



**March 4, 2024**

Senator Brian Feldman, *Chair*  
Senator Cheryl Kagan, *Vice-Chair*  
Senate Education, Energy, and the Environment Committee  
Miller Senate Office Building, 2 West  
Annapolis, Maryland 21401

**Re: *Senate Bill 918: Retail Choice Customer Education and Protection Fund - Purposes and Uses - SUPPORT***

Dear Senator Feldman and Committee Members:

On behalf of its membership, the Retail Energy Supply Association (RESA) offers this written testimony in support to *Senate Bill 918: Retail Choice Customer Education and Protection Fund - Purposes and Uses*.

Founded in 1990 and headquartered in Harrisburg, Pennsylvania, RESA is a non-profit trade association representing the interests of its members, who are active participants in the retail competitive markets for electricity and natural gas in Maryland. RESA is a broad and diverse group of 16 retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. Several RESA member companies are licensed by the Maryland Public Service Commission (PSC) and serve the state's residential, commercial, and industrial customers.

Pursuant to the Maryland Public Utilities Article § 7-310 (c), the purpose of the *Retail Choice Customer Education and Protection Fund* is to provide resources to improve the Commission's ability to:

*“(1) educate customer on retail electric and gas choice; and*

*(2) protect customers from unfair, false, misleading, or deceptive practices by electric or gas suppliers.”*

As written, SB 918 would modify the purpose and use of the Fund to expand customer education on energy choice.

RESA firmly believes the ability of consumers to choose an energy supplier should be a right that is available to all customers. The ability for a customer to make an informed choice requires education and awareness. Informational access and resources are not only essential for customers to understand the marketplace, supply rates, and their ability to choose between a supplier or a utility, but it also reduces their risks of deceptive marketing practices.

The Fund has served as a primary funding mechanism for the creation of the Commission's *MDEnergyChoice* – this website is the landing page for its gas and electricity supply education and comparison-shopping pages. *MDEnergyChoice.com* allows customers to explore available supply rates and easily compare them to their utilities' standard offers service rates. In addition, the Commission has also explored and launched various community outreach campaigns consisting of social media promotions, billboarding, digital media, and town halls and informative webinars (known as "Power in the Park").

According to the Commission's report, "Reporting of Enforcement Actions Taken Between Calendar Years 2010 and 2022", issued on November 1, 2023, the Commission recommended altering the Public Utilities Article to allow for use of the funds for additional educational purposes. The Commission stated that, "*this would allow the PSC to more broadly educate customers on making energy choices and taking steps that help meet the State's climate goals.*"

The Association supports this Commission's recommendation. Moreover, we firmly aver that continued investments by the Commission into these current resources, while expanding community outreach through creative collaboration and engagement with the supplier industry is the most effective options to ensuring Maryland residents are informed on energy options and how those choices can make a positive impact on the State's Climate milestones.

In addition to expanding educational awareness to Maryland consumers, SB981 would also develop a training and educational program for electricity and gas suppliers.

During the 2020 General Session, the Maryland Legislature introduced Senate Bill 603/House Bill 928, entitled *Public Service Commission - Electricity and Gas Suppliers - Training and Educational Program*. According to the Department of Legislative Services' fiscal note:

*"This bill requires the Public Service Commission (PSC) to develop a training and educational program, in consultation with interested stakeholders, for any entity or individual that is licensed by PSC as an electricity supplier or a gas supplier, subject to specified requirements. The program must require that a designated representative of each licensed electricity supplier or licensed gas supplier demonstrate a thorough understanding of relevant PSC regulations.*

*PSC must conduct an examination at the end of the training and certify that the designated representative has successfully completed the training. PSC may recover the initial costs of the program through its standard assessment and may establish reasonable fees for the program. PSC may also adopt regulations that include appropriate penalties or sanctions for failure to comply with the bill."*

Receiving both the support of RESA and the legislature, the legislation was successfully enacted that same year, but has yet to be implemented by the Commission. The benefits of implementing this program would have better prepared suppliers to be more astute with the Commission's regulations and possibly mitigated some of the customer complaints reported to the Consumer Affairs Division (CAD). As further stated in their own report, last November, the Commission, "*recommends additional resources to expand educational opportunities to both the public and to suppliers entering the market in Maryland.*"

Again, RESA agrees with Commission's recommendation. Through the enactment of SB918, we will see the creation of the long-awaited training and education program for suppliers, finally come to fruition.

It is for these reasons that we support this legislation and respectfully request this committee to give SB918 a FAVORABLE report.

Sincerely yours,

A handwritten signature in blue ink that reads "Tracy McCormick". The signature is written in a cursive, flowing style.

Tracy McCormick  
Executive Director