

RESA_FAV_SB 603

Uploaded by: Kress, Bill

Position: FAV



SB 603 Electricity and Gas Suppliers – Training and Educational Program

The Retail Energy Supply Association (RESA)¹ submits these comments in support of SB 603 and respectfully request that the committee render a favorable report on this legislation.

The purpose of this legislation requires the Public Service Commission to develop a web-based training, education and testing program for Electricity and Natural Gas suppliers seeking to be licensed in Maryland. This program would require designated representatives of supplier applicants to demonstrate a thorough understanding of Commission regulations focusing on consumer protections. In particular it is the hope that such a program would provide a strong working knowledge of, and be familiar with Title 20 of the Code of Maryland with emphasis on Subtitles 53 and/or 59, with proficiency in Residential Customer Protections

The District of Columbia Public Service Commission requires any individual or entity engaging in the business of an electricity or natural gas supplier in the District of Columbia to complete an online Supplier Education Workshop and Test. The Workshop and Test ensures that suppliers have a proficient understanding of the Commission's supplier licensing rules as well as the revised and expanded Utility Consumer Bill of Rights. The Supplier Education Workshop and Test ensures that providers are aware of Commission rules and consumer safeguards, and that utility consumers are protected within a competitive market.

In a hearing that the Commission conducted in July, 2019 in the matter of a complaint against Smart One Energy, LLC (SOE) it was very obvious that the principals, employees and contractors that were responsible for enrolling and serving customers

had no knowledge of the consumer protection rules in place regarding the retail sale of electricity and natural gas. Although Smart One Energy applied for and was granted a

¹ The comments expressed in this filing represent the position of the Retail Energy Supply Association (RESA) as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at www.resausa.org.



license to serve customers, it was apparent that there was no knowledge of the consumer protections that are in place to safeguard the public. By implementing a web-based training, education and testing program for prospective licensed suppliers around the consumer protection rules, a reoccurrence of the SOE complaint could be avoided.

By ensuring that all suppliers have a working knowledge of the rules and protections established would benefit consumers and maintain the integrity of the retail energy market space.

For the reasons discussed above, RESA respectfully requests that the committee render a favorable report on this legislation.

Thank you for your attention and allowing RESA to provide these comments.

NRG_Lininger_FAV_SB603

Uploaded by: Lininger, Brett

Position: FAV



**SENATE BILL 603 – PUBLIC SERVICE COMMISSION – ELECTRICITY AND GAS SUPPLIERS –
TRAINING AND EDUCATIONAL PROGRAM**

FAVORABLE

SENATE FINANCECOMMITTEE

February 28, 2020

NRG Energy, Inc. (“NRG”) submits these comments in **support** of **SB 603 – Public Service Commission – Electricity and Gas Suppliers – Training and Educational Program**.

NRG is a Fortune 500 company, delivering customer focused solutions for managing electricity, while enhancing energy choice and working towards a sustainable energy future. We put customers at the center of everything we do. We create value by generating electricity and serving more than 3 million residential and commercial customers through our portfolio of retail electricity brands – including here in Maryland, where NRG owns four companies that are licensed by the Public Service Commission to serve retail customers.

SB 603 requires the Public Service Commission to develop a training and education program for all licensed suppliers in Maryland to ensure that all suppliers are aware, and demonstrate an understanding, of the PSC’s comprehensive rules related to sales and marketing, consumer protections, and any other topic the PSC deems appropriate. Ensuring that every supplier that is interacting with Maryland consumers is well informed of all Commission requirements and can demonstrate a proficiency is essential to protecting consumers and Maryland’s competitive retail marketplace.

Thank you for the opportunity to share our perspective on SB 603 and for the above reasons NRG urges the Committee give the bill a **favorable** report.

