

Maryland's Residential Electric and Gas Supply Markets: Where Do We Go from Here?

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*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

TABLE OF CONTENTS

| | |
|---|----|
| EXECUTIVE SUMMARY | vi |
| INTRODUCTION | 1 |
| I. EXISTING STATUTORY AND REGULATORY FRAMEWORK FOR RESIDENTIAL ELECTRIC AND GAS SUPPLY MARKETS IN MARYLAND | 3 |
| Approximately twenty years ago, state legislation opened up residential electric and gas supply markets to competition. | 3 |
| Consumer complaints led to an investigation of one supplier's practices, which, in turn, led to comprehensive investigations. | 4 |
| The Public Service Commission has taken preliminary and important steps to improve the way that residential electric and gas markets function. | 5 |
| Energy assistance funds for low-income customers may be inefficiently used if benefits are paid to cover higher-priced supply costs | 6 |
| Supplier prices have spiked significantly above electric standard offer service and gas commodity rates. | 7 |
| II. PRELIMINARY ANALYSIS OF RESIDENTIAL ELECTRIC AND GAS MARKETS: CONSUMER PARTICIPATION RATES AND SUPPLIER PRESENCE | 9 |
| Residential Energy Supply Markets..... | 9 |
| Electric Market..... | 9 |
| Supplier Presence in the Electric Market..... | 9 |
| Participation in the Residential Electric Market | 9 |
| Seasonal Variation in Participation Rates in the Residential Electric Supply Market | 13 |
| Churn in the Residential Electric Market..... | 14 |
| Gas Market..... | 14 |
| Supplier Presence in the Gas Market | 14 |
| Participation in the Residential Gas Supply Market | 15 |
| Seasonal variation in participation rates in the residential gas supply market | 16 |
| The number of electric and gas suppliers listed on the PSC website that are purportedly “actively seeking new customers” greatly exceeds the number of suppliers actually serving customers. | 17 |
| Conclusion | 18 |
| III. PRELIMINARY ANALYSIS OF SUPPLIERS' PRICES..... | 19 |
| Overview of rate structures in the residential competitive supply market (rates, terms, and conditions)..... | 19 |

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

| | |
|--|----|
| Prices for electric and gas supply in the residential market provide valuable information about whether customers are benefiting from competitive choice | 20 |
| Some customers may voluntarily choose to pay higher rates to support renewable energy..... | 21 |
| Information and transparency are key to a well-functioning market | 21 |
| Methodology for selection of gas and electricity suppliers and supplier prices | 22 |
| Analysis of prices posted on suppliers' websites..... | 24 |
| Suppliers' electric rates greatly exceed those of the standard offer..... | 24 |
| Suppliers' gas rates greatly exceed those of the standard offer. | 29 |
| Significant caveats about the rates posted on suppliers' websites. | 32 |
| IV. OTHER STATES' EXPERIENCES WITH RESIDENTIAL ENERGY SUPPLY MARKETS ARE INSTRUCTIVE | 33 |
| Consumer harm in residential retail energy supply markets, as evidenced by state investigations and class action lawsuits as well as by high prices, is occurring throughout the country. | 33 |
| Although states have expended significant legislative, regulatory, and advocacy resources to improve the way that residential electric supply markets function, some of these same states have determined that public policy challenges relating to these markets persist and merit yet further investigation. | 35 |
| Observations about other states' policy and proceedings | 38 |
| Transparency of suppliers' rates, terms, and conditions improves efficient decision-making and inform policy making | 38 |
| Existing requirements in Maryland provide a foundation for transparency but are insufficient. | 39 |
| Examples from other states of ways to enhance transparency in Maryland's supplier markets:..... | 40 |
| Variable rates contribute to rate shock and high bills..... | 42 |
| Examples from other states regarding variable rates | 42 |
| To be truly effective, statutory and regulatory requirements need to be actively enforced and state agencies require sufficient resources to undertake those enforcement actions. | 43 |
| Conclusion regarding other states' experiences..... | 44 |
| V. POLICY GUIDELINES | 46 |
| Principal policy guidelines for residential energy markets..... | 46 |
| Discussion of policy guidelines | 46 |
| Conclusion | 47 |
| VI. CONCLUSION AND NEXT STEPS | 48 |
| Additional consumer protection measures are essential because energy supply markets are not, on balance, benefiting Maryland's residential customers..... | 48 |

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

| | |
|--|----|
| Transparency is vital to increasing opportunities for residential customers to benefit from retail competition. | 49 |
| Consumer protection against variable rates is essential..... | 51 |
| Effective oversight and enforcement procedures and tools are needed to protect consumers.. | 51 |

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

List of Tables

| | |
|----------|--|
| Table 1 | Number of Competitive Electric Suppliers by Distribution Utility Service Territory Serving Customers as of August 2018 |
| Table 2 | Total Households Participating in Electric Competitive Supply Market |
| Table 3 | Participation Rates by Distribution Utility Service Territory (Electric) |
| Table 4 | Churn in the Residential Electric Market |
| Table 5 | All Utilities Where Gas Choice Is Available in Maryland |
| Table 6 | Total Eligible Households Participating in Gas Competitive Supply Market |
| Table 7 | Electric Supplier Published Rates – BGE Territory (October 2018 – 12-Month Contract) |
| Table 8 | Electric Supplier Published Rates - Potomac Electric Power Service Territory (October 2018 – 12-Month Contract) |
| Table 9 | Electric Supplier Published Rates - Potomac Edison Service Territory (October 2018 – 12-Month Contract) |
| Table 10 | Electric Supplier Published Rates - Delmarva Power & Light Service Territory (July 2018 – 12-Month Contract) |
| Table 11 | Electric Supplier Published Rates – SMECO Service Territory (October 2018 – 12-Month Contract) |
| Table 12 | Consumers Lose Over \$34.1 Million Annually by Participating in Residential Electric Supply Market (Estimated Annual Impact by Distribution Territory) |
| Table 13 | Gas Suppliers' Published Rates – BGE Service Territory (October 2018 – 12-Month Contract) |
| Table 14 | Gas Suppliers' Published Rates – Washington Gas Light Service Territory (October 2018 – 12-Month Contract) |
| Table 15 | Consumers Lose Over \$20 Million Annually by Participating in Residential Gas Market (Estimated Annual Impact by Distribution Territory) |

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

List of Figures

- Figure 1 Statewide Participation Rates in Residential Electric Supply Market: 2001 through 2018
- Figure 2 Monthly Residential Participation Rates in the Residential Electric Supply Market in Maryland by Distribution Utility Service Area: September 2017 through August 2018
- Figure 3 Statewide Participation Rates in the Residential Gas Supply Market: 2007 through 2018
- Figure 4 Quarterly Residential Participation Rates in the Residential Gas Supply Market in Maryland by Distribution Utility Service Area: December 2015 through June 2018

List of Appendices

- Appendix 1 Author Bios
- Appendix 2 OPC Electricity Retail Price Comparison by Service Area
- Appendix 3 OPC Natural Gas Retail Price Comparison by Service Area
- Appendix 4A Massachusetts Attorney General Review of State Investigations and Class Action Lawsuits
- Appendix 4B Additional State Investigations and Class Action Lawsuits Alleging Unfair or Deceptive Acts or Practices by Suppliers
- Appendix 5 Summary of Major Consumer Protection Safeguards in Maryland
- Appendix 6 Connecticut Office of Consumer Counsel Electric Supplier Market Fact Sheet
- Appendix 7 Sample Consumer Bill in Connecticut
- Appendix 8 Excerpts from New York Department of Public Service Monthly Report on Consumer Complaint Activity

EXECUTIVE SUMMARY

At the request of the Maryland Office of People's Counsel (OPC), we have conducted a preliminary analysis of the residential electric and gas retail energy supply markets in Maryland, and the impact that opening these markets to competition has had and is continuing to have on Maryland's consumers. This report summarizes our analyses and also identifies gaps in critically important information about (1) the prices that customers are actually paying to suppliers for these essential utility services and (2) the relative participation rates by low-income customers and communities in these energy supply markets.

In Maryland, approximately one in five residential customers purchases electricity from a retail energy supplier and approximately one in five residential customers purchases gas from a retail energy supplier. Using the limited public information that is available to us, we compute an approximate net annual consumer *loss* of approximately \$34.1 million in the residential electric supply market and an approximate net annual consumer loss of approximately \$20.7 million in the residential gas supply market resulting from Maryland households' participation in energy supply markets. In other words, Maryland's households are paying approximately \$54.9 million *more* for electricity and gas than if they had purchased energy from their utilities.

In this report, we define consumer loss as the difference between the prices that households would pay under utilities' standard offers and the published (*not the actual*) retail energy supplier prices. A more accurate estimate of consumer loss would be based on the *actual rates* that Maryland's customers pay, but that information is not now publicly available in Maryland. Our methodology is straightforward and can be easily replicated. Our calculations are based on publicly available information – the enrollment numbers that the Maryland Public Service Commission (PSC or Commission) publishes on its website and the rates that electric and gas suppliers post on their websites and which the OPC summarizes on its website. We only have access to total numbers of residential supplier enrollments in a utility service territory, and not to the numbers of customers that each supplier serves. Therefore, we compute unweighted average rates based on published supplier rates. These rates do not necessarily reflect the rates that suppliers actually charge nor do they reflect the rates of those suppliers who fail to comply with the regulatory requirement to post their rates.

We urge the Commission, in tandem with the State Legislature, to not only seek more detailed information about the prices that suppliers actually charge consumers but also to adopt additional remedies to address the market imperfections in the residential electric and gas supply markets. Our recommendations are based, in part, on our detailed analyses of electric markets in other jurisdictions as well as our research into other states' investigations of retail electric markets. **Our research shows that even states that have expended substantial effort to improve consumer protection safeguards are continuing to investigate ways to prevent consumer harm.**

The views we express in this report are our own, and are not necessarily those of the OPC. Economically efficient competition and consumer choice are laudable goals. Indeed, section 504(4) of the Maryland Code states that the purpose of retail competition is to "provide economic benefit for all customer classes." As long as Maryland's residential energy markets

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

remain open to competition, it is critically important to ensure that appropriate and sufficient rules, policies, and resources are in place so as to increase the likelihood of residential customers benefiting from competition in the energy supply market and so as to minimize the potential harm arising from these markets. Moreover, in order to determine if such benefits are occurring, policy makers require more information about the prices that customers are actually paying for electricity and gas.

The questions the authors seek to answer are: (1) exactly how much are customers paying for choice; (2) how can rates, terms, and conditions be more transparent so that customers can make well-informed purchasing decisions; (3) how can consumers be protected further from swings in variable rates; and (4) how can policymakers ensure that the many safeguards that now exist (as well as any future ones) are enforced in a timely and effective manner.

INTRODUCTION

In recent years, the unanticipated, adverse consequences for residential customers of decisions in numerous jurisdictions throughout the country to open up electric supply markets to competitive entry have been well-documented.¹ Less attention has been paid to retail gas supply markets for residential customers. However, the characteristics of the market are sufficiently similar that experiences in electric supply markets shed light on how residential gas markets function as well. Various studies and reports have demonstrated that, on balance, electric retail competition has led to substantial overpayment by residential customers for electric service relative to the prices the same customers would have paid had they stayed with their utility supply service.² Moreover, numerous state enforcement actions and proceedings demonstrate that opening the residential supply market to companies other than the “default” utility company³ has led to aggressive, deceptive and sometimes illegal practices by competitive suppliers.⁴ There is also growing concern that the burden of high charges may be falling disproportionately on low-income customers.⁵

In response to these harmful practices and outcomes, state public utility commissions and state legislatures have been establishing and are continuing to design a wide array of consumer protection measures. Some recommend an outright ban on competitive supply in residential markets and others assert that consumers should have choice and that stronger consumer protection measures can weed out the “bad actors.” Maryland was one of the first states to promulgate substantive licensing and consumer protection requirements through legislation, Public Service Commission (“PSC” or “Commission”) orders and PSC regulations. Also, after the polar vortex, Maryland took additional steps to enhance consumer protection in residential energy markets, but, as we discuss in this report, additional measures are needed.

The purposes of this report, which we have prepared on behalf of the Maryland Office of People’s Counsel (“OPC”),⁶ are to:

1. Conduct a preliminary analysis of residential electric and gas market supply markets in Maryland;
2. Assess the need for additional data and information in order to gauge more fully the impact of the market on Maryland’s households;
3. Highlight experiences in other states so as to inform Maryland’s ongoing efforts to improve the way that residential energy supply markets function, specifically as other states’ efforts pertain to gaps in Maryland’s existing framework of consumer protection; and
4. Make recommendations for next steps by the Maryland PSC or the Maryland State General Assembly to identify and address any market imperfections in the residential electric and gas supply markets.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

The views we express in this report are our own, and are not necessarily those of the OPC. As long as Maryland's residential energy markets remain open to competition, it is critically important to ensure that appropriate and sufficient rules, policies, and resources are in place so as to increase the likelihood of residential customers benefiting from competition in the energy supply market and so as to minimize the potential harm arising from these markets. Also, measures should be established to improve transparency regarding the rates, terms, and conditions associated with residential consumers' purchase of gas and electricity from companies other than through utilities' standard service. Finally, with almost twenty years of residential retail competition in Maryland, now is the time to take a hard look at whether consumers actually have derived the benefit of lower prices for their electric and gas services.

Organization of report

This report includes the following six sections:

- Section I: Existing statutory and regulatory framework for electric and gas residential supply markets in Maryland;
- Section II: Preliminary analysis of residential electric and gas markets: consumer participation rates and supplier presence;
- Section III: Preliminary analysis of suppliers' prices;
- Section IV: Other states' experiences;
- Section V: Policy guidelines; and
- Section VI: Conclusion and next steps.

We also include eight appendixes, which provide additional background information.

I. EXISTING STATUTORY AND REGULATORY FRAMEWORK FOR RESIDENTIAL ELECTRIC AND GAS SUPPLY MARKETS IN MARYLAND

Approximately twenty years ago, state legislation opened up residential electric and gas supply markets to competition.

The Electric Customer Choice and Competition Act of 1999 (“Electric Choice Act”)⁷ opened electric supply markets to competition, and, as a result, since 2000, residential customers have had the option of purchasing electricity from retail electric suppliers. These companies must be licensed by the PSC and are subject to the State of Maryland and PSC consumer protection rules. The PSC authorized pilot programs for competitive gas suppliers in the mid-1990s, and in 2000, the Maryland legislature extended the licensing and consumer protection laws to gas suppliers.⁸ The PSC adopted licensing, consumer protection, billing and other rules by orders, and subsequently incorporated those rules into formal regulations between 2003 and 2005.

Unlike in some other states, municipal aggregation is not occurring in Maryland, and, therefore residential customers are served either by their utilities or by alternative suppliers.

In contrast to the restructuring of Maryland’s electric industry, the introduction of retail gas competition was accomplished by Commission directive and without legislative mandate. The ability to choose to purchase gas supply from competitive gas suppliers has been available to large industrial customers since the mid-1980’s. Pursuant to the Commission’s directive in Case No. 8683, gas choice programs were developed and expanded for all industrial and commercial customers, and eventually for residential customers during the period spanning 1995 to the present. These programs were initially developed as pilot programs for smaller commercial and residential consumers. These proceedings were handled through a Gas Roundtable established by the PSC. Between 1995 and 1999, the residential programs were operated as pilot programs, with limits on the number of customers who could participate in the programs. The cap was eliminated in 1999 for BGE customers, and extended to 200,000 residential customers for Washington Gas Light Company.

In 1999, by means of a Letter Order, the PSC approved full implementation of the residential gas supply program. This was at the same time that the PSC had issued an Order sanctioning the establishment of electric competition, and subsequently, the General Assembly passed the Electric Choice Act in 1999. Then, the General Assembly passed the “Natural Gas Supplier Licensing and Consumer Protection Act” in 2000. That Act did not direct the development or continuation of competitive gas supply programs, but instead provided for Commission authority over gas suppliers, as well as specific licensing and consumer protection requirements.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Consumer complaints led to an investigation of one supplier's practices, which, in turn, led to comprehensive investigations.

Consumer complaints have provided an invaluable window into Maryland's residential energy markets and have pointed to underlying market distortions, and more generally, the suppliers' inability to self-regulate. For example, in 2013, the PSC received numerous complaints about Starion Energy PA, Inc. (Starion), which ultimately led to an investigation of this supplier's practices. In July 2013, the OPC filed a Petition "In Support of an Expanded Investigation Into the Marketing and Trade Practices of Starion." After investigation and hearing, the Commission found Starion had engaged in numerous violations of consumer protections laws:

In this Order, the Maryland Public Service Commission (the "Commission") finds that Starion Energy PA, Inc. ("Starion") engaged in multiple practices that violate State law and Commission regulations. These violations include 122 "slamming" violations against Southern Maryland Electric Cooperative's ("SMECO") customers, thousands of violations of Maryland's Door-to-Door Sales Act, over 200 complaints by customers that Starion employed false and misleading tactics to acquire new accounts, and the failure to obtain a license to market electricity to SMECO customers or Potomac Electric Power Company's ("Pepco") commercial customers. The relevant statutory provisions – Public Utilities Article ("PUA") §§ 7-507 and 13-2013 – support a very significant financial civil penalty due to the nature and extent of these violations. PUA § 7- 507(k)(1) provides for additional sanctions, such as suspension or revocation of Starion's license as an electricity supplier in Maryland.⁹

This investigation, as well as others discussed briefly below, demonstrated that the market was not functioning as policy makers had intended, and was instead leading to consumer harm. Among other things, despite prohibitions to the contrary, suppliers engaged in aggressive and deceptive door-to-door marketing practices. Indeed, the Commission found significant violations by Starion of door-to-door marketing requirements.¹⁰ This proceeding underscored the importance of PSC oversight of suppliers' practices and the importance of enforcement – even the strongest of consumer protection safeguards will not protect customers unless they are enforced. The proceeding also demonstrated a recurring theme – regulatory oversight too often comes in the aftermath of substantial consumer harm: The Commission's investigation of Starion's practices illustrates that enforcement necessarily occurs *after* violations have already occurred and consumers have already been harmed. Penalties may deter future violations but do not compensate consumers for the harm experienced.¹¹ As we discuss in this report, the challenge facing policy makers is how best to *prevent* harm.

During the 2013-2014 "polar vortex" winter, Maryland residential customers of energy suppliers experienced dramatic spikes in their electricity bills, a result of excessive increases in the unit price of electricity¹² as did residential customers in most states in the Mid-Atlantic, Northeast and New York areas that had restructured their electric markets.¹³ In response to these price spikes, the Maryland PSC investigated Major Energy, Xoom Energy and Blue Pilot, and determined that the companies had violated Maryland's consumer protection laws regarding

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

solicitation and deceptive marketing of variable priced energy as well as the Commission's notice requirements.¹⁴

Suppliers may consider the penalties that they pay for misrepresentations and deceptive marketing practices simply to be a cost of doing business – that is, it is not clear that the size of the penalties deter such activity in the future. In its Order sanctioning Major Energy, Xoom Energy and Blue Pilot, the Commission referred to the following earlier penalties it had imposed:

- **North American Power (Case No. 9253):** In the North American Power case, the Commission levied a \$100,000 civil penalty for the use of a series of deceptive and misleading marketing statements as well as three violations within North American Power's terms and conditions.¹⁵
- **Viridian (Case No. 9255):** In the Viridian case, the Commission levied a \$60,000 civil penalty for making false and misleading representations about Viridian's relationship with utility companies and the savings customers would achieve.¹⁶
- **Starion (Case No. 9324):** In the Starion case, the Commission levied a \$350,000 civil penalty based on the large number of consumer complaints filed against Starion for slamming and misrepresentations.¹⁷

Each of these proceedings underscores the need for the Commission to have a dedicated enforcement bureau. Consumer protection safeguards will only be as effective as is the enforcement of those safeguards. Moreover, the penalties imposed on some suppliers apparently are not sufficiently high enough to deter future non-compliance by other suppliers. Further, the penalties themselves do not compensate consumers for their financial harm and their burden of complaining to regulators about suppliers' practices.¹⁸ The residential energy market raises an overarching challenge for Maryland's policy makers to design safeguards and enforcement mechanisms that minimize the burden of ensuring compliance that now is borne by consumers, OPC, and PSC.

The Public Service Commission has taken preliminary and important steps to improve the way that residential electric and gas markets function.

Maryland policy makers have actively sought to “level the playing field” between suppliers and consumers. The Maryland General Assembly included substantive licensing and consumer protection requirements in the Electric Choice Act, and the Commission subsequently issued orders and promulgated regulations to establish licensing requirements, as well as a number of marketing, solicitation and contracting requirements for electricity and gas suppliers. In the aftermath of the polar vortex winter, the General Assembly passed Senate Bill 1044/House Bill 928 during the 2014 legislation session (Acts 2014, Chapters 77 and 78). This law required the PSC to submit a report to the General Assembly on the status of the Commission's efforts to provide appropriate protections for consumers in connection with competitive retail gas and electricity suppliers, as well as recommendations as to how to better protect ratepayers. Among

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

other things, the report required the Commission to include information and recommendations about the adequacy of the Commission's current supplier regulations; enforcement of the regulations by the Commission; whether to require additional safeguards; and whether to require licensing of individuals who sell or facilitate energy supplier agreements. Following these investigations and the passage of this law, the Commission initiated an extensive review of its licensing and consumer protection regulations for gas and electric energy suppliers. The Commission established a Work Group to consider reforms to the existing licensing and consumer protection regulations, which culminated in the adoption of enhanced marketing and contracting regulations for gas and electric suppliers.

In Public Conference 35 and Rulemaking 54, various efforts followed to improve consumer protections more generally for the retail energy market. Eventually, after many meetings and comment cycles, the Commission adopted new regulations. In a rule making session on February 10, 2016, the Commission adopted proposed revisions to Code of Maryland Regulations ("COMAR") 20.32 (regarding dispute procedures), 20.53 (regarding competitive electricity supply), and 20.59 (regarding competitive gas supply)¹⁹ to incorporate consumer protection regulations for the Maryland electric and gas competitive supplier market.²⁰ The revisions are intended to increase consumer protections and clarify the Commission's authority regarding energy supply contracts. The revisions define customer consent, require the use of a contract summary form, expedite customer switching, establish specific requirements for including, among other provisions: third-party agents and vendors; detailed requirements for use of third-party agents and vendors, and additional notice of changes in rates, particularly variable rates.

Energy assistance funds for low-income customers may be inefficiently used if benefits are paid to cover higher-priced supply costs

The PSC recently issued an Order, which indicates that available funds to support the state's Electric Universal Service Program ("EUSP") total \$78,800,000 for fiscal year 2019.²¹ It is critically important that policy makers, stakeholders, and the Office of Home Energy Programs ("OHEP") have access to information regarding how energy assistance funding is being applied to customer bills in order to evaluate whether these funds are being utilized effectively. Among other recommendations, OPC had recommended in this proceeding that both electric and gas utilities provide data to evaluate the impact of charges by retail energy suppliers on electric and natural gas bills of low-income families participating in EUSP and in the Maryland Energy Assistance Program (MEAP).²²

The Commission partly addressed this need for more information stating:

At a minimum, the utilities should provide to OPC the number of EUSP (and MEAP) customers that receive electric or gas supply from a retail supplier. However, the Commission will not direct the utilities to provide the total aggregate amounts those customers paid in retail supply charges and the total aggregate amount those customers would have paid for default (SOS) service from the utility. The Commission finds that further discussion among the

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

stakeholders is needed at this time. When the Advisory Board reconvenes, the Commission directs that Staff provide periodic progress reports with regard to this issue.²³

The Commission opened the door narrowly to obtaining limited information that will help Maryland's policy makers begin to gauge the impact of the supplier market on low-income households. However, additional information is critically needed.

Among other things, in order to gauge whether low-income households participate in alternative energy supply markets at similar or differing levels from other households, the utilities should also be required to provide (in addition to the number of EUSP (and MEAP) customers that receive electric or gas supply from a retail supplier) the numbers of:

1. EUSP and MEAP customers that receive electric and gas supply from their utilities;
2. All other residential customers who receive electric or gas supply from a retail supplier; and
3. All other residential customers who receive electric or gas supply from their utilities.

Furthermore, even if detailed billing information cannot be obtained, it would be extremely useful for the utilities to provide the total aggregate amounts these customers paid in retail supply charges and the amounts they would have paid had they purchased energy from their utilities. As explained by the Institute for Energy and Environmental Research ("IEER") and described by the PSC: "From a customer 'affordability' perspective, IEER insists that 'we need to know whether we are in a situation where third party supply is [or is not] very damaging to low-income customers.'"²⁴

The Retail Energy Supply Association ("RESA") raised some concerns about such pricing information,²⁵ which in our view, could be addressed: competitively sensitive information can be made available pursuant to non-disclosure agreements; if the pricing information "doesn't provide a full picture of the product or services that a customer may be purchasing from their competitive supplier,"²⁶ suppliers could, in addition to providing the apples-to-apples pricing data that is critical for industry-wide comparisons, submit additional information that they consider pertinent for policy makers' consideration; and an interval of time could be selected that is sufficiently long so as to be meaningful. Moreover, pricing information that is aggregated over all of an individual supplier's customers (as occurs with fact sheets that are public in Connecticut), can be public, with simply the supplier's very detailed granular account-specific data treated as confidential. This is clearly an area where more information is better than less so that policy makers can make informed decisions about the impact of the energy supply markets on Maryland's most vulnerable customers and adopt appropriate remedies if and as needed.

Supplier prices have spiked significantly above electric standard offer service and gas commodity rates.

The OPC has been monitoring electric and gas suppliers' prices since 2007. At that time, less than 3% of residential electric customers were served by electricity suppliers and approximately

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

11% of gas customers were served by gas suppliers. The OPC observed that during the winter of 2012-2013, Starion charged Maryland consumers up to double the SOS rate and rates of most other suppliers “based on market conditions.” In the case of Starion, the “conditions” driving the increase were in the New England wholesale market, not in Maryland.²⁷ In the following polar vortex winter (2013-2014), energy suppliers charged Maryland consumers two to four times the standard offer price, up to as high as 48 cents per kWh.²⁸ Since then, while OPC has not observed retail prices and price increases to the exorbitant extent observed during the polar-vortex months, fixed price contracts for both electricity and gas have frequently exceeded the utility prices for gas and electricity. In fact, retail gas prices exceed utility gas prices significantly.²⁹ Section III analyzes and summarizes the current high rates that suppliers publish for residential electric and gas service.

II. PRELIMINARY ANALYSIS OF RESIDENTIAL ELECTRIC AND GAS MARKETS: CONSUMER PARTICIPATION RATES AND SUPPLIER PRESENCE

Residential Energy Supply Markets

This section provides an overview of the number of suppliers offering service in Maryland by utility service territories and the level of participation over time in Maryland's electric and gas supply markets. Our analyses show that residential participation is sufficiently high that the future of these energy supply markets has a significant bearing on the economic well-being of many of Maryland's households. Policy makers' decisions about how to regulate these markets and to enforce applicable regulations have far-reaching consequences.

Electric Market

Supplier Presence in the Electric Market

Table 1, below, shows that electric suppliers are most active in the Baltimore Gas and Electric and the Potomac Electric Power service territories, with 65 suppliers and 60 suppliers, respectively.³⁰

Table 1
Number of Competitive Electric Suppliers by Distribution Utility Service Territory
Serving Customers as of August 2018³¹

| Distribution Utility | Number of Suppliers |
|----------------------------------|----------------------------|
| Potomac Edison | 35 |
| Baltimore Gas and Electric | 65 |
| Delmarva Power & Light | 45 |
| Potomac Electric Power | 60 |
| Southern Maryland Electric Co-Op | 7 |

Participation in the Residential Electric Market

The PSC collects and reports participation levels in the residential electric supply markets, and updates this information monthly. This information provides a useful barometer of the scale and scope of the electric market. The PSC reports information separately for each of the service territories served by the state's five electric distribution utilities.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

As Table 2, below, shows, statewide, on average, one in five (19.4 percent) of households participates in the competitive supply market for electricity in Maryland, with the lowest participation rate (3 percent) in the portion of the state served by Southern Maryland Electric Co-Op and the highest percentage in the portion of the state served by Baltimore Gas and Electric (23.9 percent).

Table 2
Total Households Participating in Electric Competitive Supply Market³²
(numbers and percentages)
August 2018

| Distribution Utility | Households |
|----------------------------------|-------------------|
| Potomac Edison | 25,555 |
| Baltimore Gas and Electric | 278,697 |
| Delmarva Power & Light | 24,755 |
| Potomac Electric Power | 104,483 |
| Southern Maryland Electric Co-Op | 4,538 |
| Total | 438,028 |
| | |
| Distribution Utility | Households |
| Potomac Edison | 10.8% |
| Baltimore Gas and Electric | 23.9% |
| Delmarva Power & Light | 13.8% |
| Potomac Electric Power | 19.8% |
| Southern Maryland Electric Co-Op | 3.0% |
| Total | 19.4% |

The PSC provides monthly enrollment numbers (and other data) on its website, however, the PSC does not show participation rates separately for low-income households. Such information would enable one to assess whether households that receive energy assistance participate disproportionately in the competitive electric supply market. This is a concern that has been raised in other jurisdictions. For example, in Massachusetts, the comparative participation rates are 36 percent and 18 percent, for low-income and non-low-income households.³³ Recently, in response to a petition filed by the Connecticut Office of Consumer Counsel (OCC), the Connecticut Public Utilities Regulatory Authority (“PURA”) has opened an investigation (Docket No. 18-06-02) to review the feasibility, costs, and benefits of transferring hardship customers receiving electric generation services from third-party electric suppliers to utility standard service.³⁴ As we discuss in Section IV, the New York Public Service Commission has also adopted remedies to prevent high supplier charges to low-income customers.

The PSC’s participation data, though extremely useful, is not sufficiently geographically granular to allow an assessment of whether certain communities participate disproportionately in the competitive supply markets. In Massachusetts, for example, detailed analyses of bills

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

rendered on behalf of suppliers showed disproportionate participation in the retail supply markets by communities of color.³⁵ We did not have access to the information necessary to examine the possibility of similar patterns in Maryland. We recommend that the PSC seek this information so that similar analyses can be conducted on behalf of Maryland's communities and consumers.

Table 3 below compares participation in residential electric supply markets between August 2017 and August 2018, and shows that participation levels have been relatively stable in the past year (that is, individual customers may come and go, but overall there continue to be about 20 percent of households participating in the market). *This continuing high level of participation underscores the importance of ensuring that the market function transparently and efficiently.*

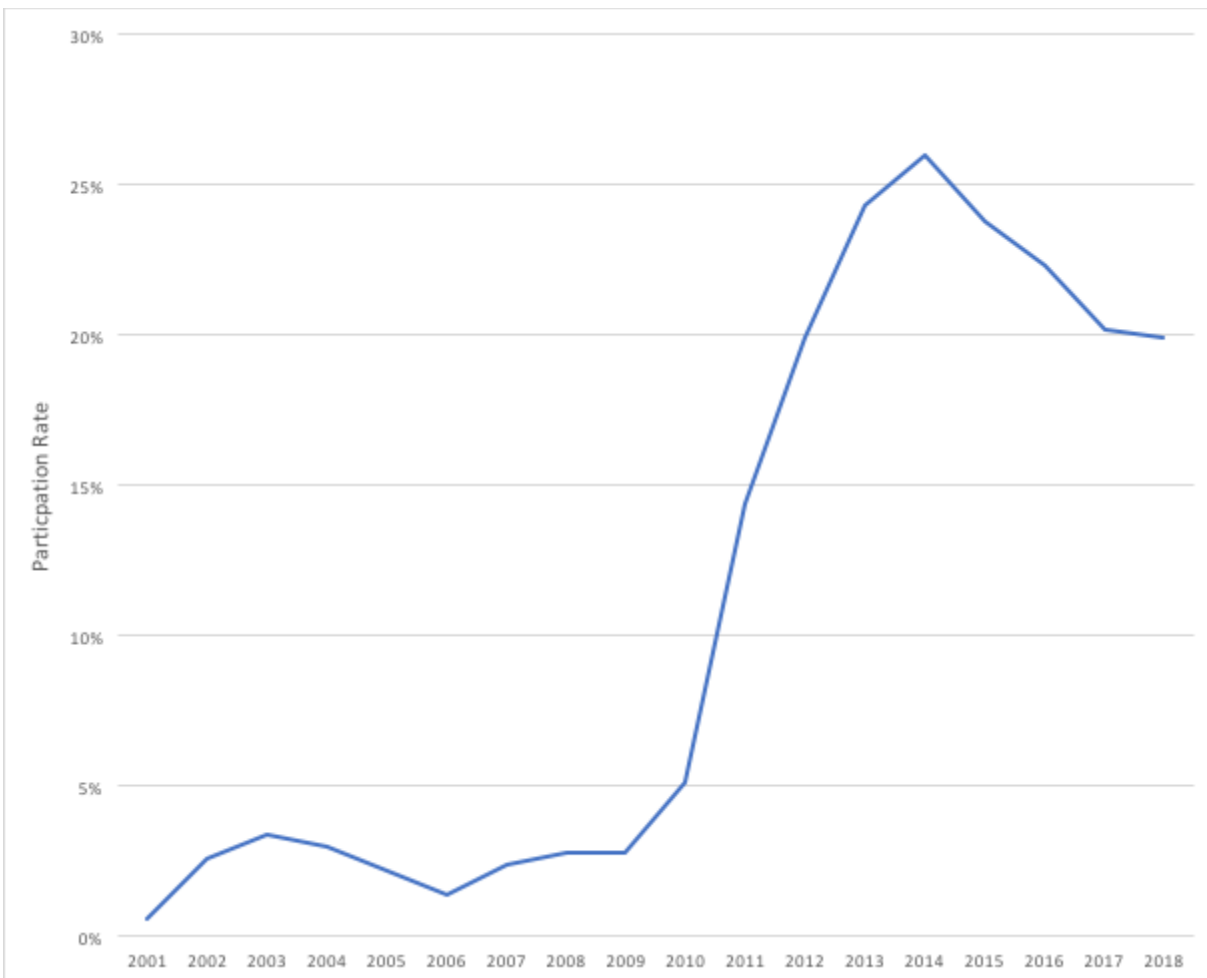
Table 3
Participation Rates by Distribution Utility Service Territory (Electric)³⁶

| Distribution Utility | 2017 | 2018 |
|----------------------------------|--------------|--------------|
| Potomac Edison | 10.7% | 10.8% |
| Baltimore Gas and Electric | 24.4% | 23.9% |
| Delmarva Power & Light | 14.7% | 13.8% |
| Potomac Electric Power | 20.8% | 19.8% |
| Southern Maryland Electric Co-Op | 3.8% | 3.0% |
| Total | 20.0% | 19.4% |

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Figure 1, below, shows year-over-year changes in the residential electric supply market between 2001 and 2018, by comparing statewide participation rates in January of each of the eighteen years. Figure 1 shows that residential customer participation in the competitive supply market grew from less than 1% in 2001 to a high of 26% in 2014 and is now at approximately 20%.

