



Position Statement

Letter of Information

Economic Matter

2/10/2026

House Bill 103 – Consumer Protection: Consumer Contracts – Prohibited Waiver

Baltimore Gas and Electric Company (BGE) submits this letter of information for *House Bill 103 – Consumer Protection: Consumer Contracts – Prohibited Waiver*. *House Bill 103* repeals the existing exemption for companies regulated by the Public Service Commission, which includes water, electric, and gas utilities.

Utilities do not enter into traditional consumer contracts to provide service to our customers. As written, *House Bill 103* creates uncertainty about whether PSC-approved tariff language could be interpreted as falling within the scope of the legislation. For this reason, we are requesting that the current statutory exemption remain in place to avoid unintended consequences for regulated utilities.

House Bill 103 regulates “consumer contracts,” defined as agreements for personal or household goods and services. Utility service, however, is not based on individually negotiated agreements. All rates, billing processes, dispute procedures, and service obligations are set through PSC-approved tariffs. Because these tariffs cannot be waived or altered by either the utility or the customer, applying *House Bill 103* would not advance its intent, which is to prevent harmful or unfair terms in private contracts. Further, extending *House Bill 103* to utilities could create contradictions between PSC-mandated requirements and new restrictions intended for private contracts.

Additionally, a major aim of *House Bill 103* is to prevent businesses from including clauses that shorten the time consumers have to bring a claim. Utilities do not use such provisions. Complaints and legal timelines are already set by PSC regulations, not by utility-drafted terms. As a result, *House Bill 103* would not provide additional protection for utility customers.

BGE, headquartered in Baltimore, is Maryland’s largest gas and electric utility, delivering power to more than 1.3 million electric customers and more than 700,000 natural gas customers in central Maryland. The company’s approximately 3,400 employees are committed to the safe and reliable delivery of gas and electricity, as well as enhanced energy management, conservation, environmental stewardship and community assistance. BGE is a subsidiary of Exelon Corporation (NYSE: EXC), the nation’s largest energy delivery company.

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House Bill 103 is designed to address issues arising in private, standardized consumer contracts. Maryland utilities, however, operate under a regulatory framework that already establishes strong consumer protections and prohibits the types of practices the bill targets. Applying *House Bill 103* to utilities would create regulatory uncertainty, and potentially conflict with PSC authority.

While the provisions of *House Bill 103* may be appropriate for private consumer contracts, they are not compatible with the highly regulated framework under which Maryland utilities operate.

For these reasons, we respectfully request that *House Bill 103* be amended to retain the current statutory exemption for entities regulated by the Public Service Commission.

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