Article – Public Utilities

7-501.

- (a) In this subtitle the following words have the meanings indicated.
- (e) “Consumer” and “customer” each means a retail electric customer.

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

7-510.1.

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

(b) (1) The Commission shall:

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

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

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

- (i) a clear and simple description of:
 - 1. customer choice;
 - 2. how customers can shop for an electricity supplier;
 - 3. what kinds of competitive electricity supply options customers have, including:
 - A. renewable energy supply;
 - B. fixed and variable pricing; and
 - C. other common contract terms;

4. the current price of standard offer service in the service territory of each electric company; and

5. the continuing role of the electric company in delivering electricity to a customer that chooses an electricity supplier;

(ii) fact sheets that:

1. answer common questions about customer choice;

2. advise customers about the questions customers should ask when choosing an electricity supplier; [and]

3. list the kinds of disclosures that electricity suppliers must make to customers;

4. DESCRIBE COMMON ISSUES ABOUT CONTRACTS FOR ELECTRICITY SUPPLY AND AVAILABLE OPTIONS; AND

5. DESCRIBE CONSUMER RIGHTS AND PROTECTIONS THAT ARE AVAILABLE AND THE MEANS OF MAKING USE OF THEM;

(iii) a list of all electricity suppliers that have open offers to supply electricity in a customer's service area, searchable by service territory or jurisdiction; [and]

(iv) a statement indicating that customers who have entered into a contract with a competitive electricity supplier for electricity supply should be aware of the ending date of the contract so that they may determine, before being placed into a renewal contract with the current electricity supplier, whether they would like to:

1. shop for an alternative electricity supplier;

2. renew with the current electricity supplier; or

3. return to the standard offer service which may be offered at a price that is less than the renewal price offered by the current electricity supplier; **AND**

(V) A LINK TO THE CUSTOMER CHOICE SHOPPING ~~WEBSITE~~ WEBSITES ESTABLISHED UNDER § 7-510.2 OF THIS SUBTITLE AND § 7-604.1 OF THIS TITLE.

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

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

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

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

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

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

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

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

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

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

7-510.2.

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

~~(1)~~ SORT ELECTRICITY SUPPLIERS THAT HAVE OPEN OFFERS TO SUPPLY ELECTRICITY TO RESIDENTIAL CUSTOMERS IN THE CUSTOMER'S SERVICE AREA; ~~AND~~

~~(2) INITIATE THE TRANSITION FROM ONE ELECTRICITY SUPPLIER TO ANOTHER ELECTRICITY SUPPLIER.~~

(B) THE WEBSITE SHALL INCLUDE:

(1) A LIST OF ALL ELECTRICITY SUPPLIERS THAT HAVE OPEN OFFERS TO SUPPLY ELECTRICITY TO RESIDENTIAL CUSTOMERS IN A CUSTOMER'S SERVICE AREA, SORTABLE BY:

(I) COST OF SERVICE;

(II) COST OF ELECTRICITY PER KILOWATT-HOUR;

(III) RATE STRUCTURE;

(IV) DURATION OF THE CONTRACT;

(V) CANCELLATION FEE; AND

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

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

(3) A LINK TO THE WEBSITE OF EACH ELECTRICITY SUPPLIER WITH AN OPEN OFFER TO SUPPLY ELECTRICITY TO RESIDENTIAL CUSTOMERS;

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

~~(5) A WAY FOR A CUSTOMER TO INITIATE THE TRANSITION FROM THE CUSTOMER'S CURRENT ELECTRICITY SUPPLIER TO ANOTHER ELECTRICITY SUPPLIER;~~

~~(6)~~ (5) A LINK TO ~~AN INFORMAL~~ A COMPLAINT PROCESS THAT PROVIDES ACCESS FOR THE CUSTOMER TO PROTECT THE CUSTOMER'S RIGHTS AND MAKE USE OF CONSUMER PROTECTIONS THROUGH THE COMMISSION; AND