Figure 1
Statewide Participation Rates in Residential Electric Supply Market: 2001 through 2018³⁷

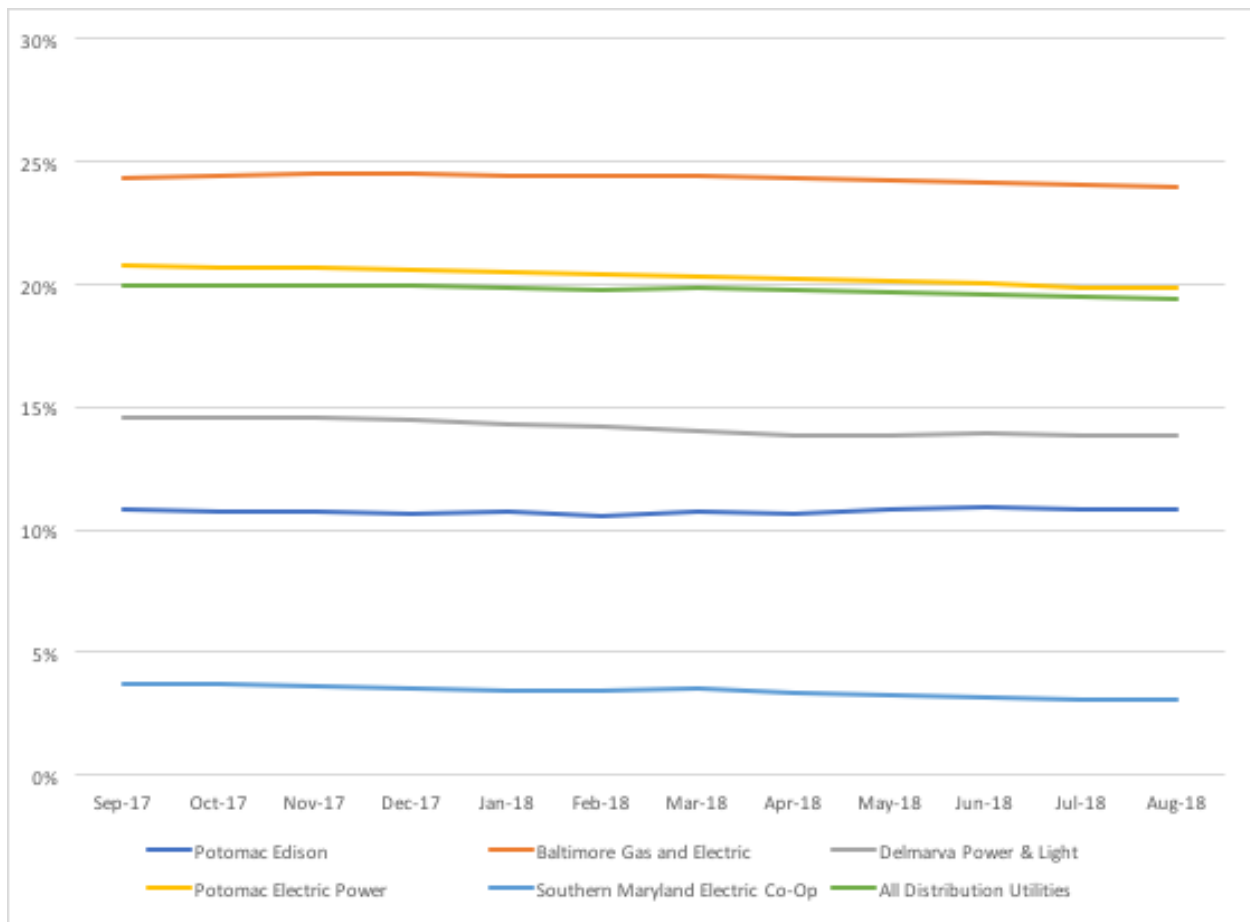


*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Seasonal Variation in Participation Rates in the Residential Electric Supply Market

We also examined whether there is any evidence of seasonal variation in participation levels. Figure 2 below depicts statewide residential participation rates for the twelve months spanning September 2017 – August 2018 separately in each of the areas served by the five distribution utilities. Figure 2 shows little variation during this time period.

Figure 2
Monthly Residential Participation Rates in the Residential Electric Supply Market
in Maryland by Distribution Utility Service Area³⁸
September 2017 through August 2018



*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Churn in the Residential Electric Market

The PSC reports data showing the “churn” in residential energy markets, that is, the switching by customers from a distribution utility to a supplier and the switching by customers from a supplier (either to a distribution utility or to another supplier). Because the numbers corresponding with the category “Switches from Supplier” combine those customers who return to the distribution utility with those customers who switch from one supplier to another supplier, it is not possible to analyze separately those customers who leave the competitive supply market all together and decide to return to their distribution utility from those customers who may be “hunting” for the best deal in the supplier market.

Table 4, below, shows that in a single month (August 2018), 17,171 households switched from suppliers (either from one supplier to another supplier or from a supplier to the distribution utility) and 18,600 households switched from distribution utilities to suppliers.

Table 4
Churn in the Residential Electric Market³⁹

| Distribution Utility | Households |
|--------------------------------------|-------------------|
| PE Switches from Supplier | 451 |
| PE Switches to Supplier | 503 |
| BGE Switches from Supplier | 13,553 |
| BGE Switches to Supplier | 12,118 |
| Delmarva Switches from Supplier | 591 |
| Delmarva Switches to Supplier | 1,052 |
| Pepco Switches from Supplier | 2,576 |
| Pepco Switches to Supplier | 4,927 |
| SMECO Switches from Supplier | N/A |
| SMECO Switches to Supplier | N/A |
| Total Switches from Suppliers | 17,171 |
| Total Switches to Suppliers | 18,600 |

Gas Market

Customers in the areas of the state served by Baltimore Gas and Electric and Washington Gas are eligible for gas choice. Residential customers of Chesapeake Utilities, Elkton Gas, and Columbia are not eligible for gas choice.⁴⁰

Supplier Presence in the Gas Market

Table 5, below, shows that there are almost twice as many gas suppliers in the BGE territory than are active in the Washington Gas territory. We would note, however, that the count of

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

suppliers includes suppliers with current customers who are no longer offering service to new customers.

Table 5
All Utilities Where Gas Choice Is Available in Maryland⁴¹
Quarter Ending June 2018

| Distribution Utility | Number of Suppliers |
|----------------------------|---------------------|
| Baltimore Gas and Electric | 39 |
| Washington Gas | 21 |

Participation in the Residential Gas Supply Market

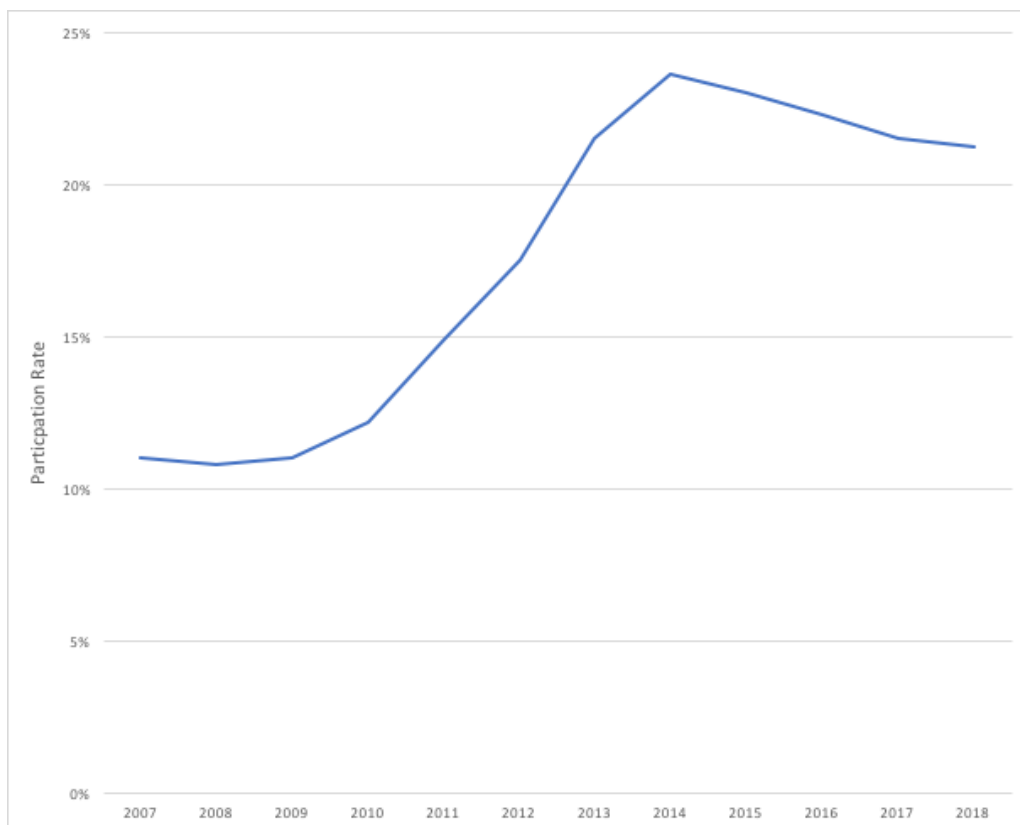
As Table 6, below, shows, on average where gas suppliers offer service, one in five (21 percent of) households participate in the competitive supply market for gas in Maryland.

Table 6
Total Eligible Households Participating in Gas Competitive Supply Market⁴²
(numbers and percentages)
Quarter Ending June 2018

| Distribution Utility | Households |
|----------------------------|----------------|
| Baltimore Gas and Electric | 136,021 |
| Washington Gas | 90,686 |
| Total | 226,707 |
| | |
| Distribution Utility | Households |
| Baltimore Gas and Electric | 21.6% |
| Washington Gas | 20.2% |
| Total | 21.0% |

Figure 3, below, shows year-over-year changes in the residential gas supply market between 2007 and 2018, by comparing statewide participation rates in the first quarter of each year. Figure 3 shows that residential customer participation in the competitive supply market grew from less than 11 percent in 2007 to a high of 23.6 percent in 2014 and is now at approximately 21 percent.

Figure 3
Statewide Participation Rates in Residential Gas Supply Market: 2007 through 2018⁴³
(based on enrollment in the first quarter of each year)

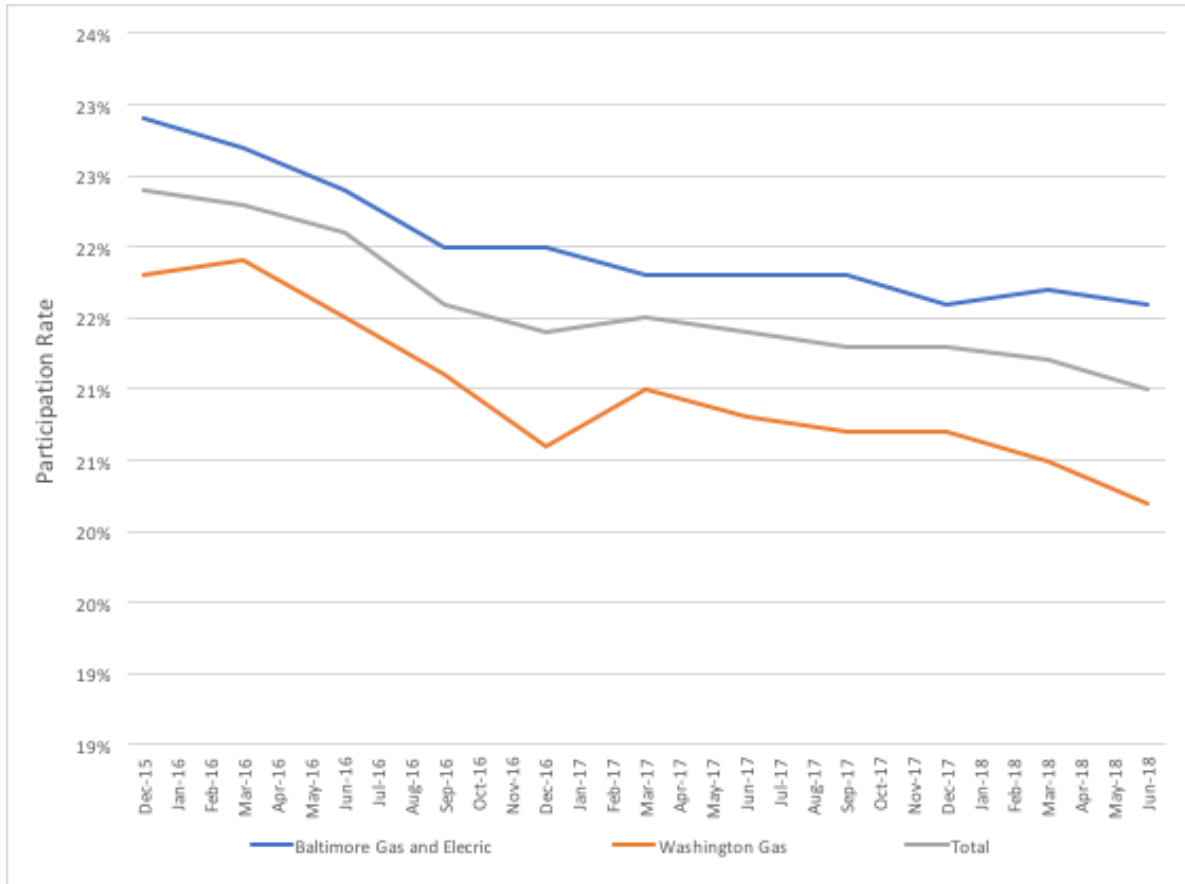


Seasonal variation in participation rates in the residential gas supply market

We also examined whether there is any evidence of seasonal variation in participation levels in the competitive residential gas market. Figure 4 below depicts statewide quarterly residential participation rates beginning December, 2015 and ending June, 2018. Figure 4 shows little variation by season.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Figure 4
Quarterly Residential Participation Rates in the Residential Gas Supply Market
in Maryland by Distribution Utility Service Area: December 2015 through June 2018⁴⁴



The number of electric and gas suppliers listed on the PSC website that are purportedly “actively seeking new customers” greatly exceeds the number of suppliers actually serving customers.

The Maryland PSC web site lists suppliers that have met PSC and utility requirements to provide service in Maryland and also lists suppliers that are actively seeking new customers. A search (on October 10, 2018) on the PSC web site for suppliers that are licensed to serve residential customers yielded a list of 1,089 electric companies⁴⁵ and 444 gas companies.⁴⁶ A different search (on the same day) for residential suppliers that are “actively seeking new customers ONLY” yielded a list of 571 electric companies⁴⁷ and 256 gas companies.⁴⁸ The totals generated by a search on the PSC’s web site overstate the actual numbers of suppliers because statewide searches yield duplicate instances of the same suppliers: using the search criterion “all service areas” yields a list that shows suppliers separately by service area. For example, a search of electric suppliers actively seeking customers, where the search encompasses all service areas, yields a list that shows Viridian five separate times.⁴⁹ Nonetheless, by comparing the aggregate

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

numbers yielded by the two separate searches (those suppliers that are licensed and those suppliers that are actively seeking customers) one can gauge the general magnitude in the difference between suppliers that could serve customers and those that are actually seeking to do so. As our discussion in the following section demonstrates, vastly fewer than these numbers of companies publish prices on their web sites.

We would expect more suppliers to post information, given the requirement to do so: PUA 7-507(j) requires an electricity supplier to post online info “that is readily available about its rates and services.” This is applicable to gas suppliers per PUA 7-601 et seq. Section 7-510.1 of the PUA requires the PSC to maintain a secure portal to get information from electricity suppliers on open offers and Section 7-510.1(c)(2) requires each electric supplier to provide the information at least once per month. We cannot determine whether electricity suppliers are posting at least monthly *all* of their open offers through the Commission web portal. We also are not aware of any corroboration that the list of offers is accurate or timely. Suppliers also do not appear to post their actual variable rates. Maryland law also does not require gas suppliers to provide their rate information to the PSC through the web portal, which should be remedied. As discussed in Section III, below, gas supplier prices exceed utility gas commodity rates at a much higher percentage than electricity supplier prices exceed SOS rates.

Conclusion

As our analyses demonstrate, participation by Maryland's households in energy supply markets is significant. These high participation levels combined with the Commission's finding of consumer protection violations in the market⁵⁰ and suppliers' high rates⁵¹ underscore the importance of timely actions by the state's policy makers to protect consumers from economic harm and if possible, provide them the economic benefits identified by the Electric Choice Act.

III. PRELIMINARY ANALYSIS OF SUPPLIERS' PRICES

Maryland's residential energy customers can participate in the competitive electric and gas supply markets. However, as this section of our report demonstrates, the vast majority of electric and gas suppliers' publicly identified rates exceed utilities' standard offer prices. As a result, residential customers who purchase both electric *and* gas from suppliers other than their distribution utilities may experience significant consumer loss (measured as the difference between what these households pay alternative suppliers and what they would pay if they simply purchased utilities' standard offers). Under existing regulations (COMAR 20.53.07.13 (electric) and 20.59.07.13 (gas)) certain notice requirements apply, which we discuss in Section IV, below, in the context of variable rates. Our analysis suggests that the existing framework of consumer protection safeguards is insufficient to protect customers from high rates.

Overview of rate structures in the residential competitive supply market (rates, terms, and conditions)

Suppliers in the residential electric and gas markets charge a wide array of fees and rates to customers. Usage may be billed on a fixed rate per kWh or per therm (the supplier commits to refrain from changing the rate for some specified period of time or until giving notice to the customer) or on a variable basis (the rate may change from month to month). In the case of variable rates, the PSC revised its regulations to require access to, although not affirmative notice of, changes to the monthly electric and gas rates.⁵² In some cases, suppliers' published rates may explicitly show a lower rate for the initial month (or few months) and then show a higher rate for the subsequent months. Many suppliers offer 12-month contracts; some offer contracts no longer than six months – in our pricing comparisons in this section of our report, we use the option that most closely approximates a 12-month contract.⁵³

Low initial rates can attract customers who may then be caught off guard when the variable rates increase sharply in subsequent months. Section IV, below, discusses regulatory and legislative measures that some states have adopted to protect consumers from unanticipated and steep increases in variable rates. In Maryland, the Commission's rulemaking proceeding, RM54, resulted in some further protection for consumers with regard to variable rate increases. However, without enforcement and greater price transparency in the market, these provisions will not protect customers from significant increases in rate.

Some suppliers in Maryland charge cancellation fees of as much as \$150 or \$200, and many charge \$10 for each month remaining in a contract (for example, if a customer who signs up for a 12-month contract discontinues service after five months, then the cancellation fee would be \$70).⁵⁴ In sharp contrast, customers who purchase supply from utilities need not pay any cancellation charges when they discontinue supply service, nor do they need to enter into a contract in order to obtain that service.

Suppliers may also offer various "extras" which have been referred to in the industry as "value-added" items. Examples include gift cards, airline mileage, Echo Dots and thermostats. We do

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

not include these items in our pricing comparisons because, among other things, information about their availability and distribution is not available – suppliers do not typically post these items on their website and we are unaware of any verification of suppliers' distribution of them to consumers. We acknowledge that these non-monetary items provide value to some consumers, but in order to assess the benefit they provide one would need significantly more information about the quantity and types of such items actually provided to consumers. Moreover, these one-time give-away items do not help customers pay their recurring energy bill nor do they prevent arrearages and uncollectibles resulting from high supplier prices.

Some suppliers also charge an array of rates that depend on the percentage of the source of energy that is attributable to renewable resources. In our pricing comparisons, we select the “non-green” option and if such an option is not available, we choose the least expensive renewable option for the 12-month contract length (the term we use to compare prices). In order to ascertain the benefit of the “green” options, one would need to determine what the contract actually requires in terms of renewable energy, and whether the options are based on suppliers that provide renewable resources above and beyond the levels already required by Maryland law under PUA 7-701 et seq.

Prices for electric and gas supply in the residential market provide valuable information about whether customers are benefiting from competitive choice

A key indicator of whether customers are benefiting from competition is the price they pay for purchasing electricity relative to the price they would pay if they were served by their distribution utility. We consider rates that are higher than the rates that distribution utilities would charge to be a “consumer loss” – that is, all else being equal, in our view, competition should lead to lower rates and if, instead, rates are high then we consider that to represent consumer harm. Some assert that just because a few individual consumers pay more than they would with standard offer electric service and gas commodity service, that pattern is not an indication of overall harm in the marketplace. If it were the case that only a handful of customers paid more than they would pay if they were served instead by their utility, this assertion might be persuasive. However, the pattern instead is that large numbers of customers are paying more, and the net aggregate consumer loss is substantial, suggesting that the problem is systemic. We are not seeing the consequences of just a few consumer choices, but rather the consequences of wide-spread, substantial harm associated with consumers' purchases in a complex market where pricing information may be obfuscated by marketing and sales claims, prices are volatile, and not all suppliers comply with existing law and regulations.

Consumers are expected to make economically rational decisions, but in day-to-day life, if pricing information is not transparent and if transaction costs are high (e.g., cancellation fees are high or customers encounter difficulty reaching the supplier to terminate service), customers may make decisions that are seemingly not in their best economic interest. Customers with minimal familiarity with the workings of energy markets may assume that any company *other than* the standard utility will offer a better deal and so may make choices that, while in the short run may yield savings, in the long run can lead to significant overpayments relative to standard rates. Moreover, even a sophisticated customer who is knowledgeable regarding the price fluctuations

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

in the gas and electric markets requires transparent pricing information from suppliers to make well-informed decisions.

Also, in today's economy, where being a consumer is a full-time job and shopping for energy is a relatively new addition to a consumer's "shopping-to-do" list, consumer research into electricity supply may occur only sporadically. Customers may sign up with a supplier, not fully understanding the fine print of the contract and the fact that low, teaser rates are short-lived and may transition into high and volatile variable rates. Shopping for a car or appliance is a one-time undertaking, and once completed, need not occupy a customer. In sharp contrast, in energy markets, where supplier rates may change frequently and vary enormously not only across suppliers but even among an individual supplier's customer base, and distribution utilities' rates change, customers must constantly be "on alert" to prevent exorbitant charges. The day-to-day chore of evaluating energy costs may overtake the theoretical possibility of customers making rational decisions in their best interests.

Some customers may voluntarily choose to pay higher rates to support renewable energy.

In some instances, customers voluntarily pay more to purchase electricity that is generated with a relatively higher percentage of renewable energy. Where customers make fully informed decisions about such purchases, then one can reasonably conclude that the market is functioning properly even if the customers are paying higher rates.⁵⁵ Of course it is important that any claims by companies that they use renewable energy be independently verified⁵⁶ so that customers are not misled when they choose "green" products.⁵⁷

Also, it is important to inform customers seeking to increase reliance on renewable energy about the level of renewable energy that is used in the utilities' standard offer, specifically the amount that is *incremental* to the amount that Maryland law requires. In other words, simply because a supplier advertises its electricity as "green" this does not necessarily mean that the purchase will be "greener" than if the customer had purchased her electricity from the distribution utility. The Renewable Energy Portfolio Standard law applies to all companies selling in the Maryland market including utilities and suppliers.⁵⁸ Section 7-505(b)(4) of Maryland Code sets forth notification requirements, which requires all electric utilities and suppliers to provide adequate and accurate information to each customer on services, including disclosure every 6 months of a uniform common set of information about fuel mix and emissions.

Because Maryland already has reporting requirements for clear and accurate reporting regarding companies' fuel mixes and emissions,⁵⁹ the key challenge is to ensure that these requirements are enforced.

Information and transparency are key to a well-functioning market

A key element of a well-functioning market is information – customers need to be informed adequately in order to make rational, efficient decisions in the market. There is a statutory requirement⁶⁰ for suppliers to provide price information on their websites, but, based on information that the OPC provided to us, many do not. Also, broadband internet access adoption

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

is far from universal: as income declines, so, too does broadband adoption; as age increases, broadband adoption declines; and broadband internet access is less widely deployed in rural areas than it is in more densely populated areas.⁶¹ Therefore, information that is published on websites is less likely to reach poor customers, older customers, and rural customers than it is to reach other customers. Finally, although the law requires the PSC to maintain a supplier web portal for current prices,⁶² the information is not necessarily complete or accurate.⁶³

For this reason, customers may be susceptible to misleading or deceptive marketing by suppliers, especially when the suppliers offer a low introductory rate and fail to disclose that the rate is variable and may increase sharply after a few months. The PSC aptly stated: “In a deregulated market, a consumer’s ability to make rational, well-informed choices among competing suppliers – and indeed the stability and growth of the supplier marketplace itself – is directly undermined by deceptive misrepresentations”⁶⁴

In order to gauge the aggregate impact of the thousands of individual transactions between residential customers and suppliers, it would be extremely informative to analyze the rates that customers *actually* pay to suppliers (as opposed to the rates that may be promised or publicized). The most reliable way to obtain accurate pricing information is from the utilities, which render bills to customers on behalf of suppliers. These bills capture accurate, up-to-date information about the prices that suppliers charge for electricity (as well as customers’ usage). In sharp contrast, rates that suppliers publish on their websites are not necessarily the rates that customers pay. The wide variety of rates that any single supplier may charge to its various customers underscores the fact that prices posted on websites do not correspond with prices actually charged. Our detailed analyses of rates charged by suppliers in Connecticut and Massachusetts unambiguously demonstrate that any given supplier may charge a dozen or more *different* rates to its customer base in a *single* month, which indicates that “published” rates are likely not the actual rates charged.

This report does not include analyses of actual billing detail along the lines of our analyses in Connecticut and Massachusetts because this information is not publicly available, or available to the OPC.⁶⁵ For this reason, we cannot precisely compute how much customers are paying in Maryland for the opportunity to choose among suppliers. Comprehensive detailed billing information for a representative period of time is essential in order to compute the true costs of competition. With this major caveat, this section of the report provides some estimates and summarizes our analysis of the rates currently advertised in Maryland’s residential energy markets.

Methodology for selection of gas and electricity suppliers and supplier prices

For our comparison of utility supply (SOS) and energy supplier prices, we relied on public information. We have identified three sources of supplier information on the Commission website:

- Electricity and gas supplier enrollment data;⁶⁶
- Lists of all licensed gas and electricity suppliers, with separate lists of active suppliers, by utility and customer class;⁶⁷ and

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

- “Shop for electricity” webpages to compare electric supply offers.⁶⁸

The data sources are not in perfect alignment on these pages, which may be due to differences in the sources and posting dates of the data. For that reason, there are differences in the number of suppliers identified as actively soliciting customers. We also note that the Commission states on its supplier list pages and electricity shopping pages that the Commission is not responsible for the accuracy of the active status of the suppliers or for the contract price and terms information provided by the suppliers to the Commission.⁶⁹ This information is provided by suppliers to the Commission.

For purposes of this report, we have used OPC’s monthly summaries of utility SOS prices and supplier prices.⁷⁰ Beginning in 2007, OPC has been compiling monthly summaries of price offers that suppliers post on their websites.⁷¹ To identify suppliers with active offers, OPC uses the Commission’s website pages listing the electricity and gas suppliers. These lists contain the contact information for suppliers, brokers, and aggregators licensed by the Commission. The “Directories” allow a user to see all licensed suppliers/brokers/aggregators by customer group, including residential customers. The “Directories” also allows the user to identify licensed suppliers/brokers/aggregators in a given utility service area, or only those companies actively seeking new customers within that area.

At the beginning of each month, OPC checks the list of licensed suppliers/brokers/aggregators actively seeking residential customers in each service area to provide separate service area specific charts (BGE, PE, PEPCO, SMECO, Delmarva Power, and Choptank). The OPC further reduces the list to those electric suppliers who are PJM members.⁷² OPC then visits each company website and attempts to determine available price offers, length of contracts, additional fees, termination charges, and other “Terms and Conditions” information. OPC does not use the prices listed on the Commission shopping website because there is no way to independently verify whether the information is current. In addition, the shopping website does not provide shopping comparisons for gas supply.

OPC posts on its website a comparison of suppliers’ rates to either the utility standard offer service (SOS) rates for residential electric service or the utility gas commodity rate for residential gas service.⁷³ OPC updates that information each month. Since OPC cannot independently verify the price and term offers, OPC’s monthly summary reports advise customers to contact suppliers directly.

Appendix 2 and Appendix 3 to this report reproduce the OPC’s rate summaries for October 2018 for electric and gas suppliers, respectively, for each service territory. A major caveat is that the rates suppliers publish on their websites, if they publish their rates at all, are not necessarily the rates a supplier may charge when the customer enrolls. The OPC’s clearinghouse of rates is extremely valuable, however, because it provides those consumers who have access to the internet with an initial overview of the market.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Analysis of prices posted on suppliers' websites

We examined suppliers' rates as posted in the OPC's summary sheets ("Office of People's Counsel Utility Supplier Offers") for the month of October 2018.⁷⁴ We compared these rates with the utilities' supply rates for October 2018 as shown in the OPC's summary.⁷⁵ We compute an annual average consumer loss (or gain) for each supplier that publishes its rates and then compute an average consumer loss across all companies for each distribution company region. For the sake of estimating a statewide impact, we multiply the average annual consumer loss for each distribution company region by actual participation levels, as reported on the Commission's website. A more precise calculation could be made based on the bills that are actually rendered to households on behalf of suppliers -- our estimate provides an approximation of the magnitude of consumer loss associated with the residential electric and gas markets in Maryland.

Suppliers' electric rates greatly exceed those of the standard offer.

The OPC's summary of published residential electric supply rates is comprehensive, shows rates for terms of all published durations, and also includes both standard and "renewable" rates. Appendix 2 to this report provides the OPC's comprehensive summary of rates for October 2018. We provide Tables 7-11 below summarizing a subset of the available published rates and the estimates of annual consumer loss:⁷⁶ the rates shown correspond with 12-month contracts (where available) and the non-renewable (or least expensive renewable option) as posted on supplier websites for October 2018.

Table 7, below, summarizes electric supplier rates in the BGE region and shows that the vast majority of suppliers published rates that exceed those of BGE's standard offer service. In Table 7, we show the rates by supplier and calculate the per-household annual impact for the 33 suppliers in the BGE area that publish their rates on their websites. The annual impact (gain or (loss)) is calculated by comparing what a consumer would have paid for standard offer service with the price paid for the supplier's service based on usage of 734 kWh per month.⁷⁷ We rank suppliers by annual impact (largest loss to smallest loss). This generally corresponds with highest price to lowest price per kWh, with the exception of suppliers that charge monthly recurring fees. For example, Trident Power publishes a rate of \$0.0755 per kWh, but also charges a \$5.95 monthly fee, which raises the overall consumer loss (\$48.50 per year) above other suppliers with higher per kWh rates but no monthly fees.

It is clear from Table 7, below, that most consumers would be worse off purchasing the suppliers' services in comparison to the BGE standard offer (where we define "worse off" as paying more money for the electricity). Just six of the suppliers published rates that would save consumers money over standard offer service.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Table 7
Electric Supplier Published Rates – BGE Territory (October 2018 – 12-month contract)⁷⁸

| | Rate per kWh | Annual Gain (or loss) | Cancellation Fee | Other Fees |
|---|------------------|--------------------------|---------------------|------------|
| BGE SOS | \$0.07810 | | | |
| Green Mountain Energy | \$0.10400 | \$(228.13) | \$150.00 | |
| SmartEnergy Holdings | \$0.10370 | \$(225.48) | | |
| CleanChoice Energy (Ethical Electric) | \$0.10000 | \$(192.90) | | |
| Spark Energy | \$0.10000 | \$(192.90) | \$100.00 | |
| Spring Power | \$0.09700 | \$(166.47) | | |
| Interstate Gas Supply (IGS) | \$0.09690 | \$(165.59) | \$99.00 | |
| Viridian Energy | \$0.09550 | \$(153.26) | \$150.00 | |
| Ambit Northeast LLC | \$0.09540 | \$(152.38) | | |
| National Gas & Electric | \$0.09390 | \$(139.17) | \$50.00 | |
| Palmco Energy | \$0.09300 | \$(115.83) | | |
| Public Power | \$0.09100 | \$(113.62) | \$50.00 | |
| MidAmerican Energy | \$0.09080 | \$(111.86) | | |
| NRG Residential Solutions | \$0.08900 | \$(96.01) | \$10/mo rem. | |
| North American Power & Gas, LLC | \$0.08890 | \$(95.13) | \$10/mo rem. | |
| SFE Energy | \$0.08690 | \$(77.51) | \$25/year rem. | |
| Constellation Energy Power Choice (MX Energy & BGE Home) | \$0.08590 | \$(68.70) | \$150.00 | |
| Great American Power | \$0.08590 | \$(68.70) | | |
| Clearview Energy | \$0.07090 | \$(56.46) | \$150.00 | \$9.99/mo |
| Trident Power | \$0.07550 | \$(48.50) | \$50.00 | \$5.95/mo |
| WGL Energy | \$0.08300 | \$(43.16) | \$10/mo rem. | |
| Sperian Energy Corp. | \$0.08290 | \$(42.28) | \$75.00 | |
| AP Gas & Electric (APG & E) | \$0.08200 | \$(34.35) | \$25.00 | |
| MDG&E (Energy Services Providers) Shopping and Dining Rewards | \$0.08190 | \$(33.47) | | |
| Life Energy, LLC | \$0.07990 | \$(15.85) | \$149.00 | |
| XOOM Energy | \$0.07990 | \$(15.85) | \$110.00 | |
| Constellation NewEnergy Inc | \$0.07890 | \$(7.05) | \$150.00 | |
| Starion Energy | \$0.07890 | \$(7.05) | \$100.00 | |
| Shipley Energy | \$0.07770 | \$3.52 | \$99.00 | |
| Town Square Energy (Discount Energy) | \$0.07650 | \$14.09 | | |
| Stream Energy | \$0.07580 | \$20.26 | \$150.00 | |
| Plymouth Rock Energy | \$0.07570 | \$21.14 | | |
| IDT Energy | \$0.07410 | \$35.23 | | |
| Direct Energy | \$0.07290 | \$45.80 | | |

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Table 8, below, shows similar results for the Potomac Electric Power (“PEPCO”) distribution territory. Very few suppliers offer rates that save consumers money. And, contract details may still prove problematic. For example, OPC’s research (see Appendix 2) includes the following for Plymouth Rock Energy: “Exact terms to be sent to customer for plan chosen.”

