



Delegate C.T. Wilson, *Chair*
House Economic Matters Committee
6 Bladen Street, Room 231
Annapolis, Maryland 21401

Re: *House Bill 914: Public Service Commission – Judicial Review – Proceedings - OPPOSE*

February 23, 2023

Dear Chairman Wilson and Members of the House Economic Matters Committee:

On behalf of our client, the Maryland Retail Energy Supplier Association (MDRESA), I write this letter of opposition to House Bill 914, entitled *Service Commission – Judicial Review – Proceedings*.

The Retail Energy Supply Association (RESA) is a broad and diverse group of retail energy suppliers who share the common vision that competitive retail electricity and natural gas markets deliver a more efficient, customer-oriented outcome than a regulated utility structure. RESA is devoted to working with all stakeholders to promote vibrant and sustainable competitive retail energy markets for residential and industrial consumers.

As written, HB914 alters the current law wherein a certain proceeding for judicial review of a final decision or order by the Public Service Commission may be instituted in a circuit court.

Under current Maryland law, a proceeding for judicial review shall be instituted in the circuit court in equity for any county in which the public service company *involved* in the proceeding *operates*; or in the Circuit Court in equity for Baltimore City.

Energy retailer suppliers operate in nearly every jurisdiction in the state of Maryland, including Baltimore City. Current law affords the public service companies, like MDRESA members, the opportunity and choice of venue, should they elect to appeal a decision rendered by the Public Service Commission, through judicial review in the circuit court - this option is based on the where the company operates.

It is our interpretation that HB 914 would limit this choice, substantially, against a public service company. Furthermore, this legislation is an overreach by the Public Service Commission whereby the Commission is determining the jurisdiction on where a public service company can bring *their* appeal.

For these reasons, we oppose HB914 and respectfully urge this committee to give this legislation an **UNFAVORABLE** report.

Sincerely,

Richard J. Reinhardt, II, *Partner*
Percy Public Affairs, LLC