



HOUSE ECONOMIC MATTERS COMMITTEE  
HB0891  
FAVORABLE WITH AMENDMENTS

House Economic Matters Committee  
March 9, 2023

Vistra respectfully submits this testimony in **support with amendments to HB0891 - Independent Study of the Public Service Commission (PSC Study Act of 2023)**.

Vistra is a leading Fortune 500 integrated retail electricity and power generation company with operations in Maryland that focuses on delivering an innovative, customer-centric approach to retail electricity and over 7,500 MW of electric generation in the PJM market.<sup>1</sup>

Vistra supports the goal of HB0891 to study the Maryland Public Service Commission, map staff needs, and bolster the Commission's work on behalf of Maryland consumers. Specifically, we would hope that the study would consider additional auditing staff to provide greater oversight and transparency. From the Public Service Commission website:

*“The Commission has much broader authority for supervision and regulation of activities of public service companies. In addition to setting rates, the Commission collects and maintains records and reports of public service companies, reviews plans for service, inspects equipment, audits financial records, handles consumer complaints, promulgates and enforces rules and regulations, defends its decisions on appeal to State courts, and intervenes in relevant cases before federal regulatory commissions and federal courts.”*

Vistra would like to see improved staffing for auditing raised as a requirement for study. The legislature may also consider adding additional transparency language for utility reporting. To that end, Vistra would recommend that the following language be included in the legislation:

- INFORMATION ON THE ACCURACY OF THE BILLS SENT TO CUSTOMERS;
- THE TOTAL AMOUNT COLLECTED FROM CUSTOMERS TO SUPPORT UTILITY ASSISTANCE PROGRAMS AND PROGRAMS INCLUDED IN §§ 7-223 AND §§ 7-224, INCLUDING THOSE OFFERED BY THE PUBLIC SERVICE COMPANY, THE OFFICE OF HOME ENERGY PROGRAMS, OR THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT;
- THE TOTAL NUMBER OF CUSTOMERS AND THE TOTAL AMOUNT ALLOCATED TO CUSTOMERS RECEIVING UTILITY ASSISTANCE, INCLUDING THOSE OFFERED BY THE PUBLIC SERVICE COMPANY, THE OFFICE OF HOME ENERGY PROGRAMS, OR THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT;

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<sup>1</sup> The company brings its products and services to market in 20 states and the District of Columbia, including six of the seven competitive wholesale markets in the U.S. Serving nearly 4.3 million residential, commercial, and industrial retail customers with electricity and natural gas, Vistra is one of the largest competitive electricity providers in the country and offers over 50 renewable energy plans. The company is also the largest competitive power generator in the U.S. with a capacity of approximately 37,000 megawatts powered by a diverse portfolio, including natural gas, nuclear, solar, and battery energy storage facilities. In addition, Vistra is a large purchaser of wind power. The company owns and operates the 750-MW/1,600-MWh battery energy storage system in Moss Landing, California, the largest of its kind in the world.

- AN EXPLANATION OF CUSTOMER COMPLAINTS RECEIVED FOR BILLING ISSUES, SERVICE OUTAGES, PROGRAMS INCLUDED IN "§§ 7-223 AND §§ 7-224 AND CUSTOMER SERVICE; INCLUDING, BUT NOT LIMITED TO:
  1. INCORRECTLY BILLED CUSTOMERS;
  2. DIFFICULTIES ENROLLING IN PROGRAMS;
  3. TIME FROM SERVICE OUTAGE TO RESTORATION;
  4. AVERAGE TIME OF RESTORATION FROM DISCONNECT FOR NON-PAY TO RESTORATION;
  5. AVERAGE TIME FROM ENROLLMENT IN PROGRAMS TO DELIVERY OF SERVICE;
  6. NUMBER OF ENROLLMENTS IN PROGRAMS THAT DID NOT RESULT IN ULTIMATE DELIVERY OF SERVICE TO THE CUSTOMER;
  7. AVERAGE AND MEDIAN TIMES TO ANSWER CUSTOMER INQUIRIES FOR EACH COMMUNICATION CHANNEL, INCLUDING TELEPHONE, TEXT, EMAIL, OR OTHER CHANNELS;
  8. AVERAGE AND MEDIAN TIMES TO RESOLVE CUSTOMER COMPLAINT INQUIRIES; AND
  9. NUMBER OF COMPLAINTS UNRESOLVED.
  
- A LIST OF:
  1. VENDORS THAT PROVIDE BILLING SERVICES, CUSTOMER SERVICE, AND CUSTOMER INFORMATION MANAGEMENT; AND
  2. CONTRACTS AWARDED FOR BILLING SERVICES, CUSTOMER SERVICE, CUSTOMER INFORMATION MANAGEMENT IN THE IMMEDIATELY PRECEDING YEAR;
  3. PARTNERSHIPS ENTERED INTO TO DELIVER SERVICES SPECIFIED BY "§§ 7-223 AND §§ 7-224; AND
  4. AMOUNTS SPENT IN PARTNERSHIPS FROM FUNDS DESIGNATED FOR SERVICES PROVIDED BY "§§ 7-223 AND §§ 7-224.
  
- A LIST OF THE BUDGET, EXPENSES, ACTIVITIES, AND PERFORMANCE INDICATORS FOR ALL PILOT PROGRAMS ESTABLISHED UNDER THIS ARTICLE IN WHICH THE PUBLIC SERVICE COMPANY PARTICIPATES, INCLUDING THE TOTAL AMOUNT COLLECTED FROM CUSTOMERS TO SUPPORT THE PILOT PROGRAMS IN THE IMMEDIATELY PRECEDING YEAR; AND
  
- BENCHMARKING OF CUSTOMER SATISFACTION, BILLING ACCURACY, AND RESULTS FROM PROGRAMS ESTABLISHED UNDER "§§ 7-223 AND §§ 7-224 AGAINST SIMILAR PROGRAMS IMPLEMENTED IN OTHER ENERGY MARKETS IN THE UNITED STATES AND OTHER COUNTRIES.

Vistra believes frequent auditing utility program implementation will provide the best guarantee of achieving the goals of the legislature while providing the best cost-benefit balance for Maryland's citizens. We also would like to be added to the list of organizations to assist as a source of information; adding "COMPETITIVE SUPPLIERS" to the considered sources of information (page 4):

(II) CONSIDER SOURCES OF INFORMATION EXTERNAL TO THE COMMISSION, INCLUDING INFORMATION FROM REGULATED UTILITIES, COMPETITIVE SUPPLIERS, THE RENEWABLE ENERGY INDUSTRY, ENVIRONMENTAL EXPERTS, RATEPAYERS' GROUPS, COMMUNITY ORGANIZATIONS

Thank you for the opportunity to share our perspective on HB 891 and for the above reasons, Vistra respectfully urges the Committee to provide a *favorable* report *with amendments*.