~~(7)~~ (6) FACT SHEETS ON THE PROCESS FOR:

~~(4)~~ (4) COMPARING OFFERS FROM ELECTRICITY SUPPLIERS ON THE WEBSITE, INCLUDING RELEVANT CONTRACT TERMS, REQUIREMENTS, LIMITATIONS, AND FEES; ~~AND~~

~~(H) EMPLOYING THE WEBSITE TO TRANSITION FROM THE CUSTOMER'S CURRENT ELECTRICITY SUPPLIER TO ANOTHER ELECTRICITY SUPPLIER.~~

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

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

7-604.1.

(A) THE COMMISSION SHALL ESTABLISH A CUSTOMER CHOICE SHOPPING WEBSITE THAT ALLOWS A CUSTOMER TO SORT NATURAL GAS SUPPLIERS THAT HAVE OPEN OFFERS TO SUPPLY NATURAL GAS TO RESIDENTIAL CUSTOMERS IN THE CUSTOMER'S SERVICE AREA.

(B) THE WEBSITE SHALL INCLUDE:

(1) A LIST OF ALL NATURAL GAS SUPPLIERS THAT HAVE OPEN OFFERS TO SUPPLY NATURAL GAS TO RESIDENTIAL CUSTOMERS IN A CUSTOMER'S SERVICE AREA, SORTABLE BY:

(I) COST OF SERVICE;

(II) COST OF NATURAL GAS PER THERM;

(III) RATE STRUCTURE;

(IV) DURATION OF THE CONTRACT;

(V) CANCELLATION FEE; AND

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

(2) A WAY TO COMPARE NATURAL GAS SUPPLIERS BASED ON THE SORTABLE ITEMS SPECIFIED UNDER ITEM (1) OF THIS SUBSECTION;

(3) A LINK TO THE WEBSITE OF EACH NATURAL GAS SUPPLIER WITH AN OPEN OFFER TO SUPPLY NATURAL GAS TO RESIDENTIAL CUSTOMERS;

(4) A LINK TO A COMPLAINT PROCESS THAT PROVIDES ACCESS FOR THE CUSTOMER TO PROTECT THE CUSTOMER'S RIGHTS AND MAKE USE OF CONSUMER PROTECTIONS THROUGH THE COMMISSION; AND

(5) FACT SHEETS ON THE PROCESS FOR COMPARING OFFERS FROM NATURAL GAS SUPPLIERS ON THE WEBSITE, INCLUDING RELEVANT CONTRACT TERMS, REQUIREMENTS, LIMITATIONS, AND FEES.

(C) (1) TO ENSURE THE CURRENCY AND ACCURACY OF INFORMATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION, THE COMMISSION SHALL MAINTAIN A SECURE PORTAL ON ITS WEBSITE TO RECEIVE INFORMATION ABOUT OFFERS TO SUPPLY NATURAL GAS FROM NATURAL GAS SUPPLIERS.

(2) AT LEAST ONCE A MONTH, EACH NATURAL GAS SUPPLIER WITH AN OPEN OFFER TO SUPPLY NATURAL GAS SHALL SUBMIT DETAILED INFORMATION ABOUT THE OFFER TO THE COMMISSION THROUGH A SECURE PORTAL MAINTAINED BY THE COMMISSION ON THE COMMISSION'S WEBSITE FOR THIS PURPOSE.

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

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) It is the intent of the General Assembly that the Public Service Commission shall fully implement this ~~Act and Act~~, revamp ~~its~~ the customer education ~~and customer choice shopping websites under §§ 7-510.1 and 7-510.2 of the Public Utilities Article~~ section on its website, and establish the customer choice shopping websites required under §§ 7-510.2 and 7-604.1 of the Public Utilities Article, as enacted by this Act, no later than October 1, 2020.

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

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

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

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

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

Approved by the Governor, April 30, 2019.