Table 8
Electric Supplier Published Rates - Potomac Electric Power Service Territory
(October 2018 – 12-month contract)⁷⁹

| | Rate per kWh | Annual Gain (or loss) | Cancellation Fee | Other Fees |
|---|------------------|--------------------------|---------------------|---------------|
| PEPCO SOS | \$0.07830 | | | |
| CleanChoice Energy (Ethical Electric) | \$0.13500 | \$(499.41) | | |
| SmartEnergy Holdings | \$0.10040 | \$(194.66) | | |
| Viridian Energy | \$0.09680 | \$(162.95) | \$150.00 | |
| Entrust Energy | \$0.09400 | \$(138.29) | \$80.00 | |
| Public Power | \$0.09220 | \$(122.43) | \$50.00 | |
| Discount Power | \$0.08490 | \$(117.53) | \$100.00 | \$4.95/mo |
| Starion Energy | \$0.08490 | \$(114.77) | \$100.00 | \$4.72/mo |
| National Gas & Electric | \$0.09000 | \$(103.05) | \$50.00 | |
| Palmco Energy | \$0.09100 | \$(96.45) | | |
| Great American Power | \$0.08890 | \$(93.36) | \$10/mo rem. | |
| SFE Energy | \$0.08690 | \$(75.75) | \$25/year rem. | |
| WGL Energy | \$0.08600 | \$(67.82) | \$10/mo rem. | |
| Constellation Energy Power Choice (MX Energy & BGE Home) | \$0.08590 | \$(66.94) | \$150.00 | |
| NRG Home (Reliant Energy) | \$0.08400 | \$(50.21) | \$10/mo rem. | |
| Constellation NewEnergy Inc. | \$0.08390 | \$(49.32) | \$150.00 | |
| MidAmerican Energy | \$0.08120 | \$(25.54) | | |
| North American Power & Gas | \$0.07990 | \$(14.09) | \$10/mo rem. | |
| Direct Energy | \$0.07990 | \$(14.09) | \$99.00 | |
| Sperian Energy Corp. | \$0.07910 | \$(7.05) | \$75.00 | |
| Life Energy, LLC | \$0.07790 | \$3.52 | \$149.00 | |
| Plymouth Rock Energy | \$0.07710 | \$10.57 | | |
| AP Gas & Electric (APG & E) | \$0.07700 | \$11.45 | \$25.00 | |
| XOOM Energy | \$0.07690 | \$12.33 | \$110.00 | |
| Stream Energy | \$0.07380 | \$39.64 | \$150.00 | |
| Clearview Energy | \$0.06990 | \$73.99 | \$150.00 | |
| IDT Energy | \$0.06741 | \$95.92 | | |

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Table 9, below, includes rates for suppliers in the Potomac Edison service territory. None of the published rates researched by OPC were lower than the Potomac Edison standard offer and many were substantially higher.

Table 9
Electric Supplier Published Rates - Potomac Edison Service Territory
(October 2018 – 12-month contract)⁸⁰

| | Rate per kWh | Annual Gain (or loss) | Cancellation Fee | Other Fees |
|---|------------------|-----------------------------|---------------------|---------------|
| Potomac Edison SOS | \$0.06465 | | | |
| CleanChoice Energy (Ethical Electric) | \$0.12700 | \$(549.18) | | |
| Viridian Energy | \$0.09190 | \$(240.02) | \$150.00 | |
| Public Power | \$0.08680 | \$(195.10) | \$50.00 | |
| Palmco Energy | \$0.08900 | \$(193.19) | | |
| SmartEnergy Holdings | \$0.08540 | \$(182.77) | | |
| SFE Energy | \$0.07990 | \$(134.32) | \$25/year rem. | |
| Constellation Power Choice (MX Energy & BGE Home) | \$0.07790 | \$(116.71) | \$150.00 | |
| WGL Energy | \$0.07500 | \$(91.16) | \$10/mo rem. | |
| NRG Home (Reliant Energy) | \$0.07500 | \$(91.16) | \$10/mo rem. | |
| Life Energy, LLC | \$0.07490 | \$(90.28) | \$10/mo rem. | |
| XOOM Energy | \$0.07450 | \$(86.76) | \$110.00 | |
| MidAmerican Energy | \$0.07380 | \$(80.59) | | |
| Constellation NewEnergy Inc. | \$0.07290 | \$(72.67) | \$150.00 | |
| Sperian Energy Corp. | \$0.07030 | \$(49.77) | \$75.00 | |
| Direct Energy | \$0.06690 | \$(19.82) | \$99.00 | |
| Clearview Energy | \$0.06490 | \$(2.20) | \$50.00 | |

As shown in Table 10, below, in the Delmarva Power & Light service territory, consumers are estimated to pay up to \$237 per year more than the standard offer if they choose service from Smart Energy Holdings. Just two of the suppliers publish rates that enable consumers to save money.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Table 10
Electric Supplier Published Rates - Delmarva Power & Light Service Territory
(July 2018 – 12-month contract)⁸¹

| | Rate per kWh | Annual Gain (or loss) | Cancellation Fee | Other Fees |
|--|------------------|--------------------------|---------------------|---------------|
| Delmarva SOS | \$0.07760 | | | |
| Smart Energy Holdings | \$0.10450 | \$(236.94) | | |
| CleanChoice Energy (Ethical Electric) | \$0.10400 | \$(232.53) | | |
| Viridian Energy | \$0.10140 | \$(209.63) | \$150.00 | |
| Public Power | \$0.09610 | \$(162.95) | \$50.00 | |
| MidAmerican Energy | \$0.08990 | \$(108.34) | | |
| Palmco Energy | \$0.09100 | \$(102.61) | | |
| Town Square Energy (Discount Energy) | \$0.09900 | \$(141.37) | | |
| NRG Residential Solutions | \$0.08900 | \$(100.41) | \$10/mo rem. | |
| Constellation Energy Power Source (MX Energy & BGE Home) | \$0.08890 | \$(99.53) | \$150.00 | |
| Starion Energy | \$0.08790 | \$(90.72) | \$100.00 | |
| WGL Energy | \$0.08600 | \$(73.99) | \$10/mo rem. | |
| Great American Power | \$0.08590 | \$(73.11) | | |
| SFE Energy | \$0.08590 | \$(73.11) | \$25/year rem. | |
| Sperian Energy Corp. | \$0.08430 | \$(59.01) | \$75.00 | |
| Constellation NewEnergy Inc. | \$0.08290 | \$(46.68) | \$150.00 | |
| Life Energy, LLC | \$0.07990 | \$(20.26) | \$149.00 | |
| Plymouth Rock Energy | \$0.07810 | \$(4.40) | | |
| Direct Energy | \$0.07790 | \$(2.64) | \$99.00 | |
| IDT Energy | \$0.07471 | \$25.46 | | |
| Clearview Energy | \$0.07390 | \$32.59 | \$150.00 | |

Table 11 shows the rates for the two suppliers in SMECO's territory that published rates on their websites.

Table 11
Electric Supplier Published Rates – SMECO Service Territory
(October 2018 – 12-month contract)⁸²

| | Rate per kWh | Annual Gain (or loss) | Cancellation Fee | Other Fees |
|----------------------|-------------------|--------------------------|---------------------|---------------|
| SMECO SOS | \$0.080003 | | | |
| Sperian Energy Corp. | \$0.086300 | \$(55.46) | \$75.00 | |
| Clearview Energy | \$0.072900 | \$62.56 | \$150.00 | |

As of August 30, 2018 Viridian Energy was the only supplier identified on the PSC Electric Supplier Directory as actively seeking customers in Choptank Electric Cooperative's operating territory and Viridian did not publish its offers for October 2018 according to the OPC's research.⁸³

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

In Table 12, below, we summarize the aggregate unweighted average annual impact in each region. For example, for the purpose of estimating aggregate loss for the entire BGE region, we use the average annual per-household impact (\$76.59), which is the average of all annual gains and losses shown in Table 7, above, and based on the 278,697 households buying service from electric suppliers in the BGE region, we estimate an approximate \$21.3-million *net consumer loss* in the BGE region in the residential electric supply market.⁸⁴ Table 12 summarizes the total statewide number of participants and net annual impact or the sum of each of the respective categories in each region. The statewide average annual loss per household is the total net annual impact divided by the total number of participants.

The average annual per-household impact for each distribution region is a simple average of all average gains and/or losses in each regional table above. We cannot calculate a weighted average (to account for the fact that some suppliers serve more consumers than others) because we do not have actual subscriber and pricing information. We acknowledge that a more accurate estimate would be based on the rates actually paid, actual usage, the months of the usage, and the numbers of customers paying those rates, which would therefore weight the rates appropriately and match the supplier rates with the standard offer rates in effect in each of the months, but this information is not publicly available to us. With these caveats, we calculate an estimated total loss for residential electric supply market consumers in Maryland over one year of \$34.1 million.

Table 12
Consumers Lose \$34.1 Million Annually by Participating in
Residential Electric Supply Market
(Estimated Annual Impact by Distribution Territory)⁸⁵

| Distribution Region | Number of Participants in Distribution Region | Average Annual Loss Per Household | Net Annual Impact |
|----------------------------------|--|--|------------------------------|
| Baltimore Gas and Electric | 278,697 | \$(76.59) | \$(21,346,518) |
| Potomac Electric Power | 104,483 | \$(67.93) | \$(7,098,040) |
| Potomac Edison | 25,555 | \$(137.23) | \$(3,506,925) |
| Delmarva Power & Light | 24,755 | \$(89.01) | \$(2,203,424) |
| Southern Maryland Electric Co-Op | 4,538 | \$3.55 | \$16,108 |
| Total Statewide | 438,028 | \$(77.94) | \$(34,138,799) |

Suppliers' gas rates greatly exceed those of the standard offer.

Appendix 3, which reproduces the OPC's summary of gas suppliers' rates for October 2018, includes one table of rates in the BGE region and one table of rates for the Washington Gas Light region.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

As Table 13, below, shows, *all* of the gas suppliers' rates in BGE's territory exceed those offered through BGE's standard offer service (by as much as 200%). Table 13 summarizes only the rates for 12-month contracts (where available); individual suppliers may offer a range of options for the term of the contract. For example, the rates per therm charged by Constellation NewEnergy are \$0.5090, \$0.5290 and \$0.5590, for 36-month, 24-month, and 12-month contracts, respectively, which are significantly above the \$0.4043 per-therm charge of BGE.⁸⁶ For a household served by Constellation NewEnergy with a monthly average gas use of 55 therms, this translates into an annual consumer loss of between \$69 and \$102, depending on the contract chosen. Of course, for households that have higher gas usage, the loss would be even greater. The consumer loss associated with participating in the residential gas market depends on various factors: usage, supplier chosen, term of contract. *We found no evidence of any consumer gain in BGE's territory.*

Moreover, in sharp contrast with BGE, which does not require a contract and which does not charge a cancellation fee, suppliers often require contracts and impose cancellation fees. For example, customers of Constellation NewEnergy are locked in to contracts for terms of one, two or three years, and must pay \$150 to cancel their service.

Maryland Energy's rates are even higher, ranging between \$0.7790 and \$0.8190 per therm, which translates into annual consumer losses of between \$247 and \$273. Furthermore, the rate of \$0.7790 is shown as a variable rate, which means it could rise after a customer signs up for service – the annual loss associated with choosing Maryland Energy is *at least* \$247. *As Table 13, below, shows, rates are published for eighteen gas suppliers in the BGE region, and not one of the rates is less than the SOS rate.*

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Table 13
Gas Suppliers' Published Rates – BGE Service Territory
(October 2018 – 12-month contract)⁸⁷

| | Rate per therm | Annual Gain (or loss) | Cancellation Fee | Other Fees |
|--|-----------------|-----------------------|------------------|------------|
| BGE SOS | \$0.4043 | \$- | \$- | |
| Maryland Energy | \$0.8190 | \$(273.70) | \$50.00 | |
| Maryland Gas & Electric | \$0.7486 | \$(227.24) | \$10/mo rem. | |
| Interstate Gas Supply (IGS) | \$0.6490 | \$(161.50) | \$99.00 | |
| Viridian Energy | \$0.6439 | \$(158.14) | \$150.00 | |
| Spark Energy | \$0.5500 | \$(155.56) | \$100.00 | \$4.95/mo. |
| Spring Power & Gas | \$0.6399 | \$(155.50) | | |
| Direct Energy | \$0.6390 | \$(154.90) | | |
| XOOM Energy | \$0.6290 | \$(148.30) | \$110.00 | |
| SFE Energy | \$0.5990 | \$(128.50) | \$25/year rem. | |
| Trident Power | \$0.4810 | \$(122.02) | \$50.00 | \$5.95/mo. |
| BGE Home Products & Services LLC | \$0.5699 | \$(109.30) | \$150.00 | |
| Constellation NewEnergy - Gas Division | \$0.5590 | \$(102.10) | \$150.00 | |
| Palmco | \$0.5350 | \$(86.26) | | |
| Shipley Energy | \$0.4900 | \$(68.56) | \$75.00 | \$1/month |
| WGL Energy | \$0.5000 | \$(63.16) | \$10/mo rem. | |
| Stream Energy | \$0.4780 | \$(48.64) | \$100.00 | |
| NRG Home (Reliant) | \$0.4500 | \$(30.16) | | |
| Plymouth Rock Energy | \$0.4191 | \$(9.77) | | |

Similarly, in Table 14 below, we provide details of supplier offers in Washington Gas Light service territory and corresponding consumer gain (or loss) based on an average usage of 55 therms per month. Of the nine suppliers with published rates, just one supplier offered a rate lower than Washington Gas Light's standard offer.

Table 14
Gas Suppliers' Published Rates – Washington Gas Light Service Territory
(October 2018 – 12-month contract)⁸⁸

| | Rate per therm | Annual Gain (or loss) | Cancellation Fee | Other Fees |
|---------------------------------|-----------------|-----------------------|------------------|------------------|
| Washington Gas Light SOS | \$0.4524 | \$- | \$- | |
| Viridian Energy | \$0.5693 | \$(77.15) | \$150.00 | |
| SFE Energy | \$0.5590 | \$(70.36) | \$25/year rem. | |
| Maryland Energy | \$0.5590 | \$(70.36) | \$100.00 | |
| NRG Home (Reliant) | \$0.5500 | \$(64.42) | | |
| XOOM Energy | \$0.5390 | \$(57.16) | \$110.00 | |
| Washington Gas Energy Services | \$0.5000 | \$(31.42) | \$10/mo rem. | |
| Novec Energy | \$0.4990 | \$(30.76) | | balancing charge |
| Palmco | \$0.4610 | \$(5.68) | | |
| Direct Energy | \$0.4490 | \$2.24 | | |

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Using the same methodology as we did for analyzing the consumer impact in the electric market, we estimate an annual statewide loss of \$20.7 million in the residential gas market.

Table 15
Consumers Lose Over \$20 Million Annually by Participating in
Residential Gas Market
(Estimated Annual Impact by Distribution Territory)⁸⁹

| Distribution Region | Number of Participants | Average Rate per therm | Average Annual Loss Per Household | Net Annual Impact |
|----------------------------|-------------------------------|-------------------------------|--|--------------------------|
| BGE | 136,021 | \$0.5777 | \$(122.41) | \$(16,649,877) |
| WGL | 90,686 | \$0.5206 | \$(45.00) | \$(4,081,293) |
| Statewide | 226,707 | | \$(91.44) | \$(20,731,170) |

In total, Maryland's households experience *a net annual consumer loss of \$54.9 million by participating in the competitive electric and gas markets*. Average annual individual consumer losses for those participating in the electric and gas supply markets are estimated to be approximately \$169.38 (i.e., the sum of \$77.94 and \$91.44).

Significant caveats about the rates posted on suppliers' websites.

A large percentage of suppliers shown in Appendix 2 and Appendix 3 do not post their rate information. Moreover, the rates that are published on the suppliers' websites (and summarized on the OPC's web site) are not necessarily those that customers will pay. Our experience analyzing rates in Connecticut and Massachusetts show that suppliers may charge rates that differ from those that they publish on their websites. Also, suppliers' variable rates as well as their auto-renewals to variable rates are not reflected on these suppliers' websites or on the PSC's websites. Yet it is precisely these volatile variable rates that often cause unexpected spikes in customers' energy bills.

IV. OTHER STATES' EXPERIENCES WITH RESIDENTIAL ENERGY SUPPLY MARKETS ARE INSTRUCTIVE

Consumer harm in residential retail energy supply markets, as evidenced by state investigations and class action lawsuits as well as by high prices, is occurring throughout the country.

Experiences in numerous states indicate that consumer harm resulting from opening up retail energy supply markets is not unique to Maryland. Also, analyses that have been conducted regarding markets in other states demonstrate that consumer harm is not limited to “a few bad actors.” Instead, many companies have been found to engage in deceptive practices, and, as a result, there have been dozens of state investigations and class action lawsuits. Also, on balance, residential consumers are not saving money by participating in the energy supply markets, but instead are paying significantly more for essential utility services than they would under standard offers. Other states’ experiences provide further evidence that residential energy markets are not functioning well and that the administrative burden associated with implementing existing rules and regulations is substantial.

Appendix 4A to this report reproduces, with permission by the Massachusetts Office of the Attorney General (OAG), an appendix to the report prepared in 2018 on behalf of the OAG, and includes information through mid-March 2018, listing separately by supplier that is licensed to operate in the Commonwealth of Massachusetts, investigations and class action suits that have occurred in various states alleging unfair or deceptive acts and practices. Appendix 4B summarizes additional state investigations and class action lawsuits alleging unfair or deceptive acts or practices by suppliers that have occurred since the release of the Massachusetts OAG report. This long list combined with Maryland’s various investigations of suppliers (discussed in Section I, above) illustrates the need to ensure that suppliers comply with *existing* laws and regulations. Moreover, the fact that violations continue suggest that some suppliers may view penalties and sanctions simply as a cost of doing business rather than as a deterrent to future violations.

All of the suppliers that are included in Appendix 4A are also licensed in Maryland except three companies: (1) Massachusetts Gas & Electric operates in Massachusetts and instead Maryland Gas & Electric operates in Maryland; both, however, became part of the same “Crius Energy family of brands” in July 2017;⁹⁰ (2) Provider Power Mass, LLC is not licensed to operate in Maryland, but its parent, Spark, is licensed to operate in Maryland; and (3) Verde Energy relinquished its Maryland license in February 2018 when it was acquired by Spark. Sperian and Viridian, which are shown in Appendix 4B, also are licensed to operate in Maryland.

The rates that suppliers charge unambiguously demonstrate consumer loss is the rule and not the exception, and, public utility commissions’ continuing efforts in other states to address problems

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

that have surfaced in retail residential energy markets demonstrate that markets do not yet, on balance, function in a way that benefits consumers.

The following, which is intended to be illustrative rather than comprehensive, highlights examples of high prices in other states, where we define “high” relative to the rates that residential consumers would pay under standard offers.

Connecticut: The OCC’s most recent “Fact Sheet”⁹¹ shows:

- In the month of August 2018, seven out of ten residential electric supplier customers paid more than the Standard Offer in Eversource territory, and nearly seven out of ten residential supplier customers paid more than the Standard Offer in UI territory.
- For the rolling year of September 2017 through August 2018, residential consumers who chose a retail electric supplier paid, in aggregate, \$38,219,551 more than the Standard Offer.
- Suppliers are required to submit monthly filings with PURA, and also, of significance, is the fact that suppliers’ identifications are not redacted. This aspect of the report provides an important level of accountability to consumers and to policy makers.

Illinois: The 2018 Annual Report by the Illinois Commerce Commission to the General Assembly, the Governor, and the Illinois Commerce Commission⁹² shows, among other things, evidence of high prices in Illinois’ residential electric supply market:

- “On average, residential ARES [Alternative Retail Electric Supplier] customers in the ComEd territory paid around \$10.2 million more per month during the last twelve months when compared to the ComEd Price-to-Compare (PTC) and \$11.5 million more per month during the last twelve months when compared to the ComEd PTC including the Purchased Electricity Adjustment (PEA). In terms of cents per kWh, residential ARES customers in the ComEd territory paid about 1.289 cents/kWh more when compared to the ComEd PTC only, and about 1.445 cents/kWh more when including the PEA.”⁹³
- “In the Ameren Illinois territory, residential ARES customers paid around \$6 million more per month during the last twelve months when compared to the Ameren Illinois PTC and \$7.4 million more per month during the last twelve months when compared to the Ameren Illinois PTC including the PEA. In terms of cents per kWh, residential ARES customers in the Ameren Illinois territory paid about 1.073 cents/kWh more when compared to the Ameren Illinois PTC only, and about 1.330 cents/kWh more when including the PEA.”⁹⁴

More recently, a press release issued by the Illinois Attorney General (in which she also recommended that the Illinois Legislature ban the residential alternative retail electric market supplier market) stated:

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Data shows that nearly 90 percent of the time, ARES' customers are paying higher prices for electricity than customers pay with traditional utilities. According to the ICC, ARES customers in the ComEd territory as a whole have paid more than \$138 million more for electricity than ComEd customers from June 1, 2017 through May 31, 2018. Statewide, residential and small commercial customers enrolled with ARES have paid over \$600 million more in electricity costs in the last four years.⁹⁵

Massachusetts: A comprehensive report that the authors of this paper prepared on behalf of the OAG shows:

- Only 12% of the bills rendered on behalf of suppliers were associated with savings, and those savings were less than one-third the amount of the average overpayment associated with the other 88 percent of supplier bills.
- The net consumer loss over a three-year period was \$253-million.⁹⁶
- Low-income households pay 17 percent more to participate in electric supply markets than do non-low-income households.
- Residents in communities with the following demographics paid higher rates to competitive suppliers:
 - Communities with low median incomes;
 - Communities with high percentages of households receiving subsidized low-income rates;
 - Communities with high percentages of minority households; and
 - Communities with high percentages of households with limited English proficiency.⁹⁷

Rhode Island: The Rhode Island Division of Public Utilities and Carriers (DPUC) states that according to data it has gathered over the last five years, Rhode Island competitive supply customers paid \$55 million more than they would have paid if they had been on Standard Offer. For residential customers alone, the DPUC estimates that competitive supply costs were a total of nearly \$28 million above Standard Offer for that same period.⁹⁸

Although states have expended significant legislative, regulatory, and advocacy resources to improve the way that residential electric supply markets function, some of these same states have determined that public policy challenges relating to these markets persist and merit yet further investigation.

Connecticut: Regulators and legislators in Connecticut have adopted various significant consumer protection measures, but, nonetheless, on balance, consumers still experience a net

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

consumer loss.⁹⁹ Moreover there is concern that high electric prices may be disproportionately harming vulnerable populations. PURA has opened a docket to review the feasibility, costs, and benefits of transferring hardship customers receiving electric generation services from third-party electric suppliers to utility standard service. Hardship customers include low-income customers, customers with medical conditions who cannot be shut-off and certain other categories of vulnerable customers. PURA's Notice¹⁰⁰ describes the proceeding's scope as follows:

The Authority will solicit and receive information on the feasibility, costs, and benefits of switching the accounts detailed in Conn. Gen. Stat. §16-245o(m) to standard service. The Authority encourages docket participants to explore and identify what, if any, adjustments should be made to existing policies and practices, or if any new policies and practices may have the potential to positively impact the accounts described in § 16-245o(m). Additionally, the Authority intends to explore a number of areas relating to § 16-245o(m) including, but not limited to, the following:

- Trends in §16-245o(m) accounts, including the conditions driving and impacting those trends;
- The number of § 16-245o(m) serviced by a supplier;
- The amount § 16-245o(m) accounts have paid versus the amount the same accounts would have paid if on standard service;
- The impact of placing § 16-245o(m) accounts on standard service;
- Any nonmonetary value the § 16-245o(m) accounts have received while being serviced by a supplier; and
- Any other information that will assist the Authority in reviewing the feasibility, costs, and benefits of possibly switching §16-245o(m) accounts to standard service.

Also, in a separate proceeding, PURA recently determined that licensed electric suppliers have failed to submit the residential contract information that is needed to comply with Conn. Gen. Stat. §16 245d(a)(2) (which concerns the submission of information “to better enable . . . residential customers to compare pricing policies and charges among electric suppliers”). PURA stated that to “assure future compliance,” PURA’s decision would strengthen rules governing the transmittal of suppliers’ information and establish detailed monthly reporting to assist PURA with its enforcement efforts.¹⁰¹

New York: Having first authorized competitive retail electric supply in 1999, the New York Public Service Commission (“NYPSC”) has spent much of the past decade holding contentious proceedings regarding competitive suppliers (referred to in New York as “ESCOs” or energy supply companies). Despite some reforms, serious concerns persist. For example, in a February 2016 Order, the NYPSC noted that an earlier attempt to strengthen rules regarding business practices had not reduced complaints:

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Despite the [NYPSC]'s recent modifications to the [Uniform Business Practices] to strengthen and enhance customer protections through changes in the marketing standards and customer enrollment procedures that ESCOs and their representatives must follow, abuses continue. These abuses lead to customer complaints filed with the [NYPSC], which have been steadily increasing. The total number of initial complaints received by the [NYPSC] against ESCOs in 2015 was 5,044.¹⁰²

A recent change, adopted in December 2016 but not fully implemented until late 2017, prohibits ESCOs from serving low-income customers.¹⁰³ Individual ESCOs are permitted to apply for a waiver of this prohibition, based on an enforceable commitment to guarantee cost savings. A few ESCOs have received exemptions (on a probationary basis), but most have not.

Proceedings to reform state regulation of ESCOs are ongoing. In December 2016, the NYPSC issued a notice launching an investigation into whether (and/or how) competitive suppliers should continue to be permitted to market their services to residential and small business consumers.¹⁰⁴ Among the issues under consideration are:

- “Whether ESCOs should be prohibited in total or in part from serving their current products to mass-market customers, or whether ESCOs should be required to offer value-added energy efficiency and energy management services as a condition to offering commodity services.”
- Whether/how to modify rules to deter ESCOs from customer abuses and overcharging, and which rules/laws should be changed to accomplish this.
- Data collection re customer complaints; examination of materials that shed light on ESCOs marketing/sales practices.

New York's experience also demonstrates that technical conferences cannot always be relied on to resolve issues. The NYPSC attempted to use technical conferences to address some of these issues, and there were also some unsuccessful attempts at settlement. On the whole, however, the proceedings have been highly contentious throughout. Eventually, evidentiary hearings were conducted in November and December 2017. Initial and Reply Briefs were submitted on March 30 and April 30, 2018, respectively.¹⁰⁵ Even as parties await a decision from the NYPSC, parties continue to file various motions, etc., and whatever decision that commission arrives at will likely be appealed.

Rhode Island: Although the RI DPUC has implemented new rules to protect customers of competitive electric suppliers, the agency is continuing to monitor the industry. The Nonregulated Power Producer Consumer Bill of Rights, which is based on legislation passed by the General Assembly, adds new provisions to earlier consumer protection provisions.¹⁰⁶ The DPUC stated in May 2018:

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Based on this preliminary analysis, as well as the results of the recent investigation of this industry by the Massachusetts Attorney General, the DPUC is initiating an investigation into the practices of competitive suppliers providing service to residential and small commercial customers in Rhode Island. This review will examine the policies and sales practices of NPP's, their effect on residential customers, especially those in vulnerable populations, as well as the structure of the competitive supply marketplace in Rhode Island and surrounding jurisdictions, and the potential role of competitive suppliers in realizing a transformation to a more affordable, cleaner and reliable energy system. Pending that review, the Division may seek further changes to the statutes and rules governing competitive suppliers of residential customers to address any inequities that may exist in the marketplace.¹⁰⁷

Observations about other states' policy and proceedings

The prevalence of high supplier prices in various jurisdictions as well as states' continuing investigations undermine the theory that just a few bad actors need to be weeded out of the market in order for customers to benefit from competition in energy supply markets. High prices are the norm and not the exception; and problems persist even in states that have already expended significant efforts to improve the functioning of residential retail supply markets.

As we discuss in Section II, above, Maryland has adopted significant consumer protection measures, which we further summarize in Appendix 5, but, based on our analysis of suppliers' prices in Maryland, and other states' experiences, we recommend additional consumer protection safeguards. We also recommend that the Commission seek detailed information about the prices that customers are *actually* paying in residential electric and gas supply markets, disaggregated geographically and also separately for low-income customers, so that policy makers can assess more accurately the impact of opening up residential energy supply markets to competition on consumers and communities.

We focus the rest of this section on other states' experiences specifically as they relate to three gaps in Maryland's otherwise generally comprehensive framework of consumer protection safeguards. The summaries below are not intended to comprehensively discuss the many various aspects of other states' consumer protection frameworks, but instead to focus on those parts of other states' consumer protection safeguards that relate to three areas where we believe Maryland consumers would benefit from stronger protection:

1. Ensuring the transparency of rates, terms, and conditions (both from the perspective of the consumer as well as state policy markers);
2. Protecting customers from high rates; and
3. Enforcing statutory and regulatory requirements.

Transparency of suppliers' rates, terms, and conditions improves efficient decision-making and inform policy making.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Existing requirements in Maryland provide a foundation for transparency but are insufficient.

Pursuant to statute, electric and gas suppliers have various requirements regarding customer information, some of which we discuss in this section and some of which we discuss earlier, in Section I. Electric suppliers must provide “adequate and accurate customer information to enable customers to make informed choices regarding the purchase of any electricity services offered by the electricity supplier,”¹⁰⁸ and must post on the internet information “that is readily understandable about its services and rates for small commercial and residential electric customers.”¹⁰⁹ Also pursuant to statutory requirements, the PSC has various customer education obligations,¹¹⁰ including, among others, the requirement to maintain a secure portal to get information from suppliers on open offers.¹¹¹ Electric suppliers are required to provide the information at least once per month to the portal,¹¹² but it is not clear that all suppliers are posting at least monthly *all of their* open offers. Moreover, we are not aware of any corroboration that the list is accurate and that suppliers post their variable rates. As we discuss later in this section, consumer protection safeguards are only effective if enforced. Section 505(b)(4) of the Maryland Code also sets forth specific requirements regarding disclosures about renewable energy sources used.

Customer disclosure regulations require the supplier’s price description for service to “include, but not be limited to, all fixed and variable components” and also state that “[w]hen an electricity supplier compares the supplier’s price to the price a customer would pay for utility electric commodity service, the electric commodity services price is the standard offer service price offered in the electric utility territory where the supplier’s service is to be provided.”¹¹³

Maryland regulations also establish specific guidelines for informing customers of rate changes. When a customer’s rate changes, a supplier is required to make available to customers their rates for the next billing period, at least twelve days prior to close of the customer’s billing period and in a clear, easy to access format prescribed by the supplier. Furthermore suppliers are required to “promptly provide the customer written directions on how to access the rate (a) At the time of contracting; (b) In the Contract Summary; (c) When sending any notice as required []; (d) Upon request; or (e) If the supplier changes the directions for accessing the rate.”¹¹⁴ Also, Maryland regulations permit a supplier to provide an estimated rate for the customer’s next billing period, provided the estimated rate is made available at least twelve days prior to the close of the customer’s billing period.¹¹⁵ Also, if the supplier provides an estimated rate for the customer, the supplier is prohibited from using a rate for billing purposes that is higher than the estimate.¹¹⁶ We are unaware of any ongoing regulatory oversight to ensure that these important provisions are enforced. We discuss Maryland’s written notice requirements regarding variable rates later in our discussion of variable rates.

These various ways that Maryland regulations require suppliers to inform customers about rates are important, but insufficient. Below, we provide some examples of ways to further enhance transparency in the residential electric and gas supply markets so that customers can make more informed and efficient purchasing decisions. The examples are drawn from other states’ transparency requirements.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Examples from other states of ways to enhance transparency in Maryland's supplier markets:

- **Supplier-specific information about actual prices charged.** The Connecticut OCC publishes an Electric Supplier Market Fact Sheet,¹¹⁷ which we reproduce as Appendix 6, and which provides statewide aggregate information about the residential electric supply market. The report relies on information that suppliers are required to provide on a monthly basis to PURA. The OCC published its first electric supplier market fact sheet on March 12, 2014,¹¹⁸ based on testimony submitted on behalf of the OCC in PURA Docket No. 13-07-18.¹¹⁹ *A fact sheet prepared and publicized by the Maryland Public Service Commission such as that compiled and reported by the Connecticut OCC would allow Maryland's policy makers and consumers to "take the pulse" of the electric and gas supply markets and to increase supplier-specific accountability to regulators, advocates, and consumers.*
- **Easy comparisons of supplier and SOS rates and related information on customer bills.** Legislation required the Connecticut PURA to adopt regulations mandating the placement of the following items on the first page of consumer bills (we include a sample Connecticut bill as Appendix 7):
 - Electric generation service rate;
 - Term and expiration date of such rate;
 - Any change to such rate effective for the next billing cycle;
 - The cancellation fee, if applicable, provided there is such a change;
 - Notification that such rate is variable, if applicable;
 - The standard service rate;
 - The term and expiration date of the standard service rate;
 - The dollar amount that would have been billed for the electric generation services component had the customer been receiving standard service; and
 - An electronic link or Internet web site address to the rate board Internet web site and the toll-free telephone number and other information necessary to enable the customer to obtain standard service.

A requirement for easy-to-read comparison information on customers' bills is an excellent way to help consumers routinely assess the impact of their choice of supplier on their utility expenses.

- **Transparency regarding consumer complaints.** The New York Department of Public Service compiles a monthly report summarizing complaints about suppliers (see Appendix 8, which reproduces the relevant portion of the report).¹²⁰ *A monthly report released by the PSC on supplier-specific complaints would contribute to efficient decision-making by Maryland's consumers and would also increase suppliers' overall accountability.*

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

- **Shifting responsibility for rate transparency to the suppliers.** The Connecticut PURA required suppliers, effective January 1, 2015, to submit their generally available residential and business rates under its current licensing or relicensing docket, and required each filing to include “all current generally available rates and administrative or other regularly occurring charges.” PURA elaborated that “therefore each filing: Is considered to be a complete refresh of the previous filing; reflects rates that will be posted to the Rate Board; reflects rates that are available on the supplier’s website; and, provides rates that are available to consumers and therefore must be honored.” PURA further directed suppliers to submit any change in pricing at least three business days in advance of the change and reminded them that all electronic filings made to the Authority must be submitted via PURA’s on-line portal.¹²¹ *The Maryland PSC web portal provides the foundation for a publicly maintained clearinghouse of accurate, up-to-date pricing information, which is an important tool for consumers. The clearinghouse should also retain historic data so that consumers can assess past pricing patterns. Presently, OPC maintains a clearinghouse of suppliers’ pricing information for Maryland’s consumers, but not all suppliers list their prices on their websites, and also, the burden falls on OPC to locate and summarize the pricing information. The Connecticut measure would be beneficial if adopted in Maryland. There are two issues to consider, however. First, as we discussed earlier, not all customers have internet access (as age increases and as income decreases, internet access declines). Second, enforcement and accountability continue to be essential – although Maryland requires suppliers to “honor” the prices they post through the state’s portal, there is no assurance that suppliers actually charge the rates they post.*
- **Transparency regarding renewable energy claims.** *Those customers who choose to pay a premium to support renewable energy should be informed accurately about suppliers’ energy sources so that they can determine the extent to which suppliers offer renewable energy above and beyond that which is already required.*

Summary of recommendations regarding transparency: Consumers cannot make efficient purchasing decisions if information is vague, inaccurate, misleading or confusing. For markets to function well, consumers need to be fully (and accurately) informed, and the information needs to be readily accessible and easy to understand. It should be straightforward for consumers to learn about the rates that suppliers are *actually* charging in the market, the past pricing practices of suppliers (e.g., the maximum and minimum rates they charged during the preceding twelve months), the value of any value-added incentives, and complaints lodged about the suppliers. Furthermore, well-maintained and accurate web sites are important but not sufficient because they do not necessarily include the rates that suppliers actually charge, nor do all customers have internet access - 26 percent of Maryland’s households lack broadband internet access in their home,¹²² and lower-income, older, and rural households are far less likely to have

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

broadband internet access.¹²³ Finally, even the best of transparency requirements will only be as good as is the enforcement of those requirements.