NRG Energy, Inc. Contact Information

Sarah Battisti, Director Government Affairs, NRG Energy, Inc., 804 Carnegie Center, Princeton, NJ 08540, 717-418-7290, sarah.battisti@nrg.com

Leah Gibbons, Director Regulatory Affairs, NRG Energy, Inc., 3711 Market Street, Suite 1000 Philadelphia, PA 19104, 301-509-1508, lgibbons@nrg.com

John Fiastro, Fiastro Consulting, 1500 Dellsway Road, Towson, MD 21286, 443-416-3842, john@fiastroconsulting.com

Brett Lininger, Old Line Government Affairs, 10 West Pennsylvania Ave., Suite 200, Baltimore, MD 21204, 443-527-4837, blininger@nemphosbraue.com

Joe Miedusiewski, Old Line Government Affairs, 10 West Pennsylvania Ave., Suite 200, Baltimore, MD 21204, 410-321-4580, americanjoe@oldlinelobbying.com

Vistra_FAV_SB603

Uploaded by: Nash, Katie

Position: FAV

SENATE BILL 603 – PUBLIC SERVICE COMMISSION – ELECTRICITY AND GAS
SUPPLIERS – TRAINING AND EDUCATIONAL PROGRAM

SENATE FINANCE COMMITTEE
FAVORABLE
VISTRA ENERGY

Senate Finance Committee

February 28, 2020

Vistra Energy respectfully submits this testimony in **support** of **SB 603 – Public Service Commission – Electricity and Gas Suppliers – Training and Educational Program**.

Vistra Energy (NYSE: VST) is a premier, integrated, Fortune 350 energy company with retail operations in Maryland. Vistra combines an innovative, customer-centric approach to retail with safe, reliable, diverse, and efficient power generation.¹

SB 603 requires the Public Service Commission (PSC) to develop a training and education program for all Maryland licensed suppliers. Vistra believes that customers should be protected against bad actors in the market and supports efforts to improve education offerings for suppliers. The PSC has taken action to develop comprehensive rules related to sales and marketing as well as extensive consumer protection provisions. This training can provide an ongoing mechanism for the PSC to continually share evolving customer protection information with market participants. Vistra looks forward to working to improve the practical application of the training program and to be a resource for the Public Service Commission as the implementation of the program moves forward.

Thank you for the opportunity to share our perspective on SB 603 and for the above reasons Vistra urges the Committee to provide a **favorable** report.

¹ The company brings its products and services to market in 20 states and the District of Columbia, including six of the seven competitive markets in the U.S. and markets in Canada and Japan, as well. Serving nearly 5 million residential, commercial, and industrial retail customers with electricity and gas, Vistra is the largest competitive residential electricity provider in the country and offers over 40 renewable energy plans. The company is also the largest competitive power generator in the U.S. with a capacity of approximately 39,000 megawatts powered by a diverse portfolio of natural gas, nuclear, coal, solar, and battery energy storage facilities. The company is a large purchaser of wind power. The company is currently developing the largest battery storage system of its kind in the world – a 300-MW/1,200-MWh system in Moss Landing, California.

Colin Fitzsimmons, Director, Government Affairs, Vistra Energy
colin.fitzsimmons@vistraenergy.com/717.817.1453

Katie Nash, Energy Advocacy Maryland
energyadvocacymaryland@gmail.com/301.524.9142

Steven_SakamotoWengel_FAV_SB 603

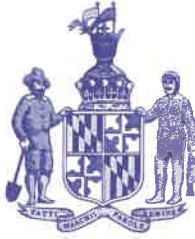
Uploaded by: Sakamoto-Wengel, Steve

Position: FAV

BRIAN E. FROSH
Attorney General

ELIZABETH F. HARRIS
Chief Deputy Attorney General

CAROLYN QUATTROCKI
Deputy Attorney General



WILLIAM D. GRUHN
Chief
Consumer Protection Division

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL
CONSUMER PROTECTION DIVISION
February 28, 2020

Writer's Direct Dial No.
410-576-7942
Fax: 410-576-7040

To: The Honorable Delores G. Kelley
Chair, Finance Committee

From: Karen S. Straughn
Consumer Protection Division

Re: Senate Bill 603 – Public Service Commission – Electricity and Gas Suppliers – Training and Educational Program (SUPPORT)

The Consumer Protection Division of the Office of the Attorney General submits the following written testimony in support of Senate Bill 603 submitted by Senator Brian J. Feldman. This bill requires the Public Service Commission to develop a training and educational program for third-party suppliers of electricity and gas, which includes sales, consumer protection and other matters that the Commission deems appropriate.

