

**SENATE BILL 749
RESIDENTIAL RETAIL CUSTOMER AND RETAIL ELECTRICITY SUPPLIERS
DEFINITIONS AND ALTERATIONS**

FAVORABLE WITH AMENDMENTS

**EDUCATION, ENERGY AND ENVIRONMENT COMMITTEE
February 24, 2026**

The Energy Artisans submit these comments in **favor with amendments** to **SB 749 – Residential Retail Customer and Retail Electricity Suppliers – Definition and Alterations**

Energy Artisans is an established membership organization formed in 2017 that is comprised of industry experts to serve various client needs. The group is anchored by individuals who have decades of energy market experience in general purchasing, wholesale and behind-the-meter power plant development and operation, as well as bulk and retail energy delivery, fuel purchasing and delivery, efficiency measures, and direct participation at the membership and stakeholder level in PJM.

We have reviewed this Bill and support changes to the existing Statute with amendments suggested in the following categories: Pricing and Term limitations, Purchase of Receivables (POR), and Sales Agent responsibility.

Pricing and Term Limitations

The Bill, as proposed, continues to set quantitative limits on both price and contract terms offered by retail electric and natural gas suppliers that have no market basis. Artificial limits in the market, such as these, will result in higher energy consumer price offerings in falling markets and no price offerings in rising markets. This is precisely why there are no 3rd party suppliers willing to offer supply services in Maryland, i.e. residential customers have no choice but to buy standard offer service (“SOS” aka, Provider of Last Resort “PoLR”).

The SOS rate is determined by an average of 24-month pricing for 25% at approximate 6-month intervals. It is particularly notable that the SOS rate covers a period of 24 months but the customer is limited to a period of 12 months under this Bill. Also notable is that the SOS rate is being used as an index against which to benchmark and limit supply offers. It is a poor index, as at any given point in time it does not represent actual current market conditions for future supply. This SOS rate represents a historical reference over the past 24 months and has no bearing on the current price to serve future customer load, i.e. like other markets, past performance is no indicator of future performance. Similarly, the references to green power also include administratively determined prices which have no market basis.

Suggestion: Remove all 3rd party supply price and term limits for electric, natural gas contracts. Also, eliminate the need for PSC review of any green power pricing. However, any offering by a 3rd party supplier must be properly documented in clear, simple language so that customers understand the product.

Purchase of Receivables (POR)

POR was established to provide equal opportunity for all potential customers to choose a supplier regardless of income. Its use was to facilitate billing of current customer energy charges and should never include termination charges or any other charges not associated with current energy supply. As proposed in this Bill, only the SOS provider can recover credit losses, while a 3rd party supplier cannot. This is anticompetitive and gives the monopoly SOS provider an advantage over 3rd party supply. Per **Article 41 of the Maryland Constitution**, *“That Monopolies are odious, contrary to the spirit of a free government and the principles of commerce, and ought not be suffered”*.

Suggestion: Restore POR with an explicit provision that it may not be used to bill anything other than current customer supply charges per contract.

Sales Agent Responsibility

Markets control energy costs, and market education is the key to helping smaller consumers avoid unscrupulous energy marketers and spot unrealistic offers, not limiting what people can buy; that should be a personal choice. If people choose not to participate in markets, then that's a particular person or company's prerogative, but not a reason to eliminate that choice for all others. The SOS rate, aka PoLR, is intended to be just that, the rate for people who opt not to make a supply choice. It is not the most cost-effective choice for purchasing power. Sales agents who misrepresent products and their performance should be held personally accountable as well as the companies that they represent. This is akin to misrepresenting investments. There are Federal as well as Maryland-state securities laws that address this type of misrepresentation. This Bill, as proposed, does not address this issue.

Suggestion: Add personal responsibility for sales agents similar to securities law, e.g. personal and company fines and personal industry debarment.

In conclusion, we support SB 749 with these proposed amendments.

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