Variable rates contribute to rate shock and high bills.

As the 2014 Maryland Report to the Commission observes, variable rates contribute to bill increases: “While the increase in usage would have resulted in a higher bill if the rates remained stable, the greater source of the bill increase is clearly attributable to the higher variable rates.”¹²⁴

Existing safeguards in Maryland: Maryland provides some protection against sharply increasing variable rates, primarily through customer notification. Pursuant to its written notice requirement, if a contract with a fixed rate for three or more billing cycles changes to a variable month-to-month price and a change in the contract rate will be equal to or exceed 30 percent of the supplier’s current supply rate, the supplier is required to provide written notice of the new rate to the customer at least 12 days prior to the close of the customer’s billing period.¹²⁵ However, once the rate has converted to a variable rate, this notice requirement will not apply and so rates can increase subsequently without notice or limit.

Also, regulations require suppliers to provide the written notice “by mail, or with the mutual consent of the supplier and customer, by email, text, automated phone message or other manner” and to “maintain records that such notice was provided to the customer.” Also, pursuant to COMAR 20.53.07.08 and 20.59.07.08, electric and gas suppliers are required to provide a “clear and concise price description of each service, including but not limited to any condition of variability or limits on price variability.” If “there is a limit on price variability, such as a specific price cap, a maximum percentage increase in price between billing cycles or minimum/maximum charges per therm for natural gas during the term of the contract,” suppliers must “clearly explain applicable limits” and if “there is not a limit on price variability,” suppliers must “clearly and conspicuously state that there is not a limit on how much the price may change from one billing cycle to the next.”

The authors’ detailed review of actual billing data in Massachusetts showed that individual suppliers charge a wide range of numerous prices to their customers (as opposed to a few uniform rates), which is consistent with suppliers’ use of variable rates. Because we lack actual billing data for Maryland’s residential energy supply markets, we cannot assess the degree to which suppliers’ rates vary. Although suppliers do not post their variable rates on their web sites, many offer them, which can lead to customers being caught unaware until they receive high bills. This underscores the importance of Maryland’s policy makers being able to analyze the rates that suppliers are actually charging their customers.

Examples from other states regarding variable rates

Connecticut has addressed variable rates as follows:

- Residential offers in Connecticut remain capped for three complete billing cycles: Conn. Gen. Stat. §16-245(g), as amended by PA 14-75, states that “any contract

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

between a licensee and a residential customer eligible for standard service entered into on and after the effective date of this section shall provide for the same electric generation service rate that may not be exceeded for at least the first three billing cycles of the contract, provided the licensee may decrease such rate at any time.”¹²⁶

- Also, suppliers need to list on their web sites and provide to PURA as “conditions of continued licensure” the highest and lowest rates charged as part of any variable rate offer for each of the preceding twelve months.¹²⁷

In our view, variable plans are often the cause of steep price hikes and exorbitant supplier prices, and, therefore, PURA's safeguards are important, but in our view, insufficient to protect consumers from unexpected spikes in their bills. Instead, variable rates should be prohibited, or, in the alternative, if variable rates are not prohibited, it is critically important that the Commission (1) enforce all existing notice requirements, (2) establish additional notice requirements so that ample notice be provided before each increase in variable rates occurs so that consumers have adequate time to terminate their service; and (3) require suppliers to list on their web sites the highest and lowest rates charged as part of any variable rate offer for each of the preceding twelve months. This is an area where a careful review of rates actually being charged by suppliers to consumers for a representative period of time (subject to any appropriate nondisclosure agreements) would allow policy makers to assess the range of variable rates in the electric and gas markets.

To be truly effective, statutory and regulatory requirements need to be actively enforced and state agencies require sufficient resources to undertake those enforcement actions.

The presence of numerous suppliers creates new and significant administrative burdens for the agencies responsible for ensuring that suppliers comply with rules and regulations and that consumers are educated adequately about their options. In Maryland, utilities and suppliers are assessed annually, which reimburses the state for OPC and PSC expenses. However, the PSC lacks a division or bureau dedicated to enforcement, although, such a recommendation has been made previously. In 2014, the report based on working group meetings with multiple stakeholders recommended that Maryland “[e]stablish a more robust engagement with the supplier industry which would include, when necessary, more rigorous enforcement of existing state protections.”¹²⁸ The 2014 *Final Report* also stated: “All parties recommended that the Commission establish a formal division that would be responsible primarily for monitoring of the competitive market and enforcement of the Commission’s regulations.”¹²⁹ We concur with this recommendation.

A report issued earlier this year by the National Consumer Law Center regarding residential energy markets in Massachusetts similarly recommends enforcement of regulations, observing:

DPU has jurisdiction over licensing of competitive supply companies. It can take any of the following actions: revoking or suspending the license of a competitive supply company, prohibiting the company from signing up new customers for a

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

specified period of time, placing the company on probationary status, or imposing a remedial plan on the company. The DPU also has the statutory authority to suspend the license for up to one year for “slamming,” i.e., if the supplier has intentionally, maliciously or fraudulently switched more than 20 customers to its service within a 12 month period. Despite this authority, the DPU has not reported license revocations or suspensions. The agency had the authority to do so since the beginning of deregulation but did not adopt regulations for adjudicating enforcement actions until 2017.¹³⁰

In Massachusetts, enforcement has occurred primarily through efforts of the Attorney General’s Office. Using its authority to investigate and pursue unfair and deceptive business practices (pursuant to Chapter 93A of Massachusetts law) the Attorney General in Massachusetts has investigated several suppliers and also reached settlements that have led to payments in the millions of dollars for restitution to affected customers, most recently regarding Viridian Energy, LLC, because of allegations of deceptive marketing and sales tactics that lured residents into costly contracts with high electricity rates.¹³¹

The Massachusetts Office of the Attorney General filed a lawsuit in October against electric supplier Starion, two of its principals, and telemarketing companies associated with Starion. The lawsuit contends that “the parties violated the state’s consumer protection laws by engaging in unfair sales tactics including unsolicited telemarketing calls and pre-recorded robocalls that deceived Massachusetts customers by falsely promising them lower electricity rates while signing them up for expensive contracts that ultimately made them pay millions more on their bills.”¹³²

Public Utilities Article 7-507 and 13-201 allow the Commission to impose a financial civil penalty and to suspend or revoke a license when suppliers violate regulations, engage in deceptive practices, switch customers without their consent (i.e., slamming), and for other just cause.¹³³ COMAR 20.53.07.05 includes refunds as a potential remedy for consumers that file disputes with the Commission’s Office of External Relations (“OER”). However, except in the case of Xoom Energy, the Commission has not ordered class-type monetary relief to those customers who were harmed by a supplier’s broad-ranging practices, but did not specifically complain to the OER, the Commission’s complaint unit. The existing statutory authority appears to allow the Commission to give relief broadly to customers affected by the same consumer protection violations, but it has been reluctant to do so.¹³⁴ Therefore, if and as needed this authority should be clarified, and the Commission should grant class action relief where so warranted. The grant of this type of relief would be similar to the relief obtained by state Attorneys’ General in consumer protection cases.

Conclusion regarding other states’ experiences.

Although each state has a unique energy market and its own legislative and regulatory framework, certain trends are common. On balance, consumers are experiencing a net consumer loss as a result of residential energy supply markets being opened up to competition, and violations of laws and regulations persist. Although comprehensive safeguards can shrink the

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

loss (as in Connecticut), the net loss persists and violations continue. Also, although our research generally encompasses electric supply markets, we believe that the lessons learned apply equally to residential gas markets.

Many states, including Maryland, have implemented important measures to improve the way that residential energy markets function. Some of the measures that other states have adopted, and that are not yet in place in Maryland, may be beneficial in Maryland's energy markets. Also, our research suggests that Maryland needs more effective penalties and sanctions so that it can deter anti-consumer actions.

Maryland's existing consumer protection measures provide a strong foundation but, in the authors' view, should be enhanced in order to minimize consumer harm.

V. POLICY GUIDELINES

Our analysis of residential energy markets focuses on consumers' experience (as evidenced by suppliers' violations of regulations and as evidenced by suppliers' published rates) rather than speculation about hypothetical benefits that might possibly accrue from opening up retail supply markets to competition. This section of our report sets forth public policy principles that we believe should guide policy makers' decisions.

Principal policy guidelines for residential energy markets

The following five policy guidelines summarize our key recommendations. We discuss them in more detail below.

Policy Guidelines

- **ADOPT POLICIES THAT PROMOTE FULL TRANSPARENCY**
- **ADOPT STRONG CONSUMER PROTECTION MEASURES**
- **ESTABLISH PROACTIVE REGULATORY OVERSIGHT AND ENFORCEMENT PROCEDURES AND TOOLS**
- **ASSESS THE ROLE OF VARIABLE GAS AND ELECTRIC PRICES IN THE RESIDENTIAL RETAIL MARKETS**
- **ENSURE THAT RENEWABLE ENERGY CLAIMS IN MARKETING MATERIALS AND CONTRACTS ARE READILY UNDERSTANDABLE AND ACCURATE**

Discussion of policy guidelines

Transparency is essential to ensure that consumers can make fully informed purchasing decisions. As we discuss in Section IV, above, there are many ways in which transparency in markets can be enhanced and facilitated.

In markets where customers' and sellers' expertise differ significantly, regulatory oversight and intervention is especially important. Suppliers are far better equipped to negotiate in retail residential energy supply markets than are individual residential customers. Reading contracts,

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

monitoring the ever-changing market, understanding one's options, and withstanding marketing pressure when a door-to-door salesperson is at the door are among the various actions customers are being asked to do to purchase essential utility services. Door-to-door marketing also occurs, not only at the doors of consumers' homes, but also at shopping malls, local events and other venues. (By contrast, large commercial customers typically have resources to negotiate the purchase of energy supply and to read the fine print in contracts.) For these reasons, strong, and consistently enforced consumer protection measures are essential, including transparency regarding rates, terms and conditions, as well as protections against widely fluctuating variable rates.

All else being equal (and most importantly, provided markets can sustain economically efficient competition and that abuses do not outweigh benefits), having a choice of suppliers is theoretically better than not having a choice, but for that choice to be economically efficient transparency, protection from suddenly increasing variable rates, and active enforcement are essential. The aggregate consumer loss of \$54.9 million per year in Maryland suggests that market distortions persist and consumers are bearing the brunt of those distortions. The PSC's findings of multiple instances of suppliers violating regulations also suggests that customers are not always "choosing" in a fair setting. Transparency and enforcement are essential elements of an efficient and fair market. Protection from sudden rate hikes is also essential.

Enforcement is essential to prevent aggressive and deceptive sales and marketing practices. When misleading and aggressive sales and marketing occurs, customers' purchasing decisions should not be construed as their preference for "choice," but rather should be interpreted as distorted purchasing decisions. Maryland's experience with suppliers engaging in deceptive sales practices and Appendix 4A and Appendix 4B to this report demonstrate that widespread abuses prevent customers from making fully-informed "choices."

Increasing reliance on renewable energy benefits all. It is important to ensure that suppliers represent accurately any assertions they make about their reliance on renewable energy. For markets to work efficiently, and especially because some consumers choose to pay more to purchase "green" products, it is essential that suppliers not mislead consumers about the impact of their choices on the state's goal of increasing reliance on renewable energy. Oversight of suppliers' claims is essential to prevent "greenwashing."

Conclusion

The hypothetical possibility for a well-informed customer who meticulously monitors the market to save some money does not justify the widespread abuses and overcharges that most customers experience. In conclusion, the authors of this paper recognize that opening markets theoretically can lead to innovation and benefits, but it is essential to weigh the *hypothetical* benefits against the *actual* harms that have been occurring (as is evidenced by net consumer loss and dozens of enforcement actions) for many years. Among other things, consumers and policy makers deserve a detailed and informed look at the rates that are actually being paid for electricity and gas.

VI. CONCLUSION AND NEXT STEPS

Additional consumer protection measures are essential because energy supply markets are not, on balance, benefiting Maryland's residential customers.

The OPC, the Commission, and the General Assembly have devoted significant time and resources to seeking to protect residential consumers from misleading and fraudulent behavior by “competitive” retail energy suppliers through legislation, rulemakings, and enforcement proceedings. Nonetheless, it is clear that the markets are not, on balance, yielding benefit to Maryland's residential customers. Moreover, often the burden of filing complaints and seeking remedies falls to individual consumers, who lack the expertise and negotiating wherewithal that large business users possess. As a result, the consequence of ill-functioning markets and the burden associated with preventing or addressing consumer harm, falls disproportionately on regulators, legislators, consumer advocates and individuals.

Based on the detailed consumer participation information published by the Commission, and the limited pricing information that was available to us, we estimate a net annual consumer loss associated with the gas and electric supply markets of \$54.9 million. This is compelling evidence that competition in these energy markets is not benefiting Maryland's households. We consider our analysis to be preliminary because, in order to gauge more completely the impact of these markets on residential customers, including on low-income customers and customers living in communities of color, we would need more detailed data about the prices that suppliers are actually charging to customers of all income levels and in all communities. Furthermore, an analysis of data regarding the prices that consumers are actually paying (as opposed to advertised rates) would lead to a more accurate calculation of consumer loss.

Nonetheless, the fact that by using averages of published electric and gas prices and actual participation rates we compute *net annual consumer losses* of \$54.9 million is a serious concern. *Lacking information about how many customers each supplier serves at each rate, we can only roughly estimate the consumer impact.*

Based on our detailed analyses in other jurisdictions and based on the information we discuss in this report, we provide various recommendations to assist Maryland's policymakers in determining and implementing an appropriate level of oversight of residential energy supply markets. We summarize our major recommendations below, which concern three areas that merit immediate attention.

Three Consumer Protection Gaps

1. **Transparency**
2. **Safeguards against rate spikes**
3. **Enforcement**

Transparency is vital to increasing opportunities for residential customers to benefit from retail competition.

➤ **Require utilities to provide twelve consecutive months of detailed billing data.**

The General Assembly or the Commission should direct the utilities to provide twelve consecutive months of detailed billing data separately for non-low-income and low-income customers, separately by supplier within each utility's region and separately by month. Also, utilities should provide comparable data for the most recent month of the 12-month period disaggregated to a zip code level so that one could assess whether vulnerable customers and communities are being disproportionately harmed (as is happening in Massachusetts, and as is being investigated in Connecticut). This level of detail should be provided to the Commission annually and be available for analysis by interested stakeholders.

The most reliable way to obtain information is from the utilities, which render bills to customers on behalf of suppliers. These bills capture accurate, up-to-date information about the prices that suppliers actually charge for electricity and the numbers of bills rendered on behalf of each of them. In sharp contrast, information that suppliers post on their web sites and that are posted on the OPC's website are not necessarily the rates that customers pay.

Reason for requirement: After twenty years of choice in electric and gas markets, and based on other states' analyses of actual billing data, it is clearly time for Maryland's policy makers to make fact-based assessments of these energy supply markets, and of whether consumers, especially low-income consumers, are receiving the purported benefits of competition. Detailed analyses of rates charged by suppliers in Massachusetts and Connecticut unambiguously demonstrate that any given supplier may charge a dozen or more *different* rates to its customer base in a *single* month. For this reason, it is impossible to assess how much customers are actually paying in Maryland until and unless comprehensive billing information is obtained for a representative period of time.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

- **Require suppliers to provide monthly rate data to the Commission.** As is the case in Connecticut, the pricing information (where the pricing information submitted corresponds with the prices actually charged to customers), should be made public.

Reason for requirement: A fact sheet prepared and publicized by the Maryland Public Service Commission such as that compiled and reported by the Connecticut OCC would allow Maryland's policy makers and consumers to "take the pulse" of the electric and gas supply markets and to increase supplier-specific accountability to regulators, advocates, and consumers. See Appendix 6 for an example.

- **Require utilities to provide readily understandable supplier information on their bills.** Customers' bills should clearly convey the financial implications of their choice of electric supplier.

Reason for requirement: Clear, easy-to-understand information is essential for efficient purchasing decisions. See Appendix 7 for the electric bill format used in Connecticut, which shows key information such as the supplier rate, term, and expiration date for any contract; the cancellation fee; the rate for the next cycle; the standard offer rate; and a comparison of the supplier and utility monthly charges.

- **Publish customer complaint information online.** Consumers should have ready access to a "scorecard" about suppliers. Appendix 8 provides an example of supplier-specific tallies of consumer complaints.

Reason for requirement: Informed decision-making leads to more efficient transactions in the residential supply market.

- **Enhance the Commission's website.** Customers should be able to locate relevant information about suppliers (prices, licenses, complaint information, independently verified information about renewable energy incremental to that required, etc.).

Reason for requirement: The residential electric and gas supply markets are complicated and volatile. Residential customers need a reliable, up-to-date, easy-to-understand, and accurate source of information about suppliers' prices and practices so that they can make well-informed purchasing decisions.

- **Independent verification of suppliers' renewable energy claims.** Suppliers' renewable energy claims should be accurate and transparent so that customers understand fully the extent to which suppliers' renewable energy sources exceed those that are already required.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

Reason for requirement: The Commission should ensure that renewable energy claims are accurate and easy-to-understand. As is discussed in Section III, the Commission could refer to the efforts of the FTC and NAAG for guidance in this area.

Consumer protection against variable rates is essential.

- **Prohibit variable rates.** Variable rates are a major cause of unexpected price increases. Moreover, variable rates are not posted on the PSC's web site.
- **If variable rates are not prohibited, require affirmative consent for any increase in rates.** Affirmative consent would provide an essential protection against unanticipated rate increases.
- **Enforce all existing notice requirements.** Consumer protection depends on enforcement of requirements for suppliers.
- **Establish additional notice requirements so that ample notice be provided before each increase in variable rates occurs so that consumers have adequate time to terminate their service.** Customers need adequate time to change their suppliers if they are concerned about pending rate increases.
- **Require suppliers to list on their web sites the highest and lowest rates charged as part of any variable rate offer for each of the preceding twelve months.** This is an area where a careful review of rates actually being charged by suppliers to consumers for a representative period of time (subject to any appropriate nondisclosure agreements) would allow policy makers to assess the range of variable rates in the electric and gas markets.

Reason for requirements: Unanticipated increases in rates are a major cause of consumer harm. Because suppliers are not required to post variable rates, little is known about the variable rates that are actually being charged. In other states, a review of rates actually charged shows a wide range of prices charged by a single supplier.

Effective oversight and enforcement procedures and tools are needed to protect consumers.

- **The PSC should establish and provide adequate resources for an enforcement team.** Measures are only effective if they are enforced. Maryland law and the Commission's regulations provide the framework for such enforcement.

Reason for requirement: Enforcement necessarily occurs in the aftermath of consumer harm. Therefore, regulators require authority to impose sanctions of sufficient magnitude so as to deter non-compliance in the first place. Delay in adopting measures harms consumers and communities. Excessive monies spent on electricity and gas, which are essential items, are then not available to consumers and communities for other goods and

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

services, which particularly harms consumers with low and limited incomes. For this reason, timely attention is essential – while policy makers seek to improve consumer protection measures, Maryland's consumers, meanwhile, are overpaying by an estimated \$55 million per year. The cause(s) for this overpayment can be debated, but during this debate, consumers continue to be harmed. Inaction (i.e., the status quo) harms consumers.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

ENDNOTES

¹ See Section IV, below.

² See, e.g., discussion of markets in Connecticut, Illinois, Massachusetts, and Rhode Island in Section IV, below.

³ We refer to standard offer service (“SOS”) to refer to the utility’s electric service and to gas commodity service to refer to the utility’s gas service.

⁴ Are Consumers Benefiting from Competition? An Analysis of the Individual Residential Electric Supply Market in Massachusetts,” Massachusetts Attorney General’s Office, Commonwealth of Massachusetts, Prepared by Susan M. Baldwin, March 2018 (“Massachusetts AGO Report”), at Appendix 4A (report available at: <https://www.mass.gov/files/documents/2018/03/29/Comp%20Supply%20Report%20Final%20032918.pdf>). See also discussion in Section I, below, of investigations in Maryland.

⁵ See, e.g., *Massachusetts AGO Report*, at 18. See, also, *Id.*, at 27 and Connecticut PURA Docket No. 18-06-02, “Review of Feasibility, Costs, and Benefits of Placing Certain Customers on Standard Service Pursuant to Conn. Gen. Stat. § 16-245o(m),” Notice of Proceeding, July 21, 2018. See also, http://www.ct.gov/occ/lib/occ/hardship_standard_service_blurb_06_11_2018.pdf

⁶ This report was prepared by Susan M. Baldwin and Sarah M. Bosley. Please see Appendix 1 for bios of the authors. OPC assisted by providing relevant documents and explaining the basis of its compilation of suppliers’ prices on its website.

⁷ 1999 Laws of Md., Ch. 3, § 1, & 4, § 1 (codified at PUA § 7-501, et seq.), referred to as the “Electric Customer Choice and Competition Act.” The law was amended in 2006 (2006 Md. Laws, 1st Spec. Sess., Ch. 5 (Senate Bill 1), although the licensing and consumer protection requirements of the 2000 law were not altered.

⁸ 2000 Laws of Md., Ch. 669, § 2 (codified at PUA § 7-601, et seq.), referred to as the “Natural Gas Supplier Licensing and Consumer Protection Act”).

⁹ Maryland Public Service Commission Case No. 9324, In the Matter of the Investigation into the Marketing Practices of Starion Energy PA, Inc., Order 86211, issued March 7, 2014 (“Maryland Starion Order”) at 1-2 (footnotes omitted). In October 2018, the Massachusetts Office of Attorney General filed a complaint against Starion alleging violations of that state’s consumer protection laws by engaging in deceptive sales tactics. See Appendix 4B.

¹⁰ The PSC also stated: “we conclude that [the supplier] committed at least hundreds of violations of the Door-to-Door Sales Act by not providing customers with contracts that contain the required language in that Act” and “there is no dispute that [the supplier’s] door-to-door solicitations were in violation of this Act over many months. Considering how significantly [the supplier] relied upon this type of solicitation to attract new customers, its ongoing failure to comply with this law is remarkable. . . . The record clearly establishes that these violations of Maryland law were an ongoing practice in [the supplier’s] door-to-door solicitations.” *Maryland Starion Order*, at 21-22, 25. As summarized by the Maryland PSC: “Maryland’s “Door-to-Door Sales Act” states that it is an “unfair or deceptive trade practice” for a seller to fail to provide a consumer with: 1) A fully completed receipt or copy of the contract at the time of its execution, which “is in the same language as that principally used in the oral sales presentation;” 2) A statement on the receipt or contract of the customer’s right to cancel the transaction within three days of the transaction which must be in bold and near the signature line; and 3) A separate “Notice of Cancellation” form containing the statutorily required language.” *Maryland Starion Order*, at 21, footnotes, omitted.

¹¹ In its Order No. 87418 (Case No. 9346(b) In the Matter of the Investigation into the Marketing, Advertising, and Trade Practices of American Power Partners, LLC; Blue Pilot Energy, LLC; Major Energy Electric Services, LLC and Major Energy Services, LLC; and Xoom Energy Maryland LLC Major Energy Electric Services, LLC and Major Energy Services, LLC, February 26, 2016) (“American Power, Blue Pilot Major Energy and Xoom Order”), the Commission denied the OPC’s request for customer refunds, which would have mitigated the harm at least in part. *Id.*, at 1.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

¹² As explained by the Commission in 2014, “in response to unusually high consumer complaints, the Maryland General Assembly passed Senate Bill 1044/ House Bill 928 (SB1044) during the 2014 Maryland Legislative Session and in response, on May 5th, 2014 the Commission established PC35 to ‘review the current status of protections for customers in connection with competitive retail gas and electricity supply, and to solicit recommendations on ratepayer protections.’” Final Report and Recommendation of the Maryland Public Service Commission Leader Public Conference 35, November 6, 2014 (“2014 Final Report re Public Conference 35”), at 4. See, *id.*, footnote 4, which states: “PC35 was established in response to Senate Bill 1044/ House Bill 928 ‘Public Service Commission – Competitive Retail Electricity and Gas Supply – Consumer Protection – Report.’ On April 8, 2014, the Governor signed this legislation into law, codified as Chapters 77 and 78 of the 2014 Laws of Maryland” and see, also *id.* footnote 5, citing to “In The Matter Of The Current Status Of Protections For Customers In Connection With Competitive Retail Gas Supply And Competitive Retail Electricity Supply,” May 15, 2014.

¹³ “During the Polar Vortex period, the OER noticed a shocking increase in complaints related to competitive suppliers.” *2014 Final Report re Public Conference 35*, at 8.

¹⁴ *American Power, Blue Pilot Major Energy and Xoom Order*.

¹⁵ *American Power, Blue Pilot Major Energy and Xoom Order*, at 3, citing Case No. 9253, Order No. 84096 (June 9, 2011).

¹⁶ *American Power, Blue Pilot Major Energy and Xoom Order*, at 3-4, citing Case No. 9255, Order No. 84959 (June 7, 2012).

¹⁷ *American Power, Blue Pilot Major Energy and Xoom Order*, at 3-4, citing Case No. 9324, Order No. 86531 (August 7, 2014); Order No. 86211 (March 7, 2014)

¹⁸ Since October 1, 2016, Maryland law requires that any civil penalties assessed to suppliers under PUA §13-201 be paid into a “retail Choice Consumer Education and Protection Fund” (PUA § 7-310), to be used by the Commission for education and improved consumer protection. Prior to that date, the monies were paid into the State General Fund. PUA § 13-201(e)(3).

¹⁹ COMAR 20.32. See <http://www.dsd.state.md.us/COMAR/ComarHome.html> for links to all Maryland Commission regulation references in this report.

²⁰ COMAR Rulemaking Session 106, February 10, 2016, minutes adopting proposed regulations as published in the Maryland Register on December 11, 2015.

²¹ Maryland PSC Order No. 88850, In the Matter of the Electric Universal Service Program, Case No. 8903, issued September 26, 2018 (“EUSP Order”), at 1.

²² *EUSP Order*, at 4. The Commission, however, relies on an advisory board rather than a PSC Working Group or PSC Board, which would be required to report to the PSC.

²³ *Id.*, at 6.

²⁴ *Id.*, at 6, cite omitted.

²⁵ *Id.*, at 5-6.

²⁶ *Id.* at 5, quoting RESA, cite omitted.

²⁷ Order No. 86211, March 7, 2014, at 6-7.

²⁸ Case No. 9340, PSC Office of External Relations’ “Comments on Complaint Winter High Bill Status,” dated March 11, 2014 (ML No. 153192) and Order No. 86293, page 5, dated April 11, 2014; Commission Case No. 9346, Order No. 86274.

²⁹ This is based on OPC’s monthly reviews of publicly available price information for gas and electricity suppliers and a comparison of those rates with standard offer rates between 2014 and 2018.
<http://www.opc.state.md.us/RegulatoryActivities/Publications.aspx#Electricity>.

³⁰ The identity and numbers of suppliers that are actively soliciting customers fluctuate over time.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

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- ³¹ <https://www.psc.state.md.us/electricity/electric-choice-monthly-enrollment-reports/>, accessed October 7, 2018. The most recently available data is for the month of August 2018. Some suppliers may serve more than one service territory. In other words, the territory-specific numbers are not additive.
- ³² <https://www.psc.state.md.us/electricity/electric-choice-monthly-enrollment-reports/>, accessed October 7, 2018. The most recently available data is for the month of August 2018.
- ³³ *Massachusetts AGO Report*, at 18. See, also, *Id.*, at 27.
- ³⁴ Connecticut PURA Docket No. 18-06-02, “Review of Feasibility, Costs, and Benefits of Placing Certain Customers on Standard Service Pursuant to Conn. Gen. Stat. § 16-245o(m),” Notice of Proceeding, July 21, 2018. See also, http://www.ct.gov/occ/lib/occ/hardship_standard_service_blurb_06_11_2018.pdf
- See *id.*, stating: “On January 30, 2017, OCC filed an initial petition requesting that PURA investigate potentially abusive targeting of low-income, elderly, and ESL customers by electric suppliers. (Docket No. 17-01-33) In its initial petition, OCC suggested that PURA invoke § 16-245o(m) and transfer hardship customers to standard service as a means of aiding those who already struggle to pay their electric bills. In a supplemental petition filed with PURA on April 30, 2018, OCC again called upon PURA to open such a proceeding. In its supplemental petition, OCC noted that both Massachusetts and New York had recently explored the same option, given data demonstrating that comparable customers in those states were paying more for electricity on suppliers than they would have on the utility’s standard service rate. OCC observed that authorities in those states were concerned that available energy assistance dollars were being inefficiently expended on behalf of needy recipients due to high supplier rates.”
- ³⁵ *Massachusetts AGO Report*, at 27-32.
- ³⁶ <http://www.psc.state.md.us/electricity/electric-choice-monthly-enrollment-reports/>. Accessed October 7, 2018, data as of August 31st each year.
- ³⁷ <http://www.psc.state.md.us/electricity/electric-choice-monthly-enrollment-reports/>. Participation rate as of January of each year.
- ³⁸ <http://www.psc.state.md.us/electricity/electric-choice-monthly-enrollment-reports/>. Accessed October 7, 2018.
- ³⁹ <http://www.psc.state.md.us/electricity/electric-choice-monthly-enrollment-reports/>. Accessed October 7, 2018, data as of August 31, 2018.
- ⁴⁰ <https://www.psc.state.md.us/gas/wp-content/uploads/sites/4/6-2018-Gas-Choice-Enrollment-Report.pdf>. The PSC states in its gas enrollment report for June 2018: “All Baltimore Gas and Electric and Washington Gas customers are eligible for gas choice. Residential customers of Chesapeake Utilities and Elkton Gas are not eligible for gas choice. Residential and Commercial and Industrial customers for Columbia are not eligible for Choice beginning in October 2012 (Per Commission Letter Order Dated April 13, 2012).”
- ⁴¹ <https://www.psc.state.md.us/gas/gas-choice-enrollment-report/>. Accessed October 7, 2018.
- ⁴² <https://www.psc.state.md.us/gas/gas-choice-enrollment-report/>. Accessed October 7, 2018.
- ⁴³ <https://www.psc.state.md.us/gas/gas-choice-enrollment-report/>. Accessed October 7, 2018.
- ⁴⁴ <https://www.psc.state.md.us/gas/gas-choice-enrollment-report/>. Accessed October 7, 2018.
- ⁴⁵ <https://www.psc.state.md.us/supplier-search/>, site visited October 10, 2018.
- ⁴⁶ <https://www.psc.state.md.us/supplier-search/>, site visited October 10, 2018
- ⁴⁷ <https://www.psc.state.md.us/supplier-search/>, site visited October 10, 2018.
- ⁴⁸ <https://www.psc.state.md.us/supplier-search/>, site visited October 10, 2018.
- ⁴⁹ No. 131 (BGE territory); No. 136 (Choptank service territory); No. 251 (Delmarva service territory); 374 (Pepco service territory); and No. 486 (Potomac). <https://www.psc.state.md.us/supplier-search/>, site visited October 10, 2018.
- ⁵⁰ See Section I.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

⁵¹ See Section III.

⁵² <http://www.dsd.state.md.us/comar/comarhtml/20/20.53.07.13.htm> (electric); and <http://www.dsd.state.md.us/comar/comarhtml/20/20.59.07.13.htm> (gas).

⁵³ See, e.g., “Office of People’s Counsel Utility Supplier Offers.” <http://www.opc.state.md.us/Portals/0/Retail%20Suppliers/2018%20Charts/October%202018%20Supplier%20Chart%20BGE.pdf>

⁵⁴ For example, customers opting for Stream Energy’s 36-month contract and who receive a thermostat must pay \$200 to cancel; Constellation Energy charges a \$150 cancellation fee regardless of whether the contract term is 12, 24 or 36 months; North American Power & Gas, LLC charges \$10 for each month remaining in a contract term. “Office of People’s Counsel Utility Supplier Offers – BGE Service Area, October 2018.” <http://www.opc.state.md.us/Portals/0/Retail%20Suppliers/2018%20Charts/October%202018%20Supplier%20Chart%20BGE.pdf>

⁵⁵ When customers affirmatively choose to pay a premium for renewable energy, are fully informed about the magnitude of the premium, and the claims regarding renewable energy can be corroborated, the market can be considered to be functioning properly. In other words, high prices are often but not necessarily indicative of consumer harm.

⁵⁶ See, e.g., “Environmental Claims: Summary of the Green Guides,” Federal Trade Commission (FTC). https://www.ftc.gov/system/files/documents/public_events/975753/ftc_-_environmental_claims_summary_of_the_green_guides.pdf. See, e.g., *id.*, at 4, which states: “Marketers shouldn’t make unqualified renewable energy claims based on energy derived from fossil fuels unless they purchase renewable energy certificates (RECs) to match the energy use.” See also more generally FTC web page <https://www.ftc.gov/tips-advice/business-center/advertising-and-marketing/environmental-marketing>. See also description by the National Association of Attorneys General of the efforts of the several state Attorneys General, which “formed an ad hoc task force to review environmental advertising claims. Working with the Federal Trade Commission (FTC) and the Environmental Protection Agency,” the National Association of Attorneys General addressed industry’s “green claims” and stated: “With respect to businesses, the task force provided the following guidance: 1) environmental claims made by businesses should be as specific as possible, not general, vague, incomplete or overly broad; 2) claims should reflect current disposal option; 3) claims should be substantive; and 4) claims should be supported.” “Green Marketing Continues to Evolve,” <http://www.naag.org/publications/naagazette/volume-5-number-9/green-marketing-work-continues-to-evolve.php>, site visited October 10, 2018.