The Consumer Protection Division regularly receives complaints about unscrupulous practices in the sale of third-party gas and electric supply contracts. Although primarily regulated by the Public Service Commission, third-party gas and electricity suppliers are subject to certain consumer protection statutes in addition to the Consumer Protection Act, including the Door-to-Door Sales Act and the Telephone Solicitation Act. Since the majority of sales obtained by a third-party supplier involve the application of one or the other of these statutes, it is critical that third-party suppliers know and understand their requirements. By training and educating third-party suppliers, not only do suppliers have enhanced knowledge which will ensure the accuracy of their sales process, but consumers are better protected as well. This office is willing to work with the Public Service Commission on these programs to ensure that third-party suppliers are provided with the necessary education.

For these reasons, we ask that the Finance Committee return a favorable report on this bill.

cc: The Honorable Brian J. Feldman
Members, Finance Committee



OPC_Info_SB603

Uploaded by: Carmody, Paula

Position: INFO

**STATE OF MARYLAND
OFFICE OF PEOPLE'S COUNSEL**

Paula M. Carmody, People's Counsel

6 St. Paul Street, Suite 2102
Baltimore, Maryland 21202
410-767-8150; 800-207-4055
www.opc.maryland.gov

BILL NO.: **SB603 - Public Service Commission –
Electricity and Gas Suppliers – Training
and Education Program**

COMMITTEE: **Senate Finance**

HEARING DATE: **February 28, 2020**

SPONSORS: **Senator Feldman**

POSITION: **Informational**

The Office of People's Counsel (OPC) provides these comments as information on SB603, Public Service Commission – Electricity and Gas Suppliers-Training and Education Program. For the past twenty years, all gas and electric suppliers have been required by Maryland law to comply with federal, state and local consumer protection laws, and Commission regulations, including additional marketing and contracting regulations. In fact, an authorized official is required to affirm the company's compliance with these laws at the time of the submission of the license application. Therefore, it is the supplier's sole responsibility to ensure compliance with these requirements. However, Senate Bill 603 affirmatively enhances the likelihood of compliance with those requirements by establishing a training and education program provided by the Commission, as regulator. Once completed, a supplier can no longer state after the fact, "we were not aware of the rules."

This bill requires the Public Service Commission (PSC) to develop a training and education program for companies that are licensed by the PSC as retail energy suppliers. The training and education program is to be developed in consultation with interested stakeholders. Under the PSC training program, each licensed energy supplier must designate one representative to undertake the training in order to have “a thorough understanding of the Commission’s regulations” on sales, and consumer protection and any other matter the PSC deems appropriate. The PSC would conduct an examination and certify that the designated representative of the licensed energy supplier had successfully completed the course. A new energy supplier must have the designated representative complete the training prior to being issued a license to operate as a retail supplier.

The bill does not assign any follow-up responsibilities for the designated representative of the retail suppliers to ensure that the retail suppliers follows the PSC’s rules and regulations. The Company’s representative must successfully complete the course, but there are no provisions regarding the use by retail energy suppliers of third-party marketing entities, door to door solicitation firms or off-shore call centers. The designated representative has no obligation to impart any knowledge from the training to any other members of the retail supply company.

OPC would suggest that the designated representative of a licensed electricity or natural gas supplier, who is certified after completion of the training and education program provided by the Public Service Commission, be designated as the compliance official for the licensed retail electricity or natural gas supplier. This change will help to ensure that the knowledge gained on the issues of marketing and contracting practices

and consumer protection are shared with all employees of retail suppliers, as well as outside vendors and all of their agents. For those retail suppliers who employ third party marketing and sales firms, the designated representative with the PSC certification can provide guidance to the third party agents about the PSC rules and regulations regarding marketing and sales tactics. Further the establishment of the PSC certified designated representative as the compliance officer of the retail supplier will create a single point of contact for the Commission, OPC and consumers who have questions or disputes with the retail suppliers activities in the areas of sales and consumer protection.

Given the serious slamming problems and the failure to comply with federal, state and local laws that OPC and others have identified in Maryland from sales and marketing activities by certain retail suppliers, the establishment of training and education regime by the Public Service Commission could provide some further assurance of protection for the residential customers of competitive energy suppliers. However, the certified training and education of one individual of a retail supplier will not achieve the result sought by legislation unless there exists a requirement in the law to share the knowledge from the Commission's training and education program with other employees of the retail suppliers.

Finally, OPC believes that it would be helpful to explicitly list OPC as a stakeholder, in addition to the energy suppliers, in developing the training and education program.