⁵⁷ In Massachusetts, greenwashing refers to a phenomenon whereby suppliers claim to be “green” but are purchasing low-cost renewable energy certificates from sources that are not eligible under the Renewable Portfolio Standard. Although these purchases allow a supplier to market its product as “green” they often have limited environmental benefits because they originate from older or out-of-region sources that do not promote “additionality,” *i.e.*, additional renewable energy on the grid. See, e.g., <http://blog.massenergy.org/blog/competitive-electricity-suppliers>; See also <http://blog.massenergy.org/blog/class-i-recs> and <http://blog.massenergy.org/blog/are-you-getting-greenwashed>.

⁵⁸ PUA §705-5; see also COMAR 20.61 for the regulations regarding Maryland’s Renewable Energy Portfolio Standard Program.

⁵⁹ PUA § 7-505(b)(4) of Maryland Code states:

(i) The Commission shall, by regulation or order, require each electric company and electricity supplier to provide adequate and accurate information to each customer on the available electric services of the electric company or electricity supplier, including disclosure, every 6 months, of a uniform common set of information about:

1. the fuel mix of the electricity purchased by customers, including categories of electricity from coal, natural gas, nuclear, oil, hydroelectric, solar, biomass, wind, and other resources, or disclosure of a regional fuel mix average; and

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

2. the emissions, on a pound per megawatt-hour basis, of pollutants identified by the Commission, or disclosure of a regional fuel mix average.

(ii) The Commission may require an electric company or an electricity supplier to provide documentation supporting the disclosures required under subparagraph (i) of this paragraph

⁶⁰ PUA §7-507. (j). For examples of suppliers that do not post their rates, see, e.g., “Office of People’s Counsel Utility Supplier Offers – BGE Service Area, October 2018,” available at <http://www.opc.state.md.us/Portals/0/Retail%20Suppliers/2018%20Charts/October%202018%20Supplier%20Chart%20BGE.pdf>.

⁶¹ Applied Public Policy Research, Institute for Study and Evaluation (APPRISE Incorporated), “Maryland Low-Income Market Characterization Report,” prepared for the Maryland Office of People’s Counsel, October 2018 (“APPRISE Report”); Pew Research Center, “Internet/Broadband Fact Sheet,” February 5, 2018, available at: <http://www.pewinternet.org/fact-sheet/internet-broadband/>. In Maryland, only 41% of elderly individuals living alone have access to the internet and two-thirds of low-income households have access to the internet. APPRISE Report, at 30. There are 447,863 households in Maryland that are low-income (below 200% of the FPL), which represents more than one in every five households in the state. APPRISE Report, at 7. As defined in the APPRISE report, a household is considered elderly if the head of household is 60 or older, and, using this definition, elderly households represent 41 percent of the low-income population. APPRISE Report, at 20.

⁶² PUA §7-507. (j) states: “An electricity supplier shall post on the Internet information that is readily understandable about its services and rates for small commercial and residential electric customers.” The PSC’s electric price comparison tool is available at: <https://www.psc.state.md.us/electricchoice/shop-and-compare/>.

⁶³ The PSC’s electric price comparison tool states: “The information provided below is solely the responsibility of the retail electricity suppliers. The Maryland Public Service Commission does not enter the price data, has not verified its accuracy, and is not responsible for any losses due to incorrect information provided by the suppliers. Because the offers and prices are subject to change (particularly with variable rate offers), customers are urged to verify pricing, terms, and conditions before signing a contract with a retail energy supplier.”

⁶⁴ *Starion Order*, at 3.

⁶⁵ We were provided with detailed billing data in Connecticut and in Massachusetts for analyses we conducted on behalf of the Connecticut OCC and Massachusetts Office of the Attorney General.

⁶⁶ <https://www.psc.state.md.us/electricity/electric-choice-monthly-enrollment-reports/>;
<https://www.psc.state.md.us/gas/gas-choice-enrollment-report/>.

⁶⁷ <https://www.psc.state.md.us/supplier-search/>.

⁶⁸ <https://www.psc.state.md.us/electricchoice/shop-and-compare/> .

⁶⁹ However, we understand that Maryland law requires electricity suppliers to provide price and contract term information to the Commission through a web portal, on a monthly basis at least. PUA § 7-510.1.

⁷⁰ The description of OPC’s method of compiling price comparison information has been provided to us by OPC.

⁷¹ PUA § 7-507(j).

⁷² PJM membership is a requirement for receipt of the Commission license. PJM is the Regional Transmission Organization (RTO) for eleven states and the District of Columbia, and administers the wholesale electricity market for those states.

⁷³ <http://opc.maryland.gov/ConsumerCorner/RetailSuppliers.aspx> .

⁷⁴ “Office of People’s Counsel Utility Supplier Offers – October 2018,” available at: <http://opc.maryland.gov/ConsumerCorner/RetailSuppliers.aspx>.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

⁷⁵ Because we do not have information about individual suppliers' market shares nor do we have information about the numbers of customers that each supplier serves (or, for that matter, the number of consumers being charged each of the various rates that the supplier charges), we do not have a basis for computing a weighted average of suppliers' rates. Instead, we compute the average of the suppliers' published rates for October 2018. Regarding the Standard Offer Service and commodity rates, we use the utilities' rates that are effective in October 2018.

In Case 9228, the PSC addressed the subject of how to display the price to compare info on bills, and ordered the following, which is still in effect:

[Supply] Price Comparison Information: The current price for Standard Offer Service electricity is x.x cents/kWh, effective through [date]. Standard Offer Service electricity will cost x.x cents/kWh beginning on [date] through [date]. The price of 13 Standard Offer Service electricity after [date] has not yet been set. The weighted average price of Standard Offer Service electricity will be x.x cents through [date]

Case 9228, In the Matter of the Review of the Price to Compare Published by Maryland's Investor Owned Electric Utilities, Order No. 83423, June 24, 2010 ("Order No. 83423"), at 12-13.

⁷⁶ Note that in each of the following tables we only include the suppliers that publish their rates as researched by OPC. In every region, there are numerous suppliers that have not provided pricing and contract information on their websites. See the OPC electric summary in Appendix 2 which includes suppliers that do not have price information on their websites yet sell their supply services in Maryland. For example, according to OPC's research, just 33 of 60 suppliers in the BGE area published rates on their websites. Also the number of suppliers shown on the OPC's and PSC's websites differ slightly: While there are 60 suppliers listed in OPC's rate summary, the PSC reports that there are 65 suppliers serving enrolled customers in BGE territory as of August 2018. See: <https://www.psc.state.md.us/electricity/electric-choice-monthly-enrollment-reports/>. We attribute that difference to suppliers that are actively seeking customers (OPC data) as opposed to suppliers that are continuing to serve consumers but may not be actively seeking new customers (PSC data).

⁷⁷ See Maryland PSC Case No. 9484, In the Matter of the Application of Baltimore Gas and Electric Company for Adjustments to Its Gas Base Rates and other Tariff Revisions, filed June 8, 2018, at 4, footnote 2, which states: "The average residential gas and electric customer bill impact is based on an average monthly usage of 55 therms and 734 kWh per month, respectively, also on a weather-normalized basis for the 12 months ending July 2018." We use these average energy usage amounts (which are based on BGE's customers) in our analyses of energy markets in the other utilities' service areas. Consumer loss estimates can be refined based on an analysis of the actual usage of suppliers' customers within the differing utility service areas.

⁷⁸ Source: "Office of People's Counsel Utility Supplier Offers – October 2018," available at: <http://opc.maryland.gov/ConsumerCorner/RetailSuppliers.aspx>. OPC's list of supplier rates in the BGE region includes a total of 60 suppliers: 33 provide some information on rates and packages available on their websites while 27 do not provide enough information for OPC to include rates for their supplier price comparison tool. The BGE SOS rate in the non-summer electric supply rate for 10/12018 – 5/31/2019 and includes Rider 8.

⁷⁹ Source: "Office of People's Counsel Utility Supplier Offers – October 2018," available at: <http://opc.maryland.gov/ConsumerCorner/RetailSuppliers.aspx>. PEPCO SOS rate is the non-summer electric supply rate 10/1/2018 – 5/31/2019. OPC's list of supplier rates in the PEPCO region includes a total of 52 suppliers: 26 provide some information on rates and packages available on their websites while 26 do not provide enough information for OPC to include rates for their supplier price comparison tool.

⁸⁰ Source: "Office of People's Counsel Utility Supplier Offers – October 2018," available at: <http://opc.maryland.gov/ConsumerCorner/RetailSuppliers.aspx>. Potomac Edison SOS rate is the non-summer electric supply rate 10/1/2018 – 5/31/2019. OPC's list of supplier rates in the Potomac Edison region includes a total of 41 suppliers: 16 provide some information on rates and packages available on their websites while 25 do not provide enough information for OPC to include rates for their supplier price comparison tool.

⁸¹ Source: "Office of People's Counsel Utility Supplier Offers – October 2018," available at: <http://opc.maryland.gov/ConsumerCorner/RetailSuppliers.aspx>. Delmarva SOS rate is the non-summer electric supply rate 10/1/2018 – 5/31/2019. OPC's list of supplier rates in the Delmarva Power & Light region includes a

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

total of 46 suppliers: 20 provide some information on rates and packages available on their websites while 26 do not provide enough information for OPC to include rates for their supplier price comparison tool.

⁸² Source: “Office of People’s Counsel Utility Supplier Offers – October 2018,” available at: <http://opc.maryland.gov/ConsumerCorner/RetailSuppliers.aspx>. SMECO SOS rate for October 2018 includes Actual Transmission Charge (PCA). OPC’s list of supplier rates in the SMECO region includes a total of 22 suppliers: 2 provide some information on rates and packages available on their websites while 20 do not provide enough information for OPC to include rates for their supplier price comparison tool.

⁸³ Source: “Office of People’s Counsel Utility Supplier Offers – October 2018,” available at: <http://opc.maryland.gov/ConsumerCorner/RetailSuppliers.aspx>.

⁸⁴ Enrollment data is sourced from the PSC website, data as of August 31, 2018: <https://www.psc.state.md.us/electricity/electric-choice-monthly-enrollment-reports/>.

⁸⁵ PSC website, number of participants, data as of August 31, 2018: <https://www.psc.state.md.us/electricity/electric-choice-monthly-enrollment-reports/>. Net Annual Impact is number of participants in each region multiplied by annual loss per household in each region. Total statewide participants and net annual impact for state are sums of the regional numbers. The statewide average annual loss per household is the result of dividing statewide net annual impact by the total statewide number of participants.

⁸⁶ OPC Summary for supplier gas rates in the BGE region as of October 2018, attached as Appendix 3. Available at: <http://opc.maryland.gov/ConsumerCorner/RetailSuppliers.aspx>

⁸⁷ “Office of People’s Counsel Utility Supplier Offers – October 2018,” available at: <http://opc.maryland.gov/ConsumerCorner/RetailSuppliers.aspx>. NRG only offers variable rates. Assumes 55 therms/month of usage.

⁸⁸ “Office of People’s Counsel Utility Supplier Offers – October 2018,” available at: <http://opc.maryland.gov/ConsumerCorner/RetailSuppliers.aspx>. NRG only offer variable rates. Assumes 55 therms/month of usage.

⁸⁹ Number of participants as of quarter ended June 2018, available from PSC website at: <https://www.psc.state.md.us/gas/gas-choice-enrollment-report/>. Net Annual Impact is number of participants in each region multiplied by annual loss per household in each region. Total statewide participants and net annual impact for state are sums of the regional numbers. The statewide average annual loss per household is the result of dividing statewide net annual impact by the total statewide number of participants.

⁹⁰ <https://www.magande.com/AboutUs/Milestones.aspx>, site visited October 28, 2018; <https://www.mdgande.com/AboutUs/Overview.aspx>, site visited October 28, 2018.

⁹¹ “OCC Fact Sheet: Electric Supplier Market, September 2017 through August 2018,” Office of Consumer Counsel, updated on September 26, 2018, https://www.ct.gov/occ/lib/occ/fact_sheet_electric_supplier_market_august_2018.pdf.

⁹² Annual Report to the General Assembly, the Governor, and the Illinois Commerce Commission, Submitted pursuant to Section 20-110 of the Illinois Public Utilities Act, Office of Retail Market Development, Illinois Commerce Commission, June 2018 (“Illinois 2018 Annual Report”), available at: <https://www.icc.illinois.gov/reports/report.aspx?rt=22>. The report notes that for its payment estimates: “As for the ARES prices, almost all suppliers provided us with monthly average residential rates for the past twelve months in response to a Staff Data Request.” Id., at 28.

⁹³ Id., at 7, footnote omitted.

⁹⁴ Id., at 7.

⁹⁵ “Attorney General Madigan Secures \$2.65 Million in Refunds for Illinois Residents Defrauded by Sperian Energy,” Illinois Attorney General Press Release, October 15, 2018, available at: http://www.illinoisattorneygeneral.gov/pressroom/2018_10/20181015.html.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

⁹⁶ “Suppliers Are Not Providing Value to Individual, Residential Customers,” presentation to the New England Restructuring Roundtable, Rebecca Tepper, Chief, Energy and Telecommunications Division, Massachusetts Office of the Attorney General, October 12, 2018. Available at: <http://www.raabassociates.org/main/roundtable.asp?sel=147>.

⁹⁷ *Massachusetts 2018 Report*, at viii-x, 10.

⁹⁸ “DPUC Enacts New Rules for Competitive Electricity Suppliers Initiates Review of Competitive Supply Marketplace,” Rhode Island Division of Public Utilities & Carriers, Press Release, May 8, 2018 (“RI DPUC Press Release”).

⁹⁹ “OCC Fact Sheet: Electric Supplier Market, September 2017 through August 2018,” Office of Consumer Counsel, updated on September 26, 2018, https://www.ct.gov/occ/lib/occ/fact_sheet_electric_supplier_market_august_2018.pdf.

¹⁰⁰ Connecticut PURA Docket No. 18-06-02, “Review of Feasibility, Costs, and Benefits of Placing Certain Customers on Standard Service Pursuant to Conn. Gen. Stat. § 16-245o(m),” Notice of Proceeding, July 21, 2018.

¹⁰¹ Connecticut Public Utilities Regulatory Authority Docket No. 14-07-19RE05, PURA Investigation into Redesign of the Residential Electric Billing Format – Review of Summary Information, Implementation and Display, Proposed Final Decision, October 15, 2018.

¹⁰² New York Public Service Commission Case 15-M-0127 (In the Matter of Eligibility Criteria for Energy Service Companies), Case 12-M-0476 (Proceeding on Motion of the Commission to Assess Certain Aspects of the Residential and Small Non-Residential Retail Energy Markets in New York State, Case 98-M-1343 (In the Matter of Retail Access Business Rules), Order Resetting Retail Energy Markets and Establishing Further Process, issued and effective February 23, 2016 (“NYPSC Order”), at 12–13, footnote omitted. The decision was vacated but the NY PSC has issued another order indicating that it intends to further pursue the issue. *See Retail Energy Supply Ass’n v. Pub. Serv. Comm’n of State*, 152 A.D.3d 1133, 1137–38, 59 N.Y.S.3d 590, 595 (N.Y. App. Div. 2017) (“We do find, however, that the PSC’s broad statutory jurisdiction and authority over the sale of gas and electricity authorized it to impose the limitations set forth in the Reset Order.”).

¹⁰³ NYPSC Case 15-M-0127 (In the Matter of Eligibility Criteria for Energy Service Companies), Case 12-M-0476 (Proceeding on Motion of the Commission to Assess Certain Aspects of the Residential and Small Non-Residential Retail Energy Markets in New York State, Case 98-M-1343 (In the Matter of Retail Access Business Rules), Order Adopting a Prohibition on Service to Low-Income Customers by Energy Service Companies, issued and effective December 16, 2016; *see also* Robert Walton, “New York Supreme Court Upholds State Prohibition on ESCO Sales to Low-Income Customers,” *Utility Dive* (July 5, 2017), <https://www.utilitydive.com/news/new-york-supreme-court-upholds-state-prohibition-on-esco-sales-to-low-income/446380/>.

¹⁰⁴ NYPSC, Case 12-M-0476, Notice of Evidentiary and Collaborative Tracks and Deadline for Initial Testimony and Exhibits, Issued December 2, 2106, at 3. (“After considerable experience with the offering of retail service to mass market customers by ESCOs, the Commission has determined that the retail markets serving mass-market customers are not providing sufficient competition or innovation to properly serve consumers. Despite efforts to realign the retail market, customer abuses and overcharging persist, and there has been little innovation . . .”).

¹⁰⁵ The “Matter Master” electronic docket for Case 15-M-0127 can be accessed at <http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=15-M-0127&submit=Search>. There are separate electronic docket listings for the associated cases (e.g., Case 12-M-0476).

¹⁰⁶ 2016 Rhode Island General Laws, Title 39 - Public Utilities and Carriers, Chapter 39-26.7 - Nonregulated Power Producer Consumer Bill of Rights.

¹⁰⁷ Rhode Island Division of Public Utilities & Carriers, “DPUC Enacts New Rules for Competitive Electricity Suppliers, Initiates Review of Competitive Supply Marketplace,” May 7, 2018.

¹⁰⁸ PUA § 7-507 (e)(2).

¹⁰⁹ PUA §§ 7-507 (j); 7-601 et seq. See also COMAR 20.53.07.07c.

¹¹⁰ PUA § 7-510.1,

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

¹¹¹ PUA § 7-510.1(c)(1),

¹¹² PUA § 7-510.1(c)(2),

¹¹³ COMAR 20.53.07.09

¹¹⁴ COMAR 20.53.07.13.

¹¹⁵ COMAR 20.53.07.13. See also Order No. 83423, at 12-13, in which the PSC addressed the subject of how to display the price to compare info on bills.

¹¹⁶ COMAR 20.53.07.13.

¹¹⁷ “OCC Fact Sheet: Electric Supplier Market, September 2017 through August 2018,” Office of Consumer Counsel, updated on September 26, 2018, https://www.ct.gov/occ/lib/occ/fact_sheet_electric_supplier_market_august_2018.pdf.

¹¹⁸ “OCC Fact Sheet: Electric Supplier Market,” March 12, 2014 http://www.ct.gov/occ/lib/occ/occ_files_testimony_regarding_electric_suppliers_in_pura_docket_no__13-07-18.pdf

¹¹⁹ PURA Establishment of Rules for Electric Suppliers and EDCs Concerning Operations and Marketing in the Electric Retail Market, Connecticut Public Utilities Regulatory Authority Docket No. 13-07-18, Testimony of Susan M. Baldwin and Helen E. Golding on behalf of the Connecticut Office of Consumer Counsel, March 10, 2014 and March 17, 2014.

¹²⁰ “July 2018 Office of Consumer Services Monthly Report on Consumer Complaint Activity,” John B. Rhodes Chief Executive Officer, LuAnn Scherer Director, Office of Consumer Services, New York Department of Public Service, published August 31, 2018.

¹²¹ Connecticut Public Utilities Regulatory Authority Docket No. 13-07-18, PURA Establishment of Rules for Electric Suppliers and EDCs Concerning Operations and Marketing in the Electric Retail Market, Decision, November 5, 2014 (“Connecticut Decision”), at 7-8.

¹²² “Internet Access Services: Status as of December 31, 2016,” FCC Industry Analysis and Technology Division, Wireline Competition Bureau, February 2018, Figure 32. The percent corresponds with download/upload speeds of 25 Mbps/3 Mbps. At the speeds of 10 Mbps/1 Mbps, 21 percent of households lack broadband internet access. *Id.*

¹²³ *APPRISE Report*; Pew Research Center, “Internet/Broadband Fact Sheet,” February 5, 2018, available at: <http://www.pewinternet.org/fact-sheet/internet-broadband/>. The APPRISE Report shows that in Maryland, only 41% of elderly individuals living alone have access to the internet and two-thirds of low-income households have access to the internet. APPRISE Report, at 30. There are 447,863 households in Maryland that are low-income (below 200% of the FPL), which represents more than one in every five households in the state. APPRISE Report, at 7. Pew Research Center, Internet/Broadband Fact Sheet, February 5, 2018, available at: <http://www.pewinternet.org/fact-sheet/internet-broadband/>.

¹²⁴ *2014 Final Report re Public Conference 35*, at 9.

¹²⁵ COMAR 20.53.07.13.

¹²⁶ *Connecticut Decision*, at 8.

¹²⁷ *Id.*, at 14.

¹²⁸ *2014 Final Report re Public Conference 35*, at 15.

¹²⁹ *Id.*, at 16.

¹³⁰ “Competing to Overcharge Consumers: The Competitive Electric Supplier Market in Massachusetts,” Jenifer Bosco, National Consumer Law Center, April 2018, at 25, *cites omitted*.

¹³¹ “Competitive Electricity Supplier to Pay \$5 Million Over Claims of Deceptive Sales Tactics, Overcharging Residents, Payment Includes Millions in Restitution to Electric Customers,” Massachusetts Office of Attorney General release, November 28, 2018. The press release states, among other things: “Under the terms of the settlement, Viridian will pay a total of \$5 million, including \$4.6 million to provide restitution to affected customers.

*Maryland's Residential Electric and Gas Supply Markets:
Where Do We Go from Here?*

The remainder of the payment will go toward: offsetting the cost of the office's investigation of Viridian; creating a new fund for future enforcement cases the office brings against competitive electric suppliers; and the state's General Fund. Viridian also has agreed not to market its electricity supply door-to-door in Massachusetts for the next two years, in addition to making several other changes to its marketing practices." *Id.*

¹³² "AG Healey Sues Starion Energy Over Deceptive Sales Tactics, Overcharging Residents by \$30 Million," Massachusetts Office of the Attorney General Press Release, October 15, 2018, available at:

<https://www.mass.gov/news/ag-healey-sues-starion-energy-over-deceptive-sales-tactics-overcharging-residents-by-30>.

¹³³ These sections state:

(k) (1) The Commission may revoke or suspend the license of an electricity supplier, impose a civil penalty or other remedy, order a refund or credit to a customer, or impose a moratorium on adding or soliciting additional customers by the electricity supplier, for just cause on the Commission's own investigation or on complaint of the Office of People's Counsel, the Attorney General, or an affected party.

(2) A civil penalty may be imposed in addition to the Commission's decision to revoke, suspend, or impose a moratorium.

PUA § 13-201 largely mirrors PUA § 7-507 in terms of the factors the Commission must consider in assessing the appropriate civil penalty. § 13-201 provides for civil penalties of up to \$25,000 per violation per day whereas § 7-507 provides for civil penalties of \$10,000 per violation per day.

¹³⁴ Part D states: "This regulation does not limit the authority of the Commission under Public Utilities Article, §7-507(k), Annotated Code of Maryland."

Appendix 1

Author Bios

Susan M. Baldwin and Sarah M. Bosley

Author Bios

Susan M. Baldwin has forty years of experience in public policy, which includes five years analyzing solar energy and energy efficiency for local, state and regional agencies, one year analyzing low-income issues for the budget office of a state welfare agency, and, most recently, 34 years analyzing the economics and regulation of the telecommunications and energy industries. She served as the Director of the Telecommunications Division for the, Massachusetts Department of Public Utilities (which was subsequently reorganized), as a Senior Vice President for a consulting firm, and, since 2001, has been an independent consultant. Since 2013, in addition to her ongoing contributions to state and federal telecommunications policy, Ms. Baldwin has assisted consumer advocate agencies with the customer service of electric and gas utilities and with in-depth analyses of residential and small business retail energy supply markets. In her capacity as an independent consultant, Ms. Baldwin sponsors expert testimony and reports submitted in state and federal regulatory proceedings, contributes to the policy-making of state legislatures, and writes detailed reports on telecommunications and energy policy. She has testified before 23 state public utility commissions in more than 60 regulatory proceedings as well as before five state legislative committees. She has submitted expert reports in four state taxation proceedings, and has contributed to dozens of comments and declarations filed in Federal Communications Commission proceedings. Ms. Baldwin earned her Master of Economics from Boston University, her Master of Public Policy from the Harvard Kennedy School, and her Bachelor of Arts degree in Mathematics and English from Wellesley College.

Sarah M. Bosley provides consulting services as an independent consultant. Ms. Bosley has eighteen years of experience in telecommunications and energy economics, regulation, and public policy. In her capacity as an independent consultant Ms. Bosley conducts economic analysis, researches utility policy and regulation, and contributes to expert testimony and reports in numerous state and federal regulatory proceedings. She has contributed to and co-authored reports to state commissions, white papers, and comments and declarations filed in Federal Communications Commission proceedings. Ms. Bosley's experience includes the analysis of a broad range of public policy issues, including: broadband deployment and market practices; intercarrier compensation; federal universal service policy; the impact of mergers on consumers; service quality; local competition; unbundled network elements and interconnection agreements; pricing flexibility, price cap plans, and total factor productivity. Ms. Bosley's work includes an examination of competitive electric supply markets in several states. Ms. Bosley earned her Master of Science in Agricultural and Applied Economics from Virginia Tech, her Master of Arts in International Affairs from American University, and her Bachelor of Arts in Political Science from McGill University.

Appendix 2

Office of People's Counsel Electric Utility Supplier Offers by Service Area October 2018

OFFICE OF PEOPLE'S COUNSEL UTILITY SUPPLIER' OFFERS

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel | October 2018 |
|---|--|--------------------|--|---------------|--------------|
| BGE SERVICE AREA | | | | | |
| | | | | | |
| BGE/Standard Offer Service | N/A | N/A | Non-Summer Electric Supply** Rate 10/1/18-5/31/19 | | .07810 kWh |
| ** Includes "Rider 8" *EXCLUDES a "Rider 8" Credit/Increase | | | Summer Electric Supply Rate* 6/1/19-9/30/19 | | To be Set |
| | | | Weighted Average 6/1/2018 to 5/31/19 | | .07749 kWh |
| | | | | | |
| Spark Energy | Electric | 6 Months | \$4.95 | \$100.00 | .1050 kWh |
| | Electric | 12 Months | \$4.95 | N/L | .7800 kWh |
| | Electric | 12 Months | N/L | \$100.00 | .1000 kWh |
| | Electric | 24 Months | \$4.95 | \$100.00 | .0930 kWh |
| | Electric with a Solar Lantern | 12 Months | N/L | \$100.00 | .0900 kWh |
| | 100% Renewable | 12 Months | N/L | \$100.00 | .1000 kWh |
| | 100% Renewable | 12 Months | \$4.95 | \$75.00 | .0900 kWh |
| | 100% Renewable | 24 Months | N/L | \$75.00 | .0960 kWh |
| | | | | | |
| Direct Energy | Electric | 12 Months | N/L | N/L | .0729 kWh |
| | Electric | 18 Months | N/L | N/L | .0719 kWh |
| | 100% Renewable | 24 Months | N/L | N/L | .0739 kWh |
| | Electric w/Echo | 24 Months | N/L | N/L | .0739 kWh |
| | | | | | |
| Oasis Energy | Website refers customers to another company, which is not licensed in MD | | | | |
| | | | | | |
| Viridian Energy | 50% Renewable | Variable | N/L | N/L | .1034 kWh |
| | 50% Renewable | 12 Months | N/L | \$150.00 | .0955 kWh |
| | 50% Renewable | 24 Months | N/L | \$150.00 | .0931 kWh |
| | | | | | |
| Great American Power (rebates to consider) | 100% Renewable | 6 Months | Unknown | N/L | .0859 kWh |
| | | | | | |
| Smart Energy | Electric w/\$50 cash rebate | 6 Months | N/L | N/L | .1037 kWh |
| | | | | | |
| Interstate Gas Supply (IGS) | Electric | 12 Months | N/L | \$99.00 | .0969 kWh |
| | Electric | 36 Months | N/L | | .0979 kWh |
| | Electric | 24 Months | N/L | | .0979 kWh |
| | Renewable | 12 Months | N/L | | .0979 kWh |
| | Renewable | 24 Months | N/L | | .0989 kWh |
| | Renewable | 36 Months | N/L | | .0982 kWh |
| | Renewable Percentage not defined | | | | |

NL** None Listed Verify with Company

**OPC provides this information as a guide only, but cannot guarantee its accuracy.
THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME.**

¹ **Supplier** is defined as a company licensed to do business in Maryland (State Comptroller Office), Licensed by the PSC, meet PJM credit requirements (\$2 million bond) to buy and sell electricity, has agreements with electric distribution companies, can take "title" to electric, directly enters into contracts with consumer for the sale of electricity; directly handle disputes of advertising, solicitations, & contract terms with consumers to the PSC or Office of Attorney General.

BGE SERVICE AREA continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel | October 2018 |
|--|--------------------------------|---------------------------|--|--------------------------------------|---|
| BGE/Standard Offer Service | N/A | N/A | Non-Summer Electric Supply** Rate 10/1/18-5/31/19 | | .07810 kWh |
| ** "Includes Rider 8" * EXCLUDES a "Rider 8" Credit/Increase | | | Summer Electric Supply Rate* 6/1/19-9/30/19 | | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/19 | | .07749 kWh |
| WGL Energy (See WGL website, they obtain "Wind" from two different locations, thus price difference) | 5% Wind | 12 Months | N/L | \$10 for each remaining months | .0830 kWh |
| | 5% Wind | 24 Months | N/L | | .0810 kWh |
| | 50% Wind | 12 Months | N/L | | .0890 kWh |
| | 50% Wind | 24 Months | N/L | | .8800 kWh |
| | 100% Wind | 12 Months | N/L | | .0920 kWh |
| | 100% Wind | 12 Months | N/L | | .0960 kWh |
| | 100% Wind | 24 Months | N/L | | .0910 kWh |
| | 100% Wind | 24 Months | N/L | | .0950 kWh |
| Clearview Energy | 100% Renewable | 6 Months | N/L | \$50.00 | .0769 kWh |
| | 100% Renewable | 12 Months | \$9.99 Month | \$150.00 | .0709 kWh |
| | 100% Renewable | 12 Months | N/L | \$150.00 | .0719 kWh |
| | 100% Renewable + EV Charger | 12 Months | N/L | \$50.00 | .0859 kWh |
| Constellation Energy Power Choice (BGE HOME & MX Energy) | Electric | 12 Months | N/L | \$150.00 | .0859 kWh |
| | Electric | 24 Months | | | .0839 kWh |
| | Electric | 36 Months | | | .0799 kWh |
| Constellation NewEnergy Inc | Electric | 12 Months | N/L | \$150.00 | .0789 kWh |
| | 100% Renewable | 12 Months | | | .0849 kWh |
| | Electric | 24 Months | | | .0759 kWh |
| | 100% Renewable | 24 Months | | | .0799 kWh |
| | Electric | 36 Months | | | .0749 kWh |
| Stream Energy | Electric | 12 Months | N/L | \$150.00 | .0758 kWh |
| | Electric + ID Protection | 18 Months | | | .0978 kWh |
| | Electric | 24 Months | | | .0798 kWh |
| | Electric w/thermostat | 30 Months | | \$200.00 | .1078 kWh |
| PALMco Energy | Electric | Variable w/2 month cap | N/L | N/L | .0720 kWh |
| | Electric | 17 Months | | | .0720 kWh for 1 st month, .0930 kWh for remaining |
| | 100% Renewable | 17 Months | | | .0745 kWh for 1 st month, .0955 kWh for remaining |

BGE SERVICE AREA continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|---|---|-------------------------|--|--------------------------------|--|
| BGE SERVICE AREA continued | | | | | |
| | | | | | |
| BGE/Standard Offer Service | N/A | N/A | Non-Summer Electric Supply** Rate 10/1/18-5/31/19 | | .07810 kWh |
| ** "Includes Rider 8" * EXCLUDES a "Rider 8" Credit/Increase | | | Summer Electric Supply Rate* 6/1/19-9/30/19 | | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/19 | | .07749 kWh |
| | | | | | |
| North American Power & Gas, LLC | Electric | 12 Months | N/L | \$10 for each remaining months | .0889 kWh |
| | Electric | 36 Months | N/L | | .0889 kWh |
| | Electric | 24 Months | N/L | | .0899 kWh |
| | 100% Renewable | 36 Months | N/L | | .0984 kWh |
| | | | | | |
| Xoom Energy MD, Inc | Electric | 12 Months | SEE TERMS | \$110.00 | .0799 kWh |
| | Electric | 36 Months | SEE TERMS | \$200.00 | .0795 kWh |
| | Electric | Variable | SEE TERMS | N/L | .0779 kWh |
| | 50% Renewable | 12 Months | SEE TERMS | \$110.00 | .0815 kWh |
| | Electric Animal Rescue) | 12 Months | SEE TERMS | \$110.00 | .0835 kWh |
| | | | | | |
| Town Square Energy (Discount Energy) | Electric | 15 Months | N/L | N/L | .0719 kWh for 3 Months, then .0999 kWh for remainder |
| | Electric | 24 Months | | | .0757 kWh |
| | Electric | 12 Months | | | .0765 kWh |
| | 100% Renewable | 12 Months | | | .0997 kWh |
| | | | | | |
| Green Mountain Energy | 100% Wind | Variable | N/L | N/L | .0890 kWh |
| | 100% Wind | Variable w/3 months cap | \$4.95 | N/L | .0890 kWh |
| | 100% Wind (w/Flashlight) | 12 Months | N/L | \$150.00 | .1040 kWh |
| | 100% Wind | 12 Months | N/L | \$150.00 | .1040 kWh |
| | 100% Wind (w/Charger) | 6 Months | N/L | \$100.00 | .0960 kWh |
| | | | | | |
| NRG Residential Solutions | 100% Wind (gifts) | 6 Months | N/L | \$10 per month | .0920 kWh |
| | 25% Wind | Variable w/3 months cap | | N/L | .0720 kWh |
| | Electric (cash) | 6 Months | | \$10 Per Month | .0890 kWh |
| | Electric (rewards with airlines, hotels, & other) | Variable w/3 months cap | | N/L | .0770 kWh |
| | Electric duPont Hospital) | 12 Months | | \$10 per month | .0870 kWh |
| | Electric | 24 Months | | | .0890 kWh |
| | | | | | |

THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME

BGE SERVICE AREA continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel | October 2018 |
|--|---------------------|--------------------|--|-------------------------------|--------------|
| BGE SERVICE AREA continued | | | | | |
| | | | | | |
| BGE/Standard Offer Service | N/A | N/A | Non-Summer Electric Supply** Rate 10/1/18-5/31/19 | | .07810 kWh |
| ** "Includes Rider 8" * EXCLUDES a "Rider 8" Credit/Increase | | | Summer Electric Supply Rate* 6/1/19-9/30/19 | | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/19 | | .07749 kWh |
| | | | | | |
| IDT Energy, Inc. | Electric | 14 Months | N/L | N/L | .0741 kWh |
| | 100% Renewable | Variable | N/L | N/L | .1020 kWh |
| | Electric | Variable | N/L | N/L | .0740 kWh |
| | | | | | |
| SFE Energy | Electric | 24 or 36 Months | Maybe | \$25.00 per year remaining | .0869 kWh |
| | 100% Renewable | | | | .1067 kWh |
| | | | | | |
| Inspire Energy | Electric | Unknown | Unknown | Unknown | Call |
| | | | | | |
| National Gas & Electric | 100% Renewable | 12 Months | N/L | \$50.00 | .1039 kWh |
| | 100% Renewable | 24 Months | N/L | | .1099 kWh |
| | 100% Renewable | 36 Months | N/L | | .1229 kWh |
| | Electric | 6 Months | \$9.95 Month | N/L | .0799 kWh |
| | Electric | 12 Months | N/L | \$50.00 | .0939 kWh |
| | Electric | 24 Months | N/L | | .0999 kWh |
| | Electric | 36 Months | N/L | | .1129 kWh |
| | | | | | |
| Sperian Energy Corp. | Electric | 6 Months* | N/L | \$49.00 | .0889 kWh |
| | Electric | 12 Months | N/L | \$75.00 | .0829 kWh |
| | | | | | |
| CleanChoice Energy (fka Ethical Electric) | 100% Solar | 12 Months | N/L | N/L | .1320 kWh |
| | 99% Wind + 1% Solar | 12 Months | N/L | N/L | .1000 kWh |
| | | | | | |
| Trident Power | Electric | 6 Months | \$5.95 Monthly | \$50.00 | .0755 kWh |
| | Electric "SOS" | 6 Months | | | .0790 kWh |
| | | | | | |
| Everyday Energy | Electric | Unknown | Unknown | Unknown | Call |
| | | | | | |
| Shipley Energy | Electric | 12 Months | N/L | \$99.00 | .0777 kWh |
| | Electric | 18 Months | N/L | \$99.00 | .0777 kWh |
| | | | | | |
| Plymouth Rock Energy | Electric | 6 Months | Terms and conditions on web site general to all plans. After customer agrees to plan a "welcome letter" with specific details will be sent | | .0875 kWh |
| | Electric | 12 Months | | | .0757 kWh |
| | Electric | 18 Months | | | .0762 kWh |
| | Electric | 24 Months | | | .0728 kWh |
| | | | | | |

THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME

BGE SERVICE AREA continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|--|--------------------------------|----------------------------------|--|----------------|--------------|
| BGE SERVICE AREA continued | | | | | |
| | | | | | |
| BGE/Standard Offer Service | N/A | N/A | Non-Summer Electric Supply** Rate 10/1/18-5/31/19 | | .07810 kWh |
| ** "Includes Rider 8" EXCLUDES a "Rider 8" Credit/Increase | | | Summer Electric Supply Rate* 6/1/19-9/30/19 | | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/19 | | .07749 kWh |
| | | | | | |
| MDG&E (Energy Service Providers) Shopping and Dining Rewards | Electric | Variable | N/L | N/L | .0819 kWh |
| | | | | | |
| AP Gas & Electric (APG & E) | Electric | 6 Months | Maybe documents not clear | \$25.00 | .0910 kWh |
| | Electric | 12 Months | | | .0820 kWh |
| | Electric | 24 Months | | \$50.00 | .0790 kWh |
| | | | | | |
| MidAmerican Energy | Electric | 12 Months | N/L | N/L | .0908 kWh |
| | Electric | 24 Months | N/L | N/L | .0857 kWh |
| | | | | | |
| Starion Energy | 100% Renewable | 6 Months | N/L | \$100.00 | .0909 kWh |
| | 100% Renewable | 12 Months | | | .0819 kWh |
| | Electric | 6 Months | | | .0879 kWh |
| | Electric | 12 Months | | | .0789 kWh |
| | | | | | |
| Life Energy, LLC | 100% Renewable | 12 Months | N/L | \$149.00 | .0799 kWh |
| | 100% Renewable | 15 Months | \$0.50 Daily | | .0709 kWh |
| | 100% Renewable | 18 Months | N/L | | .0799 kWh |
| | | | | | |
| Spring Power & Gas | 100% Renewable | Variable | N/L | N/L | .0899 kWh |
| | 100% Renewable | 6 Months | N/L | N/L | .1060 kWh |
| | 100% Renewable | 9 Months | N/L | N/L | .0922 kWh |
| | 100% Renewable | 12 Months | N/L | N/L | .0970 kWh |
| | | | | | |
| Public Power | Electric | 12 Months | Maybe see Terms | \$50.00 | .0910 kWh |
| | Electric | 24 Months | | \$50.00 | .0886 kWh |
| | | | | | |
| Ambit Northeast LLC | Electric | Variable | N/L | N/L | Call |
| | Renewable (North Central Area) | Variable | N/L | N/L | .0954 kWh |
| | | | | | |
| Entrust Energy | Electric | Offers not available on web site | | | Call |
| | | | | | |

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THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME

BGE SERVICE AREA continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|---|----------|---|--|----------------|--------------|
| BGE SERVICE AREA continued | | | | | |
| BGE/Standard Offer Service | N/A | N/A | Non-Summer Electric Supply** Rate 10/1/18-5/31/19 | | .07810 kWh |
| ** "Includes Rider 8" EXCLUDES a "Rider 8" Credit/Increase | | | Summer Electric Supply* Rate 6/1/19-9/30/19 | | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/19 | | .07749 kWh |
| Next Era Energy Services | Electric | Offers not available on web site | | | Call |
| RPA Energy Inc | Electric | Offers not available on web site | | | Call |
| Aspirity Energy Mid-States | Electric | Offers not available on web sites | | | Call |
| Energy Plus | Electric | Offers not available on web sites | | | Call |
| HIKO Energy | Electric | Variable | Unknown | N/L | Call |
| Atlantic Energy | Electric | Offers not available on web sites | | | Call |
| Tri-Eagle Energy | Electric | Offers not available on web sites | | | Call |
| Park Power | Electric | Offers not available on web site | | | Call |
| Agera Energy | Electric | Offers not available on web site | | | Call |
| ResCom Energy | Electric | Offers not available on web sites | | | Call |
| Major Energy Electric | Electric | Offers not available on web sites | | | Call |
| Source Power & Gas | Electric | Business Offers only available on web sites | | | Call |
| MPower Energy | Electric | Offers not available on web sites | | | Call |
| Blue Pilot | Electric | Offers not available on web sites | | | Call |
| First Point Power | Electric | Offers not available on web sites | | | Call |

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THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME Always contact the electricity supplier directly to obtain the current price offers and be certain to understand all contract terms and conditions before signing.

BGE SERVICE AREA continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|---|----------|-----------------------------------|--|----------------|--------------|
| BGE SERVICE AREA continued | | | | | |
| BGE/Standard Offer Service | N/A | N/A | Non-Summer Electric Supply** Rate 10/1/18-5/31/19 | | .07810 kWh |
| ** "Includes Rider 8" EXCLUDES a "Rider 8" Credit/Increase | | | Summer Electric Supply* Rate 6/1/19-9/30/19 | | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/2019 | | .07749 kWh |
| Horizon Power | Electric | Offers not available on web site | | | Call |
| Nordic Energy Services | Electric | Offers not available on web sites | | | Call |
| Josco Energy USA | Electric | Offers not available on web sites | | | Call |
| Median Energy Corp. (Josco is parent company) | Electric | Offers not available on web sites | | | Call |
| Marathon Power, LLC | Electric | Offers not available on web sites | | | Call |
| American Power & Gas | Electric | Offers not available on web sites | | | Call |
| Star Energy Partners | Electric | Offers not available on web site | | | Call |
| Just Energy | Electric | Offers not available on web site | | | Call |

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THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME Always contact the electricity supplier directly to obtain the current price offers and be certain to understand all contract terms and conditions before signing.

OFFICE OF PEOPLE'S COUNSEL UTILITY SUPPLIER' OFFERS

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|--------------------|----------|--------------------|------|----------------|--------------|
|--------------------|----------|--------------------|------|----------------|--------------|

CHOPTANK ELECTRIC COOPERATIVE

| | | | | | |
|--|---|----------------------------------|--------|--|------------|
| | | | | | |
| Choptank Annual Rate | N/A | N/A | Yearly | | .07938 kWh |
| | Cooperative Rates are calculated different from Investor Owned Utilities Review published material from Choptank | | | | |
| As of August 30, 2018 Viridian Energy is the only "Supplier" on the PSC "Electric Supplier Directory" for suppliers actively seeking new customers in Choptank . | | | | | |
| | | | | | |
| Viridian Energy | Electric | Offers not available on web site | | | Call |
| | | | | | |

SMECO AREA INFORMATION ON NEXT PAGE

¹ **Supplier** is defined as a company licensed to do business in Maryland (State Comptroller Office), Licensed by the PSC, meet PJM credit requirements (\$2 million bond) to buy and sell electricity, has agreements with electric distribution companies, can take "title" to electric, directly enters into contracts with consumer for the sale of electricity; directly handle disputes of advertising, solicitations, & contract terms with consumers to the PSC or Office of Attorney General.

OFFICE OF PEOPLE'S COUNSEL UTILITY SUPPLIER² OFFERS

| Electric Supplier | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|--|-----------------------------|----------------------------------|---|----------------|--------------|
| SOUTHERN MARYLAND ELECTRIC COOPERATIVE (SMECO) As of 10/2/2018 | | | Rate for October 2018 (Includes Actual Transmission Charge [PCA]) | | .080003 kWh |
| | | | Current Winter Rate (Oct to April) (Includes Transmission PCA Estimate) | | .0720 kWh |
| | | | Summer Rate (May to September) (Includes a Transmission PCA Estimate) | | .0687 kWh |
| | | | Weighted Average | | .0706 kWh |
| SFE Energy | Electric | Offers not available on web site | | | Call |
| Clearview Energy | 100% Renewable | 6 Months | N/L | \$50.00 | .0729 kWh |
| | 100% Renewable | 12 Months | N/L | \$150.00 | .0729 kWh |
| | 100% Renewable + EV Charger | 12 Months | N/L | \$50.00 | .0799 kWh |
| Sperian Energy | Electric | 6 Months | N/L | \$49.00 | .0863 kWh |
| | Electric | 12 Months | N/L | \$75.00 | .0863 kWh |
| | | Unknown why two 6 month plans | | | |
| Park Power | Electric | Offers not available on web site | | | Call |
| Life Energy, LLC | Electric | Offers not available on web site | | | Call |
| Atlantic Energy | Electric | Offers not available on web site | | | Call |
| Inspire Energy | Electric | Offers not available on web site | | | Call |
| TriEagle Energy | Electric | Offers not available on web site | | | Call |
| Everyday Energy | Electric | Offers not available on web site | | | Call |
| Mpower Energy NJ | Electric | Offers not available on web site | | | Call |
| Spring Power & Gas | Electric | Offers not available on web site | | | Call |
| ResCom Energy | Electric | Offers not available on web site | | | Call |
| Smart Energy Holdings | Electric | Offers not available on web site | | | Call |

SMECO AREA INFORMATION CONTINUED ON NEXT PAGE

² **Supplier** is defined as a company licensed to do business in Maryland (State Comptroller Office), Licensed by the PSC, meet PJM credit requirements (\$2 million bond) to buy and sell electricity, has agreements with electric distribution companies, can take "title" to electric, directly enters into contracts with consumer for the sale of electricity; directly handle disputes of advertising, solicitations, & contracts terms with consumers to the PSC or Office of Attorney General

OFFICE OF PEOPLE'S COUNSEL UTILITY SUPPLIER' OFFERS

| Electric Supplier | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|--|----------|----------------------------------|---|----------------|--------------|
| SOUTHERN MARYLAND ELECTRIC COOPERATIVE (SMECO) As of 10/2/2018 | | | Rate for October 2018 (Includes Actual Transmission Charge [PCA]) | | .080003 kWh |
| | | | Current Winter Rate (Oct to April) (Includes Transmission PCA Estimate) | | .0720 kWh |
| | | | Summer Rate (May to September) (Includes a Transmission PCA Estimate) | | .0687 kWh |
| | | | Weighted Average | | .0706 kWh |
| Viridian Energy | Electric | Offers not available on web site | | | Call |
| Trident Power | Electric | Offers not available on web site | | | Call |
| Public Power | Electric | Offers not available on web site | | | Call |
| American Power & Gas | Electric | Offers not available on web site | | | Call |
| Josco Energy USA | Electric | Offers not available on web site | | | Call |
| Median Energy Corp (Josco is parent company) | Electric | Offers not available on web site | | | Call |
| APG&E | Electric | Offers not available on web site | | | Call |
| RPA Energy Inc. | Electric | Offers not available on web site | | | Call |
| MidAmerican Energy | Electric | Offers not available on web site | | | Call |

³ **Supplier** is defined as a company licensed to do business in Maryland (State Comptroller Office), Licensed by the PSC, meet PJM credit requirements (\$2 million bond) to buy and sell electricity, has agreements with electric distribution companies, can take "title" to electric, directly enters into contracts with consumer for the sale of electricity; directly handle disputes of advertising, solicitations, & contracts.

OFFICE OF PEOPLE'S COUNSEL UTILITY SUPPLIER' OFFERS

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|--|--|------------------------|---|--|--|
| DELMARVA SERVICE AREA | | | | | |
| Delmarva Power Standard Offer Service | N/A | N/A | Non-Summer Electric Supply Rate 10/1/18-5/31/19 | | .0776 kWh |
| | | | Summer Electric Supply Rate 6/1/19-9/30/19 | | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/2019 | | .0775 kWh |
| WGL Energy | 5% Wind | 12 Months | N/L* | \$10 per month for every month remaining in contract | .0860 kWh |
| | 5% Wind | 24 Months | N/L | | .0840 kWh |
| | 50% Wind | 12 Months | N/L | | .0920 kWh |
| | 50% Wind | 24 Months | N/L | | .0910 kWh |
| | 100% Wind | 12 Months | N/L | | .0950 kWh |
| | 100% Wind | 24 Months | N/L | | .0940 kWh |
| | 100% National Wind | 12 Months | N/L | | .0990 kWh |
| | 100% National Wind | 24 Months | N/L | | .0980 kWh |
| NRG Residential Solutions (Reliant Energy) | 100% Wind (gifts) | 6 Months | N/L | \$10 per month | .0920 kWh |
| | Electric | 24 Months | N/L | | .0940 kWh |
| | Electric (cash back) | 6 Months | N/L | | .0890 kWh |
| | Electric duPont Hospital | 12 Months | N/L | | .0890 kWh |
| | Electric (reward plans with airlines, hotels, etc) | Variable w/3 month cap | N/L | N/L | .0790 kWh |
| | 25% Wind | Variable w/3 month cap | N/L | N/L | .0730 kWh |
| Shipley Energy | Electric | Unknown | Unknown | Unknown | Call |
| Direct Energy | Electric | 12 Months | N/L | \$99.00 | .0779 kWh |
| | Electric | 18 Months | N/L | \$99.00 | .0749 kWh |
| | Electric (Free weekends) | 12 Months | N/L | \$200.00 | .1219 kWh |
| | Electric (Free nights) | 12 Months | N/L | \$99.00 | .1059 kWh |
| | Electric w/Echo | 24 Months | N/L | N/L | .0809 kWh |
| | 100% Renewable | 24 Months | N/L | N/L | .0809 kWh |
| | Electric (Peak Pricing) | 13 Month | N/L | N/L | .0999 kWh 12pm to 8pm Mon-Fri, then .0829 kWh all other hours) |

¹ **Supplier** is defined as a company licensed to do business in Maryland (State Comptroller Office), Licensed by the PSC, meet PJM credit requirements (\$2 million bond) to buy and sell electricity, has agreements with electric distribution companies, can take "title" to electric, directly enters into contracts with consumer for the sale of electricity; directly handle disputes of advertising, solicitations, & contract terms with consumers to the PSC or Office of Attorney General.

Delmarva Continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|--|---------------------------|----------------------------------|---|----------------------------|---|
| DELMARVA SERVICE AREA | | | | | |
| Delmarva Power Standard Offer Service | N/A | N/A | Non-Summer Electric Supply Rate 10/1/18-5/31/19 | | .0776 kWh |
| | | | Summer Electric Supply Rate 6/1/19-9/30/19 | | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/2019 | | .0775 kWh |
| Plymouth Rock | Electric | 6 Months | General Terms and Conditions provided for all plans. Once customer enrolls the exact terms will be provided | | .0887 kWh |
| | Electric | 12 Months | | | .0781 kWh |
| | Electric | 18 Months | | | .0774 kWh |
| | Electric | 24 Months | | | .0758 kWh |
| Constellation Energy Power Source (BGE Home & MX Energy) | Electric | 12 Months | N/L | \$150.00 | .0889 kWh |
| | Electric | 24 Months | N/L | | .0859 kWh |
| | Electric | 36 Months | N/L | | .0799 kWh |
| Constellation NewEnergy Inc. | Electric W/\$25 Gift Card | 12 Months | N/L | \$150.00 | .0829 kWh |
| | 100% Renewable | 12 Months | | | .0859 kWh |
| | Electric | 24 Months | | | .0799 kWh |
| | 100% Renewable | 24 Months | | | .0849 kWh |
| | Electric | 36 Months | | | .0769 kWh |
| Town Square Energy (Discount Energy) | 100% Renewable | 12 Months | N/L | N/L | .0879 kWh |
| | Electric | 15 Months | N/L | N/L | .0769 kWh |
| | | | | | .0599 kWh for 3 Months, .0990 kWh for remainder |
| | Electric | 15 Months | N/L | N/L | |
| | Electric | 24 Months | N/L | N/L | .0737 kWh |
| Great American Power (Rebates to Consider) | 100% Renewable | 6 Months | Unknown | N/L | .0859 kWh |
| NextEra Energy Services | Electric | Offers not available on web site | | | Call |
| Inspire Energy | Electric | Offers not available on web site | | | Call |
| Clearview Energy | 100% Renewable | 6 Months | N/L | \$50.00 | .0789 kWh |
| | 100% Renewable | 12 Months | N/L | \$150.00 | .0739 kWh |
| | 100% Renewable | 12 Months | \$9.99 Monthly | | .0719 kWh |
| SFE Energy | Electric | 24 or 36 Months | Maybe | \$25.00 per yrs. remaining | .0859 kWh |
| | 100% Renewable | | | | .1057 kWh |

OPC provides this information as a guide only. We have tried to gather complete information, but cannot guarantee its accuracy. Always obtain the agreement in writing with the current price. Be certain to understand all contract terms and conditions.

OFFERS CAN CHANGE AT ANY TIME

Delmarva Continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|---|----------------------------------|------------------------|---|----------------|---|
| DELMARVA SERVICE AREA | | | | | |
| Delmarva Power Standard Offer Service | N/A | N/A | Non-Summer Electric Supply Rate 10/1/18-5/31/19 | | .0776 kWh |
| | | | Summer Electric Supply Rate 6/1/19-9/30/19 | | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/2019 | | .0775 kWh |
| Mid-American Energy NJ | Electric | 12 Months | N/L | N/L | .0899 kWh |
| | Electric | 24 Months | N/L | N/L | .0853 kWh |
| PALMco Energy | Electric | Variable w 2 month cap | N/L | N/L | .0699 kWh |
| | Electric | 17 Months | N/L | N/L | .0700 kWh 1 st month, then .0910 kWh remaining |
| | 100% Renewable | 17 Months | N/L | N/L | .0725 kWh 1 st month, then .0935 kWh remaining |
| Life Energy | 100% Renewable | 12 Months | N/L | \$149.00 | .0799 kWh |
| | 100% Renewable | 15 Months | \$0.50 Daily | | .0739 kWh |
| | 100% Renewable | 18 Months | N/L | | .0789 kWh |
| CleanChoice Energy (fka Ethical Electric) | 99% Solar & 1% Wind | 12 Months | N/L | N/L | .1040 kWh |
| | 100% Solar | 12 Months | N/L | N/L | .1230 kWh |
| Sperian Energy Corp | Electric | 6 Months | N/L | \$49.00 | .0890 kWh |
| | Electric | 12 Months | N/L | \$75.00 | .0843 kWh |
| IDT Energy Inc | Electric | 15 Months | N/L | N/L | .07471 kWh |
| | Electric | Variable | N/L | N/L | .07220 kWh |
| | 100% Renewable | Variable | N/L | N.L | .1001 kWh |
| | Unknown why two different offers | | | | |
| Smart Energy Holdings | Electric w/\$50 Cash Rebate | 6 Months | N/L | N/L | .1045 kWh |
| Public Power | Electric | 12 Months | Maybe see terms | \$50.00 | .0961 kWh |
| | Electric | 24 Months | | \$50.00 | .0935 kWh |
| MPOWER Energy | Electric | Variable | Pricing not on web site | | Call |
| Starion Energy | 100% Wind | 6 Months | \$4.92 | \$100.00 | .0909 kWh |
| | Electric | 6 Months | N/L | \$100.00 | .0879 kWh |

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Delmarva Continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|---------------------------------------|---------------|----------------------------------|---|----------------|--------------|
| DELMARVA SERVICE AREA | | | | | |
| Delmarva Power Standard Offer Service | N/A | N/A | Non-Summer Electric Supply Rate 10/1/18-5/31/19 | | .0776 kWh |
| | | | Summer Electric Supply Rate 6/1/19-9/30/19 | | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/2019 | | .0775 kWh |
| Viridian Energy | 50% Renewable | 12 Months | N/L | \$150.00 | .1014 kWh |
| | 50% Renewable | 24 Months | N/L | \$150.00 | .0982 kWh |
| RPA Energy Inc | Electric | Offers not available on web site | | | Call |
| Star Energy Partners | Electric | Offers not available on web site | | | Call |
| Everyday Energy | Electric | Offers not available on web site | | | Call |
| ResCom Energy | Electric | Offers not available on web site | | | Call |
| Trident Power | Electric | Offers not available on web site | | | Call |
| TriEagle Energy | Electric | Offers not available on web site | | | Call |
| Aspirity Energy Mid-States | Electric | Offers not available on web site | | | Call |
| National Gas & Electric | Electric | Offers not available on web site | | | Call |
| Park Power | Electric | Offers not available on web site | | | Call |
| AP Gas & Electric (APG&E) | Electric | Offers not available on web site | | | Call |
| First Point Power | Electric | Offers not available on web site | | | Call |
| Blue Pilot | Electric | Offers not available on web site | | | Call |
| Discount Power | Electric | Offers not available on web site | | | Call |
| Spring Power & Gas | Electric | Offers not available on web site | | | Call |
| Atlantic Energy | Electric | Offers not available on web site | | | Call |
| Agera Energy | Electric | Offers not available on web site | | | Call |
| Energy Plus | Electric | Offers not available on web site | | | Call |
| Marathon Power, LLC | Electric | Offers not available on web site | | | Call |
| American Power & Gas | Electric | Offers not available on web site | | | Call |

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Delmarva Continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|---------------------------------------|----------|----------------------------------|---|----------------|--------------|
| DELMARVA SERVICE AREA | | | | | |
| Delmarva Power Standard Offer Service | N/A | N/A | Non-Summer Electric Supply Rate 10/1/18-5/31/19 | | .0776 kWh |
| | | | Summer Electric Supply Rate 6/1/19-9/30/19 | | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/2019 | | .0775 kWh |
| Horizon Power & Light | Electric | Offers not available on web site | | | Call |
| Median Energy Corp. | Electric | Offers not available on web site | | | Call |
| Source Power | Electric | Offers not available on web site | | | Call |

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OFFICE OF PEOPLE'S COUNSEL UTILITY SUPPLIER¹ OFFERS

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|---------------------------------|-----------------------------|--------------------|---|---|--------------|
| PEPCO SERVICE AREA | | | | | |
| PEPCO Standard Offer Service | N/A | N/A | Non-Summer Electric Supply Rate 10/1/18-5/31/19 | | .0783 kWh |
| | | | Summer Electric Supply Rate 6/1/19-9/30/19 | | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/19 | | .0765 kWh |
| | | | | | |
| WGL Energy | 5% Wind | 12 Months | N/L | \$10 per month for number of months remaining on contract | .0860 kWh |
| | 5% Wind | 24 Months | N/L | | .0830 kWh |
| | 50% Wind | 12 Months | N/L | | .0920 kWh |
| | 50% Wind | 24 Months | N/L | | .0900 kWh |
| | 100% Wind | 12 Months | N/L | | .0950 kWh |
| | 100% Wind | 24 Months | N/L | | .0930 kWh |
| | 100% National Wind | 12 Months | N/L | | .0990 kWh |
| | 100% National Wind | 24 Months | N/L | | .0970 kWh |
| | | | | | |
| Stream Energy | Electric | 12 Months | N/L | \$150.00 | .0738 kWh |
| | Electric | 24 Months | N/L | \$150.00 | .0788 kWh |
| | Electric w/thermostat | 30 Months | N/L | \$200.00 | .1035 kWh |
| | Electric w/ID Protection | 18 Months | N/L | \$150.00 | .0968 kWh |
| | | | | | |
| North American Power & Gas, LLC | Electric | 12 Months | N/L | \$10 per Months Remaining | .0799 kWh |
| | Electric | 12 Months | N/L | | .0839 kWh |
| | Electric | 36 Months | N/L | | .0839 kWh |
| | Electric | 24 Months | N/L | | .0859 kWh |
| | | | | | |
| Clearview Energy | 100% Renewable | 6 Months | \$4.99 Month | \$50.00 | .0729 kWh |
| | 100% Renewable | 6 Months | N/L | \$50.00 | .0749 kWh |
| | 100% Renewable | 12 Months | \$9.99 Month | \$150.00 | .0699 kWh |
| | 100% Renewable | 12 Months | N/L | \$150.00 | .0699 kWh |
| | 100% Renewable + EV Charger | 12 Months | N/L | \$50.00 | .0859 kWh |
| | | | | | |
| Public Power | Electric | 12 Months | Maybe see Term | \$50.00 | .0922 kWh |
| | Electric | 24 Months | | \$50.00 | .0984 kWh |
| | | | | | |
| IDT Energy | Electric | 14 Months | N/L | N/L | .06741 kWh |
| | Electric | Variable | N/L | N/L | .0743 kWh |
| | 100% Renewable | Variable | N/L | N/L | .1022 kWh |
| | | | | | |
| Discount Power | Renewable* | 12 Months | \$4.95 monthly | \$100.00 | .0849 kWh |
| | Renewable* | 36 Months | | \$200.00 | .0729 kWh |
| | % of renewable not listed | | | | |

NL None Listed Verify With Company**

¹ **Supplier** is defined as a company licensed to do business in Maryland (State Comptroller Office), Licensed by the PSC, meet PJM credit requirements (\$2 million bond) to buy and sell electricity, has agreements with electric distribution companies, can take "title" to electric, directly enters into contracts with consumer for the sale of electricity; directly handle disputes of advertising, solicitations, & contract terms with consumers to the PSC or Office of Attorney General.

PEPCO SERVICE AREA continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|--|---|-------------------------------|---|---------------------------|--------------|
| PEPCO SERVICE AREA | | | | | |
| PEPCO Standard Offer Service | N/A | N/A | Non-Summer Electric Supply Rate 10/1/18-5/31/19 | | .0783 kWh |
| | | | Summer Electric Supply Rate 6/1/19-9/30/19 | | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/19 | | .0765 kWh |
| NRG Home (Reliant Energy) | Electric (cash reward) | 6 Months | N/L | \$10 per months remaining | .0870 kWh |
| | 100% Wind (gifts) | 6 Months | N/L | | .0900 kWh |
| | Electric | 24 Months | N/L | | .0860 kWh |
| | Electric (rewards with airlines, hotels, etc) | Variable w/3 Month cap | N/L | N/L | .0750 kWh |
| | 25% Wind | Variable w/3 Month cap | N/L | | .0700 kWh |
| | Electric (duPont Hospital) | 12 Months | N/L | \$10 per months | .0840 kWh |
| Great American Power | 100% Renewable | 6 Months | Unknown | N/L | .0889 kWh |
| Trident Power | Electric | 6 Months | N/L | N/L | Call |
| NextEra Energy Services | Electric | Offers not Posted on Web Site | | | Call |
| XOOM Energy MD, Inc. | Electric | Variable | Maybe | N/L | .0745 kWh |
| | Electric | 12 Months | SEE TERMS | \$110.00 | .0769 kWh |
| | Electric | 36 Months | SEE TERMS | \$200.00 | .0765 kWh |
| | 50% Renewable | 12 Months | SEE TERMS | \$110.00 | .0789 kWh |
| | Electric (animal rescue) | 12 Months | SEE TERMS | \$110.00 | .0799 kWh |
| Inspire Energy | Electric | Offers not Posted on Web Site | | | Call |
| Plymouth Rock Energy | Electric | 6 Months | General Terms and Conditions posted on website. Exact terms to be sent to customer for plan chosen. | | .0909 kWh |
| | Electric | 12 Months | | | .0771 kWh |
| | Electric | 18 Months | | | .0773 kWh |
| | Electric | 24 Months | | | .0735 kWh |
| Constellation Energy Power Choice (BGE HOME & MX Energy) | 100% Renewable | 12 Months | N/L | \$150.00 | .0859 kWh |
| | 100% Renewable | 24 Months | N/L | | .0839 kWh |
| | Electric | 36 Months | N/L | | .0799 kWh |
| Constellation NewEnergy Inc. | Electric | 12 Months | N/L | \$150.00 | .0839 kWh |
| | 100% Renewable | 12 Months | | | .0879 kWh |
| | Electric | 24 Months | | | .0779 kWh |
| | 100% Renewable | 24 Months | | | .0829 kWh |
| | Electric | 36 Months | | | .0749 kWh |

THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME. Always contact the electricity supplier directly to obtain the current price/offers and review contract.

PEPCO SERVICE AREA continued next page

PEPCO SERVICE AREA continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|---|---------------------------------|--------------------|---|-----------------------------|--------------|
| PEPCO SERVICE AREA | | | | | |
| PEPCO Standard Offer Service | N/A | N/A | Non-Summer Electric Supply Rate 10/1/18-5/31/19 | | .0783 kWh |
| | | | Summer Electric Supply Rate 6/1/19-9/30/19 | | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/2019 | | .0765 kWh |
| | | | | | |
| Direct Energy | Electric | 12 Months | N/L | \$99.00 | .0799 kWh |
| | Electric | 18 Months | N/L | \$99.00 | .0759 kWh |
| | Electric (Free Power 7pm-11 pm) | 12 Months | N/L | \$99.00 | .1039 kWh |
| | Electric (Free Weekends | 12 Months | N/L | N/L | .1199 kWh |
| | Electric w/Echo | 24 Months | N/L | N/L | .0799 kWh |
| | 100% Renewable | 24 Months | N/L | N/L | .0799 kWh |
| | | | | | |
| National Gas & Electric | 100% Renewable | 12 Months | N/L | \$50.00 | .1029 kWh |
| | 100% Renewable | 24 Months | N/L | | .1099 kWh |
| | 100% Renewable | 36 Months | N/L | | .1249 kWh |
| | Electric | 12 Months | N/L | | .0900 kWh |
| | Electric | 24 Months | N/L | | .0989 kWh |
| | Electric | 24 Months | N/L | | .1099 kWh |
| | | | | | |
| Viridian Energy | 50% Renewable | 12 Months | N/L | \$150.00 | .0968 kWh |
| | 50% Renewable | 24 Months | N/L | \$150.00 | .0941 kWh |
| | 50% Renewable | Variable | N/L | N/L | .1052 kWh |
| | | | | | |
| SFE Energy | Electric | 24 and 36 months | Maybe | \$25.00 per years remaining | .0869 kWh |
| | 100% Renewable | | | | .1067 kWh |
| | | | | | |
| Entrust Energy | Electric | 18 Months | N/L | \$80.00 | .0940 kWh |
| | 100% Renewable | 18 Months | N/L | \$80.00 | .1040 kWh |
| | | | | | |
| CleanChoice Energy (fka Ethical Electric) | 100% Solar | 12 Months | N/L | N.L | .1350 kWh |
| | | | | | |
| Sperian Energy Corp. | Electric | 6 Months | N/L | \$75.00 | .0827 kWh |
| | Electric | 12 Months | N/L | \$75.00 | .0791 kWh |
| | | | | | |
| Starion Energy | Electric w/Rewards | 6 Months | \$4.72 monthly | \$100.00 | .0849 kWh |
| | 100% Renewable | 6 Months | | | .0879 kWh |
| | | | | | |

THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME. Always contact the electricity supplier directly to obtain the current price/offers and review contract.

PEPCO SERVICE AREA continued next page

PEPCO SERVICE AREA continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|---|--|----------------------------------|---|----------------|---|
| PEPCO SERVICE AREA | | | | | |
| PEPCO Standard Offer Service | N/A | N/A | Non-Summer Electric Supply Rate 10/1/18-5/31/19 | | .0783 kWh |
| | | | Summer Electric Supply Rate 6/1/19-9/30/19 | | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/2019 | | .0765 kWh |
| | | | | | |
| AP Gas & Electric (APG&E) | Electric | 6 Months | N/L | \$25.00 | .0850 kWh |
| | Electric | 12 Months | N/L | \$25.00 | .0770 kWh |
| | Electric | 24 Months | N/L | \$50.00 | .0740 kWh |
| | | | | | |
| PALMco | Electric | Variable w/two month cap | N/L | N/L | .0700 kWh |
| | Electric | 17 Months | N/L | N/L | .0700 kWh 1 st month, then .0910 kWh remaining |
| | 100% Renewable | 17 Months | N/L | N/L | .0725 kWh 1 st month, then .0935 kWh remaining |
| | | | | | |
| MidAmerican Energy | Electric | 12 Months | N/L | N/L | .0812 kWh |
| | Electric | 24 Months | N/L | N/L | .0770 kWh |
| | | | | | |
| Oasis Energy | Website refers customers to another company, which is not licensed in MD | | | | |
| | | | | | |
| Aspirity Energy Mid-States | Electric | Offers not Posted on Web Site | | | Call |
| | | | | | |
| Star Energy Partners | Electric | Offers not Posted on Web Site | | | Call |
| | | | | | |
| Life Energy, LLC | 100% Renewable | 12 Months | N/L | \$149.00 | .0779 kWh |
| | 100% Renewable | 15 Months | \$0.50 Daily | | .0719 kWh |
| | 100% Renewable | 18 Months | N/L | | .0779 kWh |
| | | | | | |
| Smart Energy Holdings | Electric W/\$50 cash | 6 Months | N/L | N/L | .1004 kWh |
| | | | | | |
| Energy Plus | Electric | 6 Months | Unknown | Unknown | Call |
| | | | | | |
| Marathon Power, LLC | Electric | Offers not Posted on Web Site | | | Call |
| | | | | | |
| Josco Energy USA | Electric | Offers not available on web site | | | Call |
| | | | | | |
| Median Energy Corp. (Josco is parent company) | Electric | Offers not available on web site | | | Call |
| | | | | | |

THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME. Always contact the electricity supplier directly to obtain the current price/offers and review contract.

PEPCO SERVICE AREA continued next page

PEPCO SERVICE AREA continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|--------------------|----------|--------------------|------|----------------|--------------|
|--------------------|----------|--------------------|------|----------------|--------------|

PEPCO SERVICE AREA

| | | | | |
|------------------------------|----------|--|---|-----------|
| PEPCO Standard Offer Service | N/A | N/A | Non-Summer Electric Supply Rate 10/1/18-5/31/19 | .0783 kWh |
| | | | Summer Electric Supply Rate 6/1/19-9/30/19 | To Be Set |
| | | | Weighted Average 6/1/2018 to 5/31/2019 | .0765 kWh |
| Shipley Energy | Electric | Offers not available on web site | | Call |
| Nordic Energy Services | Electric | Offers not available on web site | | Call |
| Atlantic Energy | Electric | Offers not available on web site | | Call |
| Spring Power & Gas | Electric | Offers not available on web site | | Call |
| MPower Energy (MPE&G) | Electric | Offers not available on web site | | Call |
| Source Power & Gas | Electric | Business Offers only available on web site | | Call |
| RPA Energy Inc | Electric | Offers not available on web site | | Call |
| Horizon Power & Light | Electric | Offers not available on web site | | Call |
| Blue Pilot Energy | Electric | Offers not available on web site | | Call |
| TriEagle Energy | Electric | Offers not available on web site | | Call |
| First Point Power | Electric | Offers not available on web site | | Call |
| ResCom Energy | Electric | Offers not available on web site | | Call |
| Park Power | Electric | Offers not available on web site | | Call |
| EveryDay Energy | Electric | Offers not available on web site | | Call |
| Agera Energy | Electric | Offers not available on web site | | Call |
| American Power & Gas | Electric | Offers not available on web site | | Call |

THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME. Always contact the electricity supplier directly to obtain the current price/offers and be certain to understand all contract terms and conditions before signing.

OPC provides this information as a guide only. We have tried to gather complete information, but cannot guarantee its accuracy. See PSC for company license information.

OFFICE OF PEOPLE'S COUNSEL UTILITY SUPPLIER¹ OFFERS

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel | October 2018 |
|--|---|------------------------|---|---|--------------|
| POTOMAC EDISON SERVICE AREA | | | | | |
| Potomac/Standard Offer Service | N/A | N/A | Non-Summer Electric Supply Rate 10/1/2018-5/31/2019 | | .06465 kWh |
| | N/A | N/A | Summer Electric Supply Rate 6/1/18-9/30/2018* | | .06591 kWh |
| | N/A | N/A | Summer Electric Supply 6/1/2019-9/30/2019** | | January 2019 |
| | | | | Weighted Average 6/1/2018 through 5/31/2019 | .06507 kWh |
| * The SOS price includes the Energy Cost Adjustment | | | | | |
| **The SOS price does not include the Energy Cost Adjustment, will be updated for time period when posted | | | | | |
| WGL Energy | 5% Wind | 12 Months | N/L | \$10 per month for remaining months on contract | .0750 kWh |
| | 5% Wind | 24 Months | N/L | | .0730 kWh |
| | 50% Wind | 12 Months | N/L | | .0810 kWh |
| | 50% Wind | 24 Months | N/L | | .0800 kWh |
| | 100% Wind | 12 Months | N/L | | .0840 kWh |
| | 100% Wind | 24 Months | N/L | | .0830 kWh |
| | 100% National Wind | 12 Months | N/L | | .0880 kWh |
| | 100% National Wind | 24 Months | N/L | | .0870 kWh |
| NRG Home (Reliant Energy) | 100% Wind | 6 Months | N/L | \$10 per month for remaining months | .0790 kWh |
| | Electric (cash back) | 6 Months | N/L | | .0740 kWh |
| | Electric (rewards with airlines, hotels, etc) | Variable w/3 month cap | N/L | N/L | .0750 kWh |
| | 25% Wind | Variable w/3 month cap | N/L | N/L | .0690 kWh |
| | Electric (duPont Hospital) | 12 Months | N/L | \$10 per month for remaining months | .0750 kWh |
| | Electric | 24 Months | N/L | | .0710 kWh |
| Direct Energy | Electric | 12 Months | N/L | \$99.00 | .0669 kWh |
| | Electric | 18 Months | N/L | \$99.00 | .0649 kWh |
| | 100% Renewable | 24 Months | N/L | N/L | .0689 kWh |
| | Electric w/Echo | 24 Months | N/L | N/L | .0689 kWh |
| Sperian Energy Corp. | Electric | 12 Months | Maybe see Terms | \$75.00 | .0703 kWh |
| | Electric | 6 Months | | \$49.00 | .0733 kWh |

NL** None Listed Verify with Company

THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME Always contact the electricity supplier directly to obtain the current price offers and be certain to understand all contract terms and conditions before signing.

¹ **Supplier** is defined as a company licensed to do business in Maryland (State Comptroller Office), Licensed by the PSC, meet PJM credit requirements (\$2 million bond) to buy and sell electricity, has agreements with electric distribution companies, can take "title" to electric, directly enters into contracts with consumer for the sale of electricity; directly handle disputes of advertising, solicitations, & contract terms with consumers to the PSC or Office of Attorney General.

POTOMAC EDISON SERVICE AREA Continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel | October 2018 |
|--|-----------------------------|--------------------|---|---------------|--------------|
| POTOMAC EDISON SERVICE AREA | | | | | |
| Potomac/Standard Offer Service | N/A | N/A | Non-Summer Electric Supply Rate 10/1/2018-5/31/2019 | | .06465 kWh |
| | N/A | N/A | Summer Electric Supply Rate 6/1/18-9/30/2018* | | .06591 kWh |
| | N/A | N/A | Summer Electric Supply 6/1/2019-9/30/2019** | | January 2019 |
| | | | Weighted Average 6/1/2018 through 5/31/2019 | | .06507 kWh |
| * The SOS price includes the Energy Cost Adjustment | | | | | |
| **The SOS price does not include the Energy Cost Adjustment, will be updated for time period when posted | | | | | |
| Clearview Energy | 100% Renewable | 6 Months | N/L | \$50.00 | .0649 kWh |
| | 100% Renewable | 12 Months | Unknown | | .0649 kWh |
| | 100% Renewable + EV Charger | 12 Months | N/L | | .0689 kWh |
| Xoom Energy MD, Inc. | Electric | 36 Months | N/L | \$200.00 | .0675 kWh |
| | Electric | Variable | N/L | N/L | .0639 kWh |
| | 50% Renewable | 12 Months | N/L | \$110.00 | .0745 kWh |
| | Electric (animal rescue) | 12 Months | N/L | \$110.00 | .0755 kWh |
| Viridian Energy | 50% Renewable | 24 Months | N/L | \$150.00 | .0892 kWh |
| | 50% Renewable | 12 Months | N/L | | .0919 kWh |
| CleanChoice Energy (fka Ethical Electric) | 100% Solar | 12 Months | N/L | N/L | .1270 kWh |
| Aspirity Energy Mid-States | Electric | Unknown | UNK | UNK | Call |
| Constellation Power Choice ((BGE Home & MX Energy) | Electric | 12 Months | N/L | \$150.00 | .0779 kWh |
| | 100% Renewable | 24 Months | | | .0739 kWh |
| | Electric | 36 Months | | | .0699 kWh |
| | Electric | 24 Months | | | .0759 kWh |
| Constellation NewEnergy Inc | Electric | 12 Months | N/L | \$150.00 | .0729 kWh |
| | 100% Renewable | 12 Months | | | .0759 kWh |
| | Electric | 24 Months | | | .0699 kWh |
| | 100% Renewable | 24 Months | | | .0739 kWh |
| | Electric | 36 Months | | | .0689 kWh |

THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME Always contact the electricity supplier directly to obtain the current price offers and be certain to understand all contract terms and conditions before signing.

POTOMAC EDISON SERVICE AREA Continued on next page

POTOMAC EDISON SERVICE AREA Continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel | October 2018 |
|--|-----------------------------|----------------------------------|---|-----------------------------|---|
| POTOMAC EDISON SERVICE AREA | | | | | |
| Potomac/Standard Offer Service | N/A | N/A | Non-Summer Electric Supply Rate 10/1/2018-5/31/2019 | | .06465 kWh |
| | N/A | N/A | Summer Electric Supply Rate 6/1/18-9/30/2018* | | .06591 kWh |
| | N/A | N/A | Summer Electric Supply 6/1/2019-9/30/2019** | | January 2019 |
| | | | Weighted Average 6/1/2018 through 5/31/2019 | | .06507 kWh |
| * The SOS price includes the Energy Cost Adjustment | | | | | |
| **The SOS price does not include the Energy Cost Adjustment, will be updated for time period when posted | | | | | |
| | | | | | |
| Palmco Energy | Electric | Variable w/2 month cap | N/L | N/L | .0600 kWh |
| | Electric | 17 Months | N/L | N/L | .0600 kWh 1 st month, then .0890 kWh remaining |
| | 100% Renewable | 17 Months | N/L | N/L | .0625 kWh 1 st month, then .0915 kWh remaining |
| | | | | | |
| Life Energy LLC | 100% Renewable | 12 Months | N/L | | .0749 kWh |
| | 100% Renewable | 18 Months | N/L | | .0699 kWh |
| | | | | | |
| Star Energy Partners | Electric | Offers not available on web site | | | Call |
| | | | | | |
| Mid-American Energy | Electric | 12 Months | N/L | N/L | .0738 kWh |
| | Electric | 24 Months | N/L | N/L | .0693 kWh |
| | | | | | |
| HIKO Energy | Electric | Variable | Offers not on web site | | Call |
| | | | | | |
| NextEra Energy Services | Electric | Offers not available on web site | | | Call |
| | | | | | |
| Public Power | Electric | 12 Months | Maybe see Term | \$50.00 | .0868 kWh |
| | Electric | 24 Months | | \$50.00 | .0841 kWh |
| | | | | | |
| Smart Energy Holdings | Electric w/\$50 Cash Rebate | 6 Months | N/L | N/L | .0854 kWh |
| | | | | | |
| SFE Energy | Electric | 24 or 36 months | Maybe See Terms | \$25.00 per years remaining | .0799 kWh |
| | 100% Renewable | | | | .0977 kWh |
| | | | | | |

Continued on Next Page

THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME Always contact the electricity supplier directly to obtain the current price offers and contract terms and conditions.

POTOMAC EDISON SERVICE AREA Continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel | October 2018 |
|--------------------|----------|--------------------|------|---------------|--------------|
|--------------------|----------|--------------------|------|---------------|--------------|

POTOMAC EDISON SERVICE AREA

| | | | | |
|--------------------------------|-----|-----|---|--------------|
| Potomac/Standard Offer Service | N/A | N/A | Non-Summer Electric Supply Rate 10/1/2018-5/31/2019 | .06465 kWh |
| | N/A | N/A | Summer Electric Supply Rate 6/1/18-9/30/2018* | .06591 kWh |
| | N/A | N/A | Summer Electric Supply 6/1/2019-9/30/2019** | January 2019 |
| | | | Weighted Average 6/1/2018 through 5/31/2019 | .06507 kWh |

* The SOS price includes the Energy Cost Adjustment

**The SOS price does not include the Energy Cost Adjustment, will be updated for time period when posted

| | | | | |
|---|----------|----------------------------------|------|--|
| | | | | |
| Josco Energy USA | Electric | Offers not available on web site | Call | |
| | | | | |
| Median Energy Corp. (Josco is parent company) | Electric | Offers not available on web site | Call | |
| | | | | |
| Shipley Energy | Electric | Offers not available on web site | Call | |
| | | | | |
| Aspirity Energy Mid-States | Electric | Offers not available on web site | Call | |
| | | | | |
| RPA Energy Inc. | Electric | Offers not available on web site | Call | |
| | | | | |
| North American Power | Electric | Offers not available on web site | Call | |
| | | | | |
| Blue Pilot Energy | Electric | Offers not available on web site | Call | |
| | | | | |
| Discount Power | Electric | Offers not available on web site | Call | |
| | | | | |
| Atlantic Energy | Electric | Offers not available on web site | Call | |
| | | | | |
| Trident Power | Electric | Offers not available on web site | Call | |
| | | | | |
| APG&E | Electric | Offers not available on web site | Call | |
| | | | | |
| National Gas & Electric | Electric | Offers not available on web site | Call | |
| | | | | |
| Mpower Energy NJ | Electric | Offers not available on web site | Call | |
| | | | | |
| Spring Power & Gas | Electric | Offers not available on web site | Call | |
| | | | | |
| Agera Energy | Electric | Offers not available on web site | Call | |
| | | | | |

THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME Always contact the electricity supplier directly to obtain the current price offers and be certain to understand all contract terms and conditions before signing.

Continued on Next Page

POTOMAC EDISON SERVICE AREA Continued

| Electric Suppliers | Contract | Length of Contract | Fees | Fee to Cancel | October 2018 |
|--------------------|----------|--------------------|------|---------------|--------------|
|--------------------|----------|--------------------|------|---------------|--------------|

POTOMAC EDISON SERVICE AREA

| | | | | |
|--------------------------------|-----|-----|---|--------------|
| Potomac/Standard Offer Service | N/A | N/A | Non-Summer Electric Supply Rate 10/1/2018-5/31/2019 | .06465 kWh |
| | N/A | N/A | Summer Electric Supply Rate 6/1/18-9/30/2018* | .06591 kWh |
| | N/A | N/A | Summer Electric Supply 6/1/2019-9/30/2019** | January 2019 |
| | | | Weighted Average 6/1/2018 through 5/31/2019 | .06507 kWh |

* The SOS price includes the Energy Cost Adjustment

**The SOS price does not include the Energy Cost Adjustment, will be updated for time period when posted

| | | | | | |
|------------------------|----------|----------------------------------|--|--|------|
| | | | | | |
| First Point Power | Electric | Offers not available on web site | | | Call |
| | | | | | |
| Great American Power | Electric | Offers not available on web site | | | Call |
| | | | | | |
| First Energy Solutions | Electric | Offers not available on web site | | | Call |
| | | | | | |
| Park Power | Electric | Offers not available on web site | | | Call |
| | | | | | |
| IDT Energy, Inc. | Electric | Offers not available on web site | | | Call |
| | | | | | |
| American Power & Gas | Electric | Offers not available on web site | | | Call |
| | | | | | |
| Inspire Energy | Electric | Offers not available on web site | | | Call |
| | | | | | |
| ResCom Energy | Electric | Offers not available on web site | | | Call |
| | | | | | |

THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME Always contact the electricity supplier directly to obtain the current price offers and be certain to understand all contract terms and conditions before signing.

OFFICE OF PEOPLE'S COUNSEL

Addresses and Contact information for Suppliers currently making offers to customers

1. Agera Energy LLC
555 Pleasantville Rd
Suite 107-S
Briarcliff Manor, NY 10510
Phone: 844-692-4372
Website: www.ageraenergy.com
2. Ambit Northeast, LLC
P.O. Box 864589
Plano, TX 75086
Phone: 1-877-302-6248
Website: www.ambitenergy.com
3. American Power & Gas of MD
10601 Belcher Road South
Seminole, FLA. 33777
Phone: 1-800-205-7491
Website: www.americanpowerandgas.com
4. AP Gas & Electric
6161 Savoy Drive, Suite 500
Houston, TX 77036
Phone: 1-877-544-4857
Website: www.apge.com
5. Aspirity Energy Mid-States LLC
701 Xenia Avenue South
Suite 475
Minneapolis, MN 55416
Phone: 763-432-1156
Website: www.aspirityenergy.com
6. Atlantic Energy MD, LLC
4709 30th St, Suite 401
Long Island, NY 11101
Phone: 1-516-813-2084
Website: www.atlanticenergyco.com
7. BGE Home Project & Services, LLC
1409-A Tangier Drive
Baltimore, MD 21220
Phone: 410-406-9800
Website: www.constellation.com
8. Blue Pilot Energy, LLC
250 Pilot Rd, Suite 300
Las Vegas, NV 89119
Phone: 877-513-0246
Website: www.bluepilotenergy.com
9. CleanChoice Energy Inc.
1055 Thomas Jefferson St. NW
Suite 650
Washington, D.C. 20007
Phone: 1-800-460-4900
Website: www.cleanchoiceenergy.com
10. Clearview Electric, Inc.
P.O. Box 130659
Dallas, TX 75313-0659
Phone: 800-746-4702
Website: www.clearviewenergy.com
11. Constellation Energy Power Choice
f/k/a Mx Energy Electric
1310 Point St.
Baltimore, MD 21231
Phone: 800-785-4373
Website: www.constellation.com
12. Constellation New Energy
1310 Point St.
Baltimore, MD 21231
Phone: 888-635-0827
Website: www.Constellation.com/Rateboard
13. Direct Energy Services, LLC
12 Greenway Plaza, Suite 250
Houston, TX
Phone: 888-200-7930
Website: www.directenergy.com
14. Energy Plus Holdings LLC
3711 Market Street
Philadelphia, PA 19104
Phone: 267-295-5825
Website: www.energypluscompany.com
15. Maryland Gas & Electric
(Energy Service Providers, Inc.)
290 N.W. 165th Street, PH5
North Miami Beach, FL 33169
Phone: 1-866-568-0293
Website: www.MDGandE.com
16. Entrust Energy (Northeast States)
1301 McKinney, Level 12
Houston, TX 77010
Phone: 1-888-521-5861
Website: www.entrustenergy.com

LIST CONTINUED NEXT PAGE

17. Everyday Energy, Inc.
535 Connecticut Ave 6th Fl
Norwalk, CT 06854
Phone: 727-399-6455
Website:
<https://comcastenergyrewards.com>
18. First Energy Solutions Corp
341 White Pond Dr. Building B3
Akron, OH 44320
Phone: 1-800-977-0500
Website: www.fes.com
19. First Point Power, LLC
300 Jefferson Blvd Suite 104
Warwick, RI 02888
Phone: 401-684-1443
Website: www.firstpointpower.com
20. Green Mountain Energy Company
3711 Market Street
Philadelphia, PA 19104
Phone: 267-295-5825
Website: www.greenmountain.com
21. Great American Power, LLC
2959 Cherokee Street, Suite 202
Kennesaw, GA 30144
Phone: 877-215-4140
Website:
www.greatamericanpower.com
22. HIKO Energy LLC
12 College Rd; Suite 100
Monsey, NY 10952
Phone: 832-333-7019
Website: www.hikoenergy.com
23. Horizon Power & Light, LLC
5847 San Felipe St. Suite 3700
Houston, TX 77057
Phone: 866-727-5658
Website: www.horizonpowerco.com
24. IDT Energy, Inc.
550 Broad Street
Newark, NJ 07102
Phone: 877-887-6866
Website: www.idtenergy.com
25. Inspire Energy Holdings LLC
1221 2nd St, Suite 400
Santa Monica, CA 90401
Phone: 1-866-403-2620
Website: www.inspireenergy.com
26. IGS Energy
6100 Emerald Parkway
Dublin, OH 43016
Phone: 614-659-5720
Website: www.IGSEnergy.com
27. Just Energy
P.O. Box 2210
Buffalo, NY 14240
Phone: 714-259-2508
Website: www.justenergy.com
28. Josco Energy USA, LLC
200 Route 17 S Suite 200C
Mahwah, NJ 07430
Phone: 201-501-0688
Website: www.joscoenergy.com
29. Life Energy LLC
2000 W. Loop South, Suite 2010
Houston, TX 77027
Phone: 281-656-5452
Website: www.lifeenergy.com
30. Major Energy Electric Services, LLC
100 Dutch Hill Road Suite 230
Orangeburg, NY 10962
Phone: 888-625-6760
Website: www.majorenergy.com
31. Marathon Power, LLC
62-01 34th Ave.
Woodside, NY 11377
Phone: 718-435-2200
Website: www.mecny.com
32. Median Energy Corp.
1 Lethbridge Plaza Suite 2
Mahwah, NJ 07430
Phone: 201-354-1537
Website: www.medianenergy.com
33. MidAmerican Energy Services
4299 NW Urbandale Dr.
Urbandale, IA 50322
Phone: 1-800-342-3346
Website:
www.midamericanchoice.com
34. Mpower Energy NJ LLC
24 Hillel Place
Brooklyn, N.Y. 11210
Phone: 718-233-1167
Website: www.mpowerenergy.com
35. National Gas & Electric, LLC
12141 Wickchester Ln. Suite 100
Houston, TX 77079
Phone: 888-442-0002
Website: www.NGandE.com

LIST CONTINUED NEXT PAGE

36. NextEra Energy Services, LLC
20455 State Highway 249
Suite 200
Houston, TX 77070
Phone: 800-882-1276
Website:
www.nexteraenergyservices.com
37. Nordic Energy Services, LLC
One Tower Lane, Suite 300
Oakbrook Terrace, IL 60181
Phone 1-630-321-0888
Website:
www.nordicenergy-us.com
38. North American Power and Gas LLC
20 Glover Ave, Suite #1
Norwalk, CT 06854
Phone: 877-572-9965
Website: www.napower.com
39. NRG Residential Solutions
(Reliant Energy)
3711 Market Street
Philadelphia, PA 19104
Phone: 1-855-388-5276
Website:
www.nrgresidentialolutions.com
40. Oasis Energy
11152 Westheimer, Suite 901
Houston, TX 77042
Phone: 832-333-7019
Website: www.oasisenergy.com
41. Palmco Power, MD LLC
8751 18th Ave.
Brooklyn, NY 11214
Phone: 877-726-5862
Website: www.palmcoenergy.com
42. Park Power LLC
1400 N. Providence Rd.
Rosetree 2, Suite 4025
Media, PA 19063
Phone: 610-971-9000
Website: www.parkpower.com
43. Plymouth Rock, LLC
1074 Broadway
Woodmere, NY 11598
Phone: 855-327-6937
Website:
www.plymouthenergy.com
44. Public Power & Utility
535 Connecticut Ave, 6th Floor
Norwalk, CT 06854
Phone: 1-888-354-4415
Website: www.ppandu.com
45. ResCom Energy, LLC
770 N. Lasalle, Suite 600
Chicago, IL 60654
Phone: 888-238-4041
Website: www.rescom-energy.com
46. RPA Energy Inc.
111 John St. Suite 520
New York, NY 10038
Phone: 800-685-0960
Website: www.rpa-energy.com
47. SFE Energy or SFE
P.O. Box #967
Buffalo, NY 14240-0967
Phone: 877-316-6344
Website: www.sfeenergy.com
48. Shipley Energy
100 Kindig La
Hanover, PA 17331
Phone: 1-800-839-1849
Website: www.shipleyenergy.com
49. SmartEnergy Holdings, LLC
575 Lexington Ave. 4th Floor
New York, NY 10022
Phone: 212-779-7000
Website: www.smartenergy.com
50. Source Power & Gas, LLC
2150 Town Square Pl. Suite 390
Sugarland, TX 77479
Phone: 281-690-4335
Website: www.spgenergy.com
51. Spark Energy, LP
12140 Wickchester La Suite 100
Houston, TX 77079
Phone: 832-333-7019
Website: www.sparkenergy.com
52. Sperian Energy Corporation
3010 Briarpark Dr. Suite 200
Houston, TX 77042
Phone: 713-401-3227
Website: www.sperianenergy.com
53. Spring Power & Gas
111 East 14th Street, Suite 105
New York, New York 10003
Phone: 888-710-4782
Website:
www.springpowerandgas.us

LIST CONTINUED NEXT PAGE

54. Star Energy Partners, LLC
3340 West Market St.
Akron, OH 44333
Phone: 855-427-7827
Website: www.starenergypartners.com
55. Starion Energy PA, Inc.
P.O Box 845
Middlebury, CT 06762
Phone: 800-600-3040
Website: www.starionenergy.com
56. Stream Energy Maryland, LLC
14675 Dallas Pkwy. Suite 150
Dallas, TX 75254
Phone: 1-877-368-8150
Website: www.mystream.com
57. Town Square Energy
(Discount Power Inc.)
3950 E. Riggs Rd Suite 1
Chandler, AZ 85249
Phone: 877-430-0093
Website: www.townsquareenergy.com
58. Trident Power
11152 Westheimer, Suite 118
Houston, TX 77042
Phone: 281-864-1504
Website: www.tridentpower.com
59. TriEagle Energy LP
535 Connecticut Ave 6th Fl
Norwalk, CT 06854
Phone: 281-681-2381
Website: www.trieagleenergy.com
60. Viridian Energy PA, LLC
535 Connecticut Ave 6th Fl
Norwalk, CT 06854
Phone: 866-663-2508
Website: www.viridian.com
61. WGL Energy Services, Inc.
8614 Westwood Center Drive
Suite 1200
Vienna, VA 22182
Phone: 703-333-3841
Website: www.wglenergy.com
62. XOOM Energy Maryland, LLC
11208 Statesville Rd. Suite 200
Huntersville, NC 28078
Phone: 704-274-3834
Website: www.xoomenergy.com

Appendix 3

Office of People's Counsel Natural Gas Utility Supplier Offers by Service Area October 2018

UTILITY SUPPLIER OFFERS

| Natural Gas Suppliers | Contract | Length of Contract | Fees | Fee to Cancel | October 2018 |
|-----------------------|----------|--------------------|------|---------------|--------------|
|-----------------------|----------|--------------------|------|---------------|--------------|

BGE SERVICE AREA

DOLLARS PER

| | | | | | |
|---|-----------------------------|-----------|---------|------------------------------|-------------|
| BGE/Gas Supply Price | N/A | Variable | N/L** | N/L | .4043 Therm |
| Constellation NewEnergy-Gas Division, LLC | Natural Gas | 12 Months | N/L | \$150.00 | .5590 Therm |
| | Natural Gas | 24 Months | N/L | | .5290 Therm |
| | Natural Gas | 36 Months | N/L | | .5090 Therm |
| BGE Home Products & Services, LLC | Natural Gas | 12 Months | N/L | \$150.00 | .5699 Therm |
| WGL Energy | 5% Carbon Offsets | 12 Months | N/L | \$10.00 per remaining months | .5000 Therm |
| | 100% Carbon Offset | 12 Months | N/L | | .5800 Therm |
| | 5% Carbon Offsets | 24 Months | N/L | | .5100 Therm |
| | 100% Carbon Offset | 24 Months | N/L | | .5900 Therm |
| | 5% Carbon Offset | Variable | N/L | N/L | .3900 Therm |
| IGS Energy | Natural Gas | 12 Months | Maybe | \$99.00 | .6490 Therm |
| | Natural Gas | 36 Months | Maybe | \$99.00 | .6690 Therm |
| | Natural Gas | 60 Months | Unknown | \$99.00 | .6690 Therm |
| Maryland Energy | Natural Gas | Variable | N/L | N/L | .7790 Therm |
| | Natural Gas | 6 Months | N/L | \$50.00 | .8190 Therm |
| | Natural Gas | 12 Months | N/L | \$50.00 | .8190 Therm |
| Oasis Energy | NO POSTED OFFERS ON WEBSITE | | | | Call |
| Direct Energy | Natural Gas | 12 Months | N/L | N/L | .6390 Therm |
| | Natural Gas | 173Months | | | .5790 Therm |
| | Natural Gas | 18 Months | | | .6190 Therm |
| | Natural Gas + Echo Dot | 24 Months | | | .6490 Therm |
| Stream Energy | Natural Gas | 12 Month | N/L | \$100.00 | .4780 Therm |
| Spark Energy | Natural Gas | 24 Months | N/L | N/L | .6500 Therm |
| | Natural Gas | 12 Months | \$4.95 | \$100.00 | .5500 Therm |
| | Natural Gas | 12 Months | N/L | \$100.00 | .6900 Therm |
| Xoom Energy | Natural Gas | Variable | N/L | N/L | .3950 Therm |
| | Natural Gas | 12 Months | N/L | \$110.00 | .6290 Therm |
| | 100% Carbon Offset | 12 Months | N/L | \$110.00 | .6590 Therm |
| | Natural Gas (Animal Rescue) | 12 Months | N/L | \$110.00 | .6590 Therm |

****N/L—NONE LISTED BGE OFFERS ARE CONTINUED ON THE NEXT PAGE**

Consumers should review all contact and enrollment materials, which can modify the terms of the contract. THESE PRICES MAY CHANGE

BGE SERVICE AREA

| Natural Gas Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|--|-----------------------------|------------------------|----------------|-------------------------------|---|
| BGE SERVICE AREA (continued) | | | | | |
| BGE/Gas Supply Price | N/A | Variable | N/L** | N/L | .4043 Therm |
| | | | | | |
| SFE Energy | Natural Gas | 24/36 Months | Unknown | \$25.00 per year remaining | .5990 Therm |
| | 100% Carbon Offset | 24/36 Months | | | .7490 Therm |
| | | | | | |
| Maryland Gas & Electric (rebates and gift cards to consider) | Natural Gas | 12 Months | N/L | \$10 per each month remaining | .7486 Therm |
| | Natural Gas | 6 Months | N/L | | .7841 Therm |
| | Natural Gas | Variable | N/L | | .3899 Therm |
| | Natural Gas | 24 Months | N/L | \$10 remaining | .7225 Therm |
| | 100% Carbon Offset | 12 Months | N/L | | .7486 Therm |
| | 100% Carbon Offset | 24 Months | N/L | | .7225 Therm |
| | | | | | |
| Just Energy | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |
| Shipley Energy | Natural Gas | 12 Months | \$1.00 Monthly | \$75.00 | .4900 Therm |
| | | | | | |
| Plymouth Rock Energy | Natural Gas | 6 Months | N/L | Maybe see terms | .4199 Therm |
| | Natural Gas | 12 Months | | | .4191 Therm |
| | Natural Gas | 18 Months | | | .3999 Therm |
| | Natural Gas | 24 Months | | | .3998 Therm |
| | | | | | |
| National Gas & Electric | 100% Carbon Offset | 12 Months | N/L | \$50.00 Early Terminations | Call Website problems when checked on 10/3/2018 |
| | 100% Carbon Offset | 24 Months | | | |
| | 100% Carbon Offset | 36 Months | | | |
| | 5% Carbon Offset | 6 Months | \$9.95 Monthly | N/L | |
| | Natural Gas | 12 Months | N/L | \$50.00 Early Terminations | |
| | Natural Gas | 24 Months | | | |
| Natural Gas | 36 Months | | | | |
| | | | | | |
| Viridian Energy | 25% Renewable | 12 Months | N/L | \$150.00 | .6439 Therm |
| | 25% Renewable | 24 Months | N/L | \$150.00 | .6170 Therm |
| | 25% Renewable | Variable | N/L | N/L | .6312 Therm |
| | | | | | |
| Trident Power | Natural Gas | 6 Months | \$5.95 | \$50.00 | .4810 Therm |
| | | | | | |
| Great American Power | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |
| Marathon Energy | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |
| PALMco | Natural Gas | Variable w/2 Month Cap | N/L | N/L | .3600 Therm |
| | Natural Gas | 12 Months | N/L | N/L | .5350 Therm |
| | | | | | |

Consumers should review all contact and enrollment materials, which can modify the terms of the contract. THESE PRICES MAY CHANGE AT ANY TIME.

BGE OFFERS ARE CONTINUED ON THE NEXT PAGE

BGE SERVICE AREA

| Natural Gas Suppliers | Contract | Length of Contract | Fees | Fee to Cancel* | October 2018 |
|-----------------------|----------|--------------------|------|----------------|--------------|
|-----------------------|----------|--------------------|------|----------------|--------------|

BGE SERVICE AREA (continued)

| | | | | | |
|---------------------------------|--|---------------------------------------|-------|---------|-----------------------------|
| BGE/Gas Supply Price | N/A | Variable | N/L** | N/L | .4043 Therm |
| | | | | | |
| NRG Home (Reliant) | Natural Gas (with 5% Cash back) | Variable w/3 month cap | N/L | N/L | .5100 Therm |
| | 100% Carbon Offset | Variable w/3 month cap | N/L | N/L | .5500 Therm |
| | Natural Gas (special deal with airlines, hotels, etc.) | Variable w/3 month cap | N/L | N/L | .5100 Therm |
| | Natural Gas (with 1% cash back) | Variable w/3 month cap | N/L | N/L | .4500 Therm |
| | | | | | |
| Spring Power & Gas | 100% Carbon Offset | Variable | N/L | N/L | .4675 Therm |
| | 100% Carbon Offset | 6 Months | N/L | N/L | .4499 Therm |
| | 100% Carbon Offset | 9 Months | N/L | N/L | .6499 Therm |
| | 100% Carbon Offset | 12 Months | N/L | N/L | .6399 Therm |
| | | | | | |
| Think Energy | Natural Gas | 6 Months | N/L | \$50.00 | Call No Offers Posted |
| | Natural Gas | 12 Months | N/L | | |
| | Natural Gas | 18 Months | N/L | | |
| | Natural Gas | 24 Months | N/L | | |
| | | | | | |
| Everyday Energy (COMCAST CABLE) | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |
| Ambit Energy | Natural Gas | Variable (3% annual savings promised) | | | Call |
| | | | | | |
| Agera Energy | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |
| NextEra Energy | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |
| Mpower Energy NJ | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |
| Mansfield Power & Gas | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |
| HIKO Energy | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |
| Green Mountain Power | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |
| RPA Energy & Gas | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |
| Blue Pilot Energy | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |
| American Power & Gas | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |
| Discount Power | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |
| Median Energy Corp. | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |

UTILITY SUPPLIER OFFERS

| Natural Gas Suppliers | Contract | Length of Contract | Fees | Fee to Cancel | October 2018 |
|---------------------------------------|-----------------------------|-----------------------------|---------|------------------------------|--|
| WASHINGTON GAS LIGHT SERVICE AREA | | | | | |
| | | | | | |
| Washington Gas Light/Gas Supply Price | N/A | Month to Month | N/A | N/A | .4524 Therm |
| | | | | | |
| HIKO Energy | NO POSTED OFFERS ON WEBSITE | | | | Call |
| | | | | | |
| Novec Energy | Natural Gas | 12 Months | N/L | \$150.00 | .4990 Therm + unknown Balancing Charge |
| | | | | | |
| SFE Energy | Natural Gas | 24/36 Months | Unknown | \$25.00 per year remaining | .5590 Therm |
| | 100% Carbon Offset | 24/36 Months | Unknown | | .7090 Therm |
| | | | | | |
| Direct Energy | Natural Gas | 12 Months | N/L | N/L | .4490 Therm |
| | Natural Gas | 14 Months | N/L | N/L | .4090 Therm |
| | Natural Gas | 18 Months | N/L | N/L | .4390 Therm |
| | Natural Gas + Echo Dot | 24 Months | N/L | N/L | .4990 Therm |
| | | | | | |
| Maryland Energy | Natural Gas | Variable | N/L | N/L | .5590 Therm |
| | Natural Gas | Variable (Discount) | N/L | N/L | .2990 Therm |
| | Natural Gas | 6 Months | N/L | \$50.00 | .5490 Therm |
| | Natural Gas | 12 Months | N/L | \$100.00 | .5590 Therm |
| | | | | | |
| IGS Energy | Natural Gas | NO OFFERS POSTED ON WEBSITE | | | Call |
| | | | | | |
| Viridian | 25% Renewable | Variable | N/L | N/L | .5583 Therm |
| | 25% Renewable | 12 Months | | \$150.00 | .5693 Therm |
| | 25% Renewable | 24 Months | | | .5554 Therm |
| | | | | | |
| Discount Power | Natural Gas | NO OFFERS POSTED ON WEBSITE | | | Call |
| | | | | | |
| Washington Gas Energy Services | 5% Carbon Offsets | 12 Months | N/L | \$10.00 per remaining months | .5000 Therm |
| | 100% Carbon Offsets | 12 Months | N/L | | .5800 Therm |
| | 5% Carbon Offsets | 24 Months | N/L | | .5100 Therm |
| | 100% Carbon Offsets | 24 Months | N/L | | .5900 Therm |
| | 5% Carbon Offsets | Variable | N/L | N/L | .4800 Therm |

**NL—NONE LISTED

This chart only contains offers from natural gas suppliers listed on the Maryland Public Service Commission web site as a natural gas supplier actively seeking new customers. Additionally, the supplier has listed their prices and Terms and Conditions on their web sites.

Washington Gas Light continued on next page

Washington Gas Continued

| Natural Gas Suppliers | Contract | Length of Contract | Fees | Fee to Cancel | October 2018 |
|--|---|------------------------|------|---------------|--------------|
| WASHINGTON GAS LIGHT SERVICE AREA | | | | | |
| Washington Gas Light/Gas Supply Price | N/A | Month to Month | N/A | N/A | .4524 Therm |
| PALMco Energy | Natural Gas | Variable w/2 Month cap | N/L | N/L | .3900 Therm |
| | Natural Gas | 12 Months | N/L | N/L | .4610 Therm |
| Xoom Energy | Natural Gas | Variable | N/L | N/L | .3990 Therm |
| | Natural Gas | 12 Months | N/L | \$110.00 | .5390 Therm |
| | Natural Gas | 24 Months | N/L | \$50.00 | .5290 Therm |
| | Natural Gas (animal rescue) | 12 Months | N/L | \$110.00 | .5590 Therm |
| NRG Home (Reliant) | Natural Gas (5% cash back promise) | Variable w/3 Month Cap | N/L | N/L | .5900 Therm |
| | 100% Carbon Offsets | Variable w/3 Month Cap | N/L | N/L | .6500 Therm |
| | Natural Gas (airlines, hotels, Caesars, Penn State deals) | Variable w/3 Month Cap | N/L | N/L | .6100 Therm |
| | Natural Gas (1% cash back promise) | Variable w/3 Month Cap | N/L | N/L | .5500 Therm |
| Think Energy | NO POSTED OFFERS ON WEBSITE | | | | Call |
| Shipley Energy | NO POSTED OFFERS ON WEBSITE | | | | Call |
| Agera Energy | NO POSTED OFFERS ON WEBSITE | | | | Call |
| Mpower Energy NJ | NO POSTED OFFERS ON WEBSITE | | | | Call |
| Mansfield Power & Gas | NO POSTED OFFERS ON WEBSITE | | | | Call |
| Spring Power and Gas | NO POSTED OFFERS ON WEBSITE | | | | Call |
| Trident Power | NO POSTED OFFERS ON WEBSITE | | | | Call |
| Provision Power & Gas | NO POSTED OFFERS ON WEBSITE | | | | Call |
| RPA Energy Inc | NO POSTED OFFERS ON WEBSITE | | | | Call |
| NextEra Energy | NO POSTED OFFERS ON WEBSITE | | | | Call |
| Everyday Energy (Comcast Cable) | NO POSTED OFFERS ON WEBSITE | | | | Call |

THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME.

Consumers should review all contact and enrollment materials, which can modify the terms of the contract. Despite what the salesperson or web sites may indicate the contract is the legally binding document of terms and costs.

Washington Gas Light continued on next page

Washington Gas Continues

| Natural Gas Suppliers | Contract | Length of Contract | Fees | Fee to Cancel | October 2018 |
|-----------------------|----------|--------------------|------|---------------|--------------|
|-----------------------|----------|--------------------|------|---------------|--------------|

WASHINGTON GAS LIGHT SERVICE AREA

| | | | | | |
|---------------------------------------|-----------------------------|----------------|-----|-----|-------------|
| Washington Gas Light/Gas Supply Price | N/A | Month to Month | N/A | N/A | .4524 Therm |
| American Power & Gas | NO POSTED OFFERS ON WEBSITE | | | | Call |
| Median Energy Corp. | NO POSTED OFFERS ON WEBSITE | | | | Call |
| Great American Power | NO POSTED OFFERS ON WEBSITE | | | | Call |

THESE OFFERS AND PRICES MAY CHANGE AT ANY TIME.

Consumers should review all contact and enrollment materials, which can modify the terms of the contract. Despite what the salesperson or web sites may indicate the contract is the legally binding document of terms and costs.

Addresses and Contact information for Suppliers currently making offers to customers

1. Agera Energy
555 Pleasantville Rd
Suite 107-S
Briarcliff Manor, NY 10510
Phone: 884-692-4372
Website: www.ageraenergy.com
2. Ambit Northeast
1801 North Lamar Street Suite 200
Dallas, TX 75202
Phone: 469-375-2135
Website: www.ambitenergy.com
3. American Power & Gas
10601 Belcher Road South
Seminole, Fla 33777
Phone: 1-800-205-7491
Website: www.americanpowerandgas.com
4. BGE Home Project & Services, LLC
1409-A Tangier Drive
Baltimore, MD 21220
Phone: 1-800-785-4373
Website: www.BGEHome.com
5. Blue Pilot Energy, LLC
250 Pilot Road
Suite 300
Las Vegas, NV 89119
Phone: 800-451-6956
Website: www.bluepilotenergy.com
6. Constellation Energy Gas Choice
1221 Lamar Street, Suite 750
Houston, TX 77010
Phone: 855-465-1244
Website: www.constellation.com
7. Direct Energy Services, LLC
12 Greenway Plaza, Suite 250
Houston, TX 77046
Phone: 888-200-7630
Website: www.directenergy.com
8. Discount Power Inc.
6 Armstrong Rd.
Shelton, CT 06484
Phone: 203-929-3200
Website: <https://discountpowerinc.com>
9. Everyday Energy, LLC
535 Connecticut Ave. 6th Fl.
Norwalk, Ct 06854
Phone: 727-399-6455
Website: <https://comcastenergyrewards.com>
10. Gateway Energy Services
12 Greenway Plaza, Suite 250
Houston, TX 77046
Toll Free: 1-888-200-7930
Website: www.gesc.com
11. Great American Power LLC
29590 Cherokee St. Suite 202
Kennesaw GA 30144
Phone: 877-215-4140
Website: www.greatamericanpower.com
12. Green Mountain Energy
3711 Market Street, Suite 1000
Philadelphia, PA 19104
Phone: 267-295-5825
Website: www.greenmountainenergy.com
13. HIKO Energy
12 College Road Suite 100
Monsey, NY 10952
Phone: 832-333-7019
Website: www.hikoenergy.com
14. Interstate Gas Supply, Inc. d/b/a
IGS Energy d/b/a Columbia Retail
Energy
6100 Emerald Parkway
Dublin, OH 43016
Phone: 614-659-5720
Website: www.IGSEnergy.com
15. Just Energy Solutions
P.O. Box 2210
Buffalo, NY 14240
Phone: 866-587-8674
Website: www.justenergydeals.com
16. Mansfield Power & Gas
1025 Airport Parkway SW
Gainesville, GA 30501
Phone: 678-207-3045
Website: www.mansfieldpowergas.com
17. Marathon Power, LLC
62-01 34th Ave
Woodside, NY 11377
Phone: 718-564-2226
Website: www.mecny.com
18. Median Energy Corporation
1 Lethbridge Plaza, Suite 2
Mahwah, NJ 07430
Phone: 201-354-1537
Website: www.medianenergy.com

**LISTINGS CONTINUED ON
NEXT PAGE**

19. Mpower Energy NJ, LLC
24 Hillel Place
Brooklyn, NJ 11210
Phone: 718-233-1167
Website: www.mpowerenergy.com
20. National Gas & Electric
12140 Wickchester Ln. Suite 100
Houston, TX 77079
Phone: 888-442-0002
Website: www.NGandE.com
21. NextEra Energy Services MD
20455 State Highway 249
Suite 200
Houston, TX 77070
Phone: 713-401-5567
Website: www.nexteraenergyservices.com
22. NRG Home (Reliant Energy)
211 Carnegie Center
Princeton, NJ 08540
Phone: 267-295-5533
Website: www.nrghomepower.net
23. Oasis Energy
11152 Westheimer Suite 901
Houston, TX 77042
Phone: 800-326-3046
Website: www.oasisenergy.com
24. Palmco Energy MD, LLC
8751 18th Ave
Brooklyn, NY 11214
Phone: 877-726-5862
Website: www.PalmcoEnergy.com
25. Plymouth Rock Energy
1074 Broadway
Woodmere, NY 11598
Phone: 516-734-0408
Website: www.plymouthenergy.com
26. RPA Energy. INC
111 John St. Suite 520
New York, NY 10038
Phone: 800-685-0960
Website: www.rpa-energy.com
27. SFE Energy
P.O. Box 967
Buffalo NY 1420-0967
Phone: 877-316-6344
Website: www.sfeenergy.com
28. Shipley Energy
100 Kindig La.
Hanover, PA 17331
Phone: 717-771-1858
Website: www.shipleyenergy.com
29. SouthStar Energy Services, LLC
d/b/a Maryland Energy
817 W. Peachtree Street, NW
Suite 1000
Atlanta, GA 30308
Phone: 1-866-526-8776
Website: www.marylandenergy.com
30. Spark Energy, LP
12140 Wickchester La Suite 100
Houston, TX 77079
Phone: 832-333-7019
Website: www.sparkenergy.com
31. Spring Power & Gas
111 East 14th Street #105
New York, NY 10003
Phone: 1-888-710-4782
Website: www.springpowerandgas.us
32. Stream Energy Maryland, LLC
14675 Dallas Pkwy Suite 150
Dallas, TX 75254
Phone: 1-214-800-4440
Website: www.streamenergy.net
33. Think Energy (Engie Retail)
1990 Post Oak Blvd Suite 1900
Houston, TX 77056
Phone: 713-636-1095
Website: www.mythinkenergy.com
34. Trident Power
1152 Westheimer, Suite 118
Houston, TX 77042
Phone: 281-864-1504
Website: www.tridentpower.com
35. U.S. Gas & Electric d/b/a Maryland
Gas & Electric
3700 Lakeside Dr., 6th Floor
Miramar, FL 33027
Phone: 866-568-0293
Website: www.MDGandE.com
36. Viridian Energy PA LLC
535 Connecticut Ave, 6th Fl.
Norwalk, CT 06854
Phone: 203-663-2508
Website: www.viridian.com

**LISTINGS CONTINUED ON
NEXT PAGE**

37. WGL Energy Services
8614 Westwood Center Drive
Suite 1200
Vienna, VA 22182
Phone: 703-333-3841
Website: www.wges.com

38. Xoom Energy Maryland, LLC
11208 Statesville Road, Suite 200
Huntersville NC 28078
Phone: 704-274-3834
Website: www.xoomenergy.com

OPC provides this information as a guide only, but cannot guarantee its completeness or accuracy. The names of the **active** suppliers are listed on the website of the Maryland Public Service Commission at <http://webapp.psc.state.md.us> ("Licensed Suppliers" link) and may change at any time.

Appendix 4A

Massachusetts Attorney General Review of State Investigations and Class Action Lawsuits

STATE INVESTIGATIONS AND CLASS ACTION LAWSUITS ALLEGING UNFAIR OR DECEPTIVE ACTS OR PRACTICES BY SUPPLIERS LICENSED TO OPERATE IN THE COMMONWEALTH OF MASSACHUSETTS¹

AMBIT NORTHEAST, LLC d/b/a AMBIT ENERGY

State Investigations

- New York Department of Public Service: investigation of Ambit (2015).²

Lawsuits

- Kostovetsky vs. Ambit Energy Holdings, LLC, et al. U.S. District Court for the Northern District of Illinois, docket 1:15-cv-02553.
- Urbino v. Ambit Energy Holdings LLC, et al. U.S. District Court for the District of New Jersey, docket 3:14-cv-05184.
- Little, et al. v. Ambit Northeast, LLC, et al. U.S. District Court for the District of New Jersey, docket 3:16-cv-08800-PGS-LHG.
- Simmons v. Ambit Energy Holdings LLC. Supreme Court of the State of New York, County of Kings, docket 503285/2015.
- Lazarek et al v. Ambit Energy Holdings, LLC et al. U.S. District Court for the Western District of New York, docket 6:15-cv-06361-FPG-MWP.
- Silvis v. Ambit Energy LP. U.S. District Court for the Eastern District of Pennsylvania, docket 2:14-cv-05005; Third Circuit Court of Appeals, docket 16-1976.

CLEANCHOICE ENERGY, INC.

Formerly Ethical Electric, Inc., d/b/a Clean Energy Option

State Investigations

- Illinois Attorney General announced a settlement with Ethical Electric (2017).³
- Pennsylvania Attorney General announced an assurance of voluntary compliance with Ethical Electric (2015).⁴

CLEARVIEW ELECTRIC, INC. d/b/a CLEARVIEW ENERGY

State Investigations

¹ This list is meant to be illustrative rather than exhaustive. There may be additional lawsuits and state investigations that were not easily located via internet search.

² See <https://www.governor.ny.gov/news/governor-cuomo-announces-energy-bill-refunds-more-1500-new-yorkers> (last visited February 12, 2018).

³ See http://www.illinoisattorneygeneral.gov/pressroom/2016_08/20160808b.html (last visited February 5, 2018).

⁴ See <https://legalnewslines.com/stories/510549039-pennsylvania-electric-supplier-faces-legal-action-over-solicitation-pieces> (last visited February 5, 2018).

- Maine Public Utilities Commission: investigation of Clearview (2015). Docket 2015-00297.
- New Hampshire Public Utilities Commission: investigation of Clearview (2017). Docket DE 17-002.

CONSTELLATION ENERGY POWER CHOICE, LLC
CONSTELLATION ENERGY SERVICES, INC./INTEGRYS ENERGY SERV., INC.
CONSTELLATION NEW ENERGY, INC.

Parent Company: Exelon

State Investigations

- Pennsylvania Public Utilities Commission: investigation of MXenergy (2012).⁵ Docket M-2012-2201861.

Lawsuits

- Coda v. Constellation Energy Power Choice, LLC. U.S. District Court for the District of New Jersey, docket 2:17-cv-03437-JMV-MF.

DIRECT ENERGY SERVICES, LLC
DIRECT ENERGY BUSINESS, LLC

Parent Company: Centrica, plc

State Investigations

- Connecticut Public Utilities Regulatory Authority: investigation of Direct Energy (2013). Docket No. 13-07-17.
- Public Utilities Commission of Texas: investigation of Direct Energy (2014). Docket No. 42524.

Lawsuits

- Richards v. Direct Energy Services, LLC. U.S. District Court in the District of Connecticut, docket 3:14-cv-01724-VAB; Second Circuit Court of Appeals, docket 17-1003.
- Dolemba v. Direct Energy Services, LLC. U.S. District Court for the Northern District of Illinois Eastern Division, docket 1:14-cv-09677.
- Sevugan v. Direct Energy Services, LLC. U.S. District Court for the Northern District of Illinois Eastern Division, docket 1:17-cv-06569.
- Forte v. Direct Energy Services, LLC. U.S. District Court for the Northern District of New York, docket 6:17-cv-00264-FJS-ATB.

⁵ MXenergy was acquired by Constellation in 2011.

- Wilson v. Direct Energy Services, LLC. U.S. District Court for the Southern District of Ohio Western Division at Cincinnati, docket 1:16-cv-00454.
- Getso v. Direct Energy. U.S. District Court for the Northern District of Texas, docket 3:16-cv-02142-K.

DISCOUNT POWER, INC.

Parent Company: Spark Energy, Inc.

Lawsuits

- Chandler et al. v. Discount Power, Inc. State of Connecticut Superior Court, Judicial District of Hartford docket HHD-CV-14-6055537-S.

ENERGY PLUS HOLDINGS MA

Parent Company: NRG Energy, Inc.

State Investigations

- Connecticut Attorney General and Office of Consumer Counsel announce a settlement with Energy Plus Holdings, LLC (2014). CT PURA Docket No. 12-07-13.
- New York Attorney General announced a settlement with Energy Plus (2017).⁶

Lawsuits

- Fortney v. Energy Plus Holdings, LLC. U.S. District Court for the District of Maryland Greenbelt Division, docket 1:12-cv-08119-WHP.
- Wise et al. v. Energy Plus Holdings LLC. U.S. District Court for the Southern District of New York, docket 1:11-cv-07345-WHP.
- Faistl v. Energy Plus Holdings, LLC et al. U.S. District Court for the District of New Jersey Newark Division, docket 2:12-cv-02879-JLL-MAH.
- Yu v. Energy Plus Holdings, LLC. U.S. District Court for the District of New Jersey, docket 2:12-cv-02627-JLL-JAD.

JUST ENERGY MASSACHUSETTS CORP. d/b/a JUST ENERGY

Parent Company: Just Energy Group, formerly d/b/a U.S. Energy Savings

State Investigations

- Massachusetts Attorney General announced a settlement with Just Energy (2014).⁷
- Public Utilities Commission of Ohio: investigation into Commerce Energy, d/b/a Just Energy (2016). Docket Case No. 16-2006-GE-UNC.

⁶ See <https://ag.ny.gov/press-release/ag-schneiderman-announces-800k-settlement-energy-service-company-falsely-advertised> (last visited February 5, 2018).

⁷ See <http://www.mass.gov/ago/news-and-updates/press-releases/2015/2015-01-06-just-energy.html> (last visited February 5, 2018).

Lawsuits

- Nieves v. Just Energy New York Corp. U.S. District Court for the Western District of New York, docket 1:17-cv-00561-WMS.
- Donin et al v. Just Energy Group Inc. et al. U.S. District Court for the Eastern District of New York, docket 1:17-cv-05787-WFK-SJB.

LIBERTY POWER HOLDINGS, LLC

State Investigations

- Connecticut Public Utilities Regulatory Authority announced a settlement with Liberty Power (2016). Docket No. 06-12-07-RE06.
- Connecticut Public Utilities Regulatory Authority: investigation of Liberty Power (2017). Docket No. 06-12-07-RE07.
- Public Utilities Commission of Texas: investigation of Liberty Power Holdings, LLC (2016). Docket No. 45215.
- New York Public Service Commission: investigation of Liberty Power (2013). Case No. 13-E-0062.

Lawsuits

- Dolemba v. Liberty Power Corp., LLC et al. U.S. District Court for the Northern District of Illinois Eastern Division, docket 1:13-cv-05429.
- Moore v. Liberty Power Holdings LLC. U.S. District Court for the Northern District of Illinois Eastern Division, docket 1:16-cv-07553.
- Kreke v. Liberty Power Holdings LLC. U.S. District Court for the Southern District of Illinois, docket 3:17-cv-00808-DRH-RJD.

MAJOR ENERGY ELECTRIC SERVICES LLC

Parent Company: Spark Energy, Inc.

State Investigations

- Illinois Commerce Commission: investigation of Major Energy (2014).⁸
- Maryland Public Service Commission: investigation of Major Energy Electric Service, LLC and Major Energy Services, LLC (2014). Case No. 9346.

Lawsuits

⁸ See

<https://www.icc.illinois.gov/downloads/public/Major%20Energy%20Press%20Release%20FINAL%205%206%2015.doc> (last visited February 13, 2018).

- Carrera v. Major Energy Services, LLC et al. U.S. District Court for the District of New Jersey, docket 3:15-cv-03208-MAS-LHG.
- Gillis et al v. Major Energy et al. U.S. District Court for the Eastern District of Pennsylvania, docket 2:14-cv-03856-MSG.

MASSACHUSETTS GAS & ELECTRIC

Local Subsidiary of: U.S. Gas & Electric

Parent Company: Crius Energy

State Investigations

- Connecticut Public Utilities Regulatory Authority: investigation of Connecticut Gas & Electric (2013). Docket No. 13-07-15.
- Maryland Public Service Commission: investigation of U.S. Gas & Electric and Energy Service Providers, Inc. d/b/a Maryland Gas & Electric (2014). Case No. 9347.
- Pennsylvania Attorney General and Pennsylvania Office of Consumer Advocate announced settlement with Pennsylvania Gas & Electric (2015).⁹

Lawsuits

- Sobeich v. U.S. Gas & Electric, Inc. et al. U.S. District Court for the Eastern District of Pennsylvania, docket 2:14-cv-04464.

PALMCO POWER MA LLC

State Investigations

- Connecticut Public Utilities Regulatory Authority investigation of Palmco (2017).¹⁰ Docket No. 10-01-24RE01.
- New Jersey Attorney General, New Jersey Board of Public Utilities, and New Jersey Division of Consumer Affairs announce settlement with Palmco Power NJ, LLC and Palmco Energy NJ, LLC (2016).¹¹

Lawsuits

- The People of the State of Illinois v. Palmco Power IL, LLC. The State of Illinois Circuit Court of the Seventh Judicial Circuit, Sangamon County, docket 2017-CH-00099.
- Komoda v. Palmco Energy NJ, LLC et al. U.S. District Court for the Eastern District of New York, docket 1:14-cv-01679-KAM-VVP.

PROVIDER POWER MASS, LLC

⁹ See <http://www.oca.state.pa.us/Industry/Electric/Attorney%20General%20Kane%20Press%20Release.pdf> (last visited February 5, 2018).

¹⁰ See http://www.ct.gov/occ/lib/occ/8-17-17_palmco_settlement.pdf (last visited February 12, 2018).

¹¹ See <http://www.nj.gov/oag/newsreleases16/pr20160623b.html> (last visited February 5, 2018).

Parent Company: Spark Energy, Inc.**Lawsuits**

- Veilleux et al v. Electricity Maine, LLC et al. U.S. District Court for the District of Maine, docket 1:16-cv-00571-NT.

PUBLIC POWER, LLC***Parent Company: Crius Energy*****State Investigations**

- Connecticut Public Utilities Regulatory Authority investigation of Public Power (2016). Docket 13-02-08.
- Connecticut Public Utilities Regulatory Authority investigation of Public Power (2013). Docket 11-10-06.
- Pennsylvania Public Utilities Commission investigation of Public Power (2013). Docket M-2012-2257858.
- Pennsylvania Public Utilities Commission investigation of Public Power (2016). Docket No. M-2015-2439492.

SPARK ENERGY, INC.**Lawsuits**

- Ortiz et al v. Spark Energy, LLC. U.S. District Court for the Northern District of California, docket 4:15-cv-02326-JSW.
- Hoy v. Spark Energy Gas, LLC et al. U.S. District Court for the Northern District of Illinois Eastern Division, docket 1:14-cv-09579.
- Ballantyne v. Spark Energy, Inc. U.S. District Court for the Eastern District of Michigan, docket 2:17-cv-11018-MFL-SDD.
- Melville v. Spark Energy, Inc. et al. U.S. District Court for the District of New Jersey, docket 1:15-cv-08706-RBK-JS.
- Rolland v. Spark Energy, LLC. U.S. District Court for the District of New Jersey, docket 3:17-cv-02680-MAS-LHG.
- Bank v. Spark Energy Holdings, LLC et al. U.S. District Court for the Eastern District of New York, docket 1:13-cv-06130-JG-VMS.
- Markey et al v. Spark Energy, LLC et al. U.S. District Court for the Eastern District of Pennsylvania, docket 2:16-cv-01597-MSG.

STARION ENERGY, INC.**State Investigations**

- Connecticut Public Utilities Regulatory Authority investigation of Starion Energy (2015). Docket No. 09-10-10.
- District of Columbia Office of the People's Counsel announced a settlement with Starion (2014). Formal Case No. 1105.
- Delaware Public Services Commission investigation of Starion Energy (2013). PSC DOCKET NO. 395-13.
- Maryland Public Service Commission investigation of Starion Energy (2013). Case No. 9324.

Lawsuits

- Gruber v. Starion Energy, Inc. U.S. District Court for the District of Connecticut, docket 3:14-cv-01828-SRU.
- Owens v. Starion Energy, Inc. U.S. District Court for the District of Connecticut New Haven Division, docket 3:16-cv-01912-VAB.
- Primack v. Starion Energy PA, Inc. et al. U.S. District Court for the Northern District of Illinois Eastern Division, docket 1:14-cv-08772.
- Camuso et al v. Starion Energy Inc. U.S. District Court for the District of Massachusetts, docket 1:17-cv-12215.
- Windley v. Starion Energy Inc., et al. U.S. District Court for the Southern District of New York, docket 1:14-cv-09053.
- Orange v. Starion Energy PA, Inc. et al. U.S. District Court for the Eastern District of Pennsylvania, docket 2:15-cv-00773-CDJ; Third Circuit Court of Appeals, docket 16-1949.
- Eisenband v. Starion Energy, Inc. U.S. District Court for the Southern District of Florida, docket 9:17-cv-80195-KAM.

VERDE ENERGY USA MASS LLC

Parent Company: Spark Energy, Inc.

Lawsuits

- Roberts v. Verde Energy USA, Inc. U.S. District Court for the District of Connecticut, docket 3:15-cv-00312-VLB.
- Vebell v. Verde Energy USA, Inc. U.S. District Court for the District of Connecticut, docket 3:15-cv-00008-JBA.
- Coleman v. Verde Energy USA, Inc. U.S. District Court for the Southern District of Illinois, docket 3:17-cv-00062-DRH-SCW.
- Bunnell v. Verde Energy USA, Inc. U.S. District Court for the District of Massachusetts, docket 3:15-cv-30220-MGM.
- Schley v. Verde Energy USA, Inc. U.S. District Court for the District of New Jersey, docket 2:17-cv-00887-LS.
- Richardson et al v. Verde Energy USA, Inc. U.S. District Court for the Eastern District of Pennsylvania, docket 5:15-cv-06325-LS.

- Wachstock v. Verde Energy USA, Inc. U.S. District Court for the Eastern District of New York, docket 1:14-cv-04082-WFK-JMA.
- Bowser v. Verde Energy USA, Inc. U.S. District Court for the Southern District of New York, docket 7:15-cv-09471-CS.

VIRIDIAN ENERGY, INC.

Parent Company: Crius Energy

State Investigations

- Connecticut Public Utilities Regulatory Authority investigation of Viridian Energy (2015). Docket No. 09-04-15RE03.
- Maryland Public Service Commission investigation of Viridian Energy (2012). Case No. 9255.¹²

Lawsuits

- Sanborn v. Viridian Energy, Inc. U.S. District Court for the District of Connecticut, docket 3:14-cv-01731.
- Steketee v. Viridian Energy, Inc. U.S. District Court for the District of Connecticut, docket 3:15-cv-00585-SRU.
- Mirkin et al v. Viridian Energy, Inc. U.S. District Court for the District of Connecticut, docket 3:15-cv-01057-SRU.
- Hembling et al v. Viridian Energy, LLC et al. U.S. District Court for the District of Connecticut, docket 3:15-cv-01258-SRU.
- Lempert v. Viridian Energy, Inc. et al. U.S. District Court for the District of Connecticut, docket 3:15-cv-00703-VLB.
- Daniyan v. Viridian Energy, LLC. U.S. District Court for the District of Maryland, docket 1:14-cv-02715-GLR.
- Landau v. Viridian Energy PA, LLC. U.S. District Court for the Eastern District of Pennsylvania, docket 2:16-cv-02383-GAM.

XOOM ENERGY MASSACHUSETTS, LLC

Parent Company: ACN, Inc.

State Investigations

- The Maryland Public Service Commission investigation of Xoom Energy (2014). Case No. 9346.

Lawsuits

¹²[http://webapp.psc.state.md.us/newIntranet/sitesearch/Press%20Releases/Maryland%20PSC%20Issues%20\\$60,000%20Civil%20Penalty%20Against%20Viridian%20Energy.pdf](http://webapp.psc.state.md.us/newIntranet/sitesearch/Press%20Releases/Maryland%20PSC%20Issues%20$60,000%20Civil%20Penalty%20Against%20Viridian%20Energy.pdf) (last visited February 12, 2018).

- Adesina v. ACN, Inc. et al. U.S. District Court for the Western District of North Carolina, docket 3:14-cv-00562-GCM.
- Todd et al v. ACN, Inc. et al. U.S. District Court for the District of Maryland, docket 8:15-cv-00154-GJH.

Appendix 4B

Additional State Investigations and Class Action Lawsuits Alleging Unfair or Deceptive Acts or Practices by Suppliers

ADDITIONAL STATE INVESTIGATIONS AND CLASS ACTION LAWSUITS ALLEGING UNFAIR OR DECEPTIVE ACTS OR PRACTICES BY SUPPLIERS

SPERIAN ENERGY CORP.

Lawsuits

- People of the State of Illinois, *ex rel.* Lisa Madigan, Attorney General of the State of Illinois v. Sperian Energy Corp., Circuit Court of Cook County, Illinois, docket 2017-L-008604 (2017). Settlement announced October 15, 2018.¹

STARION ENERGY, INC.

Lawsuits

- Commonwealth of Massachusetts v. Starion Energy, Inc.; Starteldm, LLC; Telelink, LLC; Telestars, LLC; F E Z LLC d/b/a/ Shoretek; Ruzhdi Dauti; and Dashmir Murtishi, 1884CV03199, Suffolk Superior Court, Commonwealth of Massachusetts (2018).²

VIRIDIAN ENERGY, INC.

Investigations

- Massachusetts Attorney General announced a settlement with Viridian Energy (2018).³

¹ “Attorney General Madigan Secures \$2.65 Million in Refunds for Illinois Residents Defrauded by Sperian Energy,” Illinois Attorney General Press Release, October 15, 2018, available at: http://www.illinoisattorneygeneral.gov/pressroom/2018_10/20181015.html.

² “AG Healey Sues Starion Energy Over Deceptive Sales Tactics, Overcharging Residents by \$30 Million,” Massachusetts Office of the Attorney General Press Release, October 15, 2018, available at: <https://www.mass.gov/news/ag-healey-sues-starion-energy-over-deceptive-sales-tactics-overcharging-residents-by-30>.

³ “Competitive Electricity Supplier to Pay \$5 Million Over Claims of Deceptive Sales Tactics, Overcharging Residents, Payment Includes Millions in Restitution to Electric Customers,” Office of Attorney General Maura Healey, Press Release, March 28, 2018, <https://www.mass.gov/news/competitive-electricity-supplier-to-pay-5-million-over-claims-of-deceptive-sales-tactics>.

Appendix 5

Summary of Major Consumer Protection Safeguards in Maryland

APPENDIX 5

Summary of Major Consumer Protection Safeguards in Maryland Both Electric and Gas Suppliers Must Comply With These Requirements

Licensing: Suppliers must be licensed by the Maryland Public Service Commission. This is a self-enforcing requirement because if a supplier is not licensed, distribution utilities will not render bills on their behalf. Brokers, which also must be licensed by the Commission, act as middlemen or marketing agents. Also suppliers may use independent representatives for door-to-door and phone sales, but are subject to extensive regulations (assuming that they comply with these regulations).

Customer ability to opt-out of supplier marketing:

- **Telemarketing:** If customers' names are on the Do Not Call Registry, telemarketers may not solicit consumers' business.
- **Supplier purchase of customer name/address lists from utilities:** Customers may contact their utilities to opt-out of this list.

General prohibition against unfair or deceptive practices: Suppliers may not engage in unfair or deceptive practices regarding prices when they market to or enter into contracts with customers. They also by statute and regulation are subject to the State Consumer Protection Act, Door to Door Sales Act and federal laws as well.

Marketing and solicitation: Maryland's Consumer Protection Act, including the Door to Door Sales Act and Telephone Solicitation Act, as well as Commission law and regulations, apply to all energy suppliers. The Commission rules also prohibit unfair and deceptive practices generally, and impose specific solicitation requirements on the suppliers. Suppliers are subject to stringent qualification and training standards for their agents, as well as identification and door to door sales requirements.

Supplier contract authorization: Suppliers can only enter into contracts with the utility customer, or the person with legal authority to act on behalf of the customer. With that legal authority, a spouse, adult child, co-occupant, renter or landlord does not have that authority. "Slamming" (unauthorized agreements or enrollments) is a violation of the consumer protection laws and regulations.

Contract requirements: A written contract with customer signature (including electronic) is required in almost all instances, including most telephone solicitations, door to door marketing and internet marketing. A contract summary of major terms, in a form approved by the Commission, must be provided with the contract.

Suppliers must publish information on their web sites: Suppliers are required to maintain a web site and to include “readily understandable” information about rates, services and emissions on their web sites.

Regulatory oversight of supplier prices: Supplier prices are *not* regulated by the Commission, but the suppliers’ solicitation activities and contracts are subject to consumer protection laws and the Commission’s specific regulations.

Automatic renewal of contracts: Supplier contracts can have automatic renewal clauses but suppliers are required to provide a written notice to customers 30 days before the contract renews. The notice must inform the customer how to access rates for the next billing cycle and the notice must disclose whether there are limits (or not) on the rate variability.

Variable rates — Advance notice of rate changes: Variable rates are permitted, even for low-income customers. Suppliers must give access to rate change information at least 12 days before the close of customers’ billing periods and must inform customers as to how to access the rate information. The rate information needs to be in a clear, easy-to-access format. Written notice is required if the rate change is from a teaser rate to a variable rate, and the rate change is greater than or equal to 30% of the current rate. However, written notice is not required of subsequent changes to variable rates.

Full disclosure on prices and price changes: If there is no limit on price changes, the supplier must disclose this in the contract. If there is a limit on price changes, such as a price cap, the supplier must disclose this in the contract.

Contract cancellations: Customers have the right to cancel a supplier’s service. If the supplier does not take action within three days, the utility must process the cancellation. However, suppliers can include cancellation fees in their contracts, and there is no ceiling on the fee amount.

Budget billing: Supplier charges are not part of utilities’ budget billing. Suppliers do not need to offer budget billing.

Enforcement and refunds: The Commission may impose a financial civil penalty (§ 7-507(k)(1)) and suspend or revoke a license when suppliers violate regulations, engage in deceptive practices, switch customers without their consent (i.e., slamming), and for other just cause. The Commission must consider certain factors in assessing the appropriate civil penalty, which can be up to \$10,000 per violation per day.

Maryland law also includes customer refunds as a potential remedy for violations. Commission regulations include refunds as a potential remedy for consumers that file disputes with the Commission’s Office of External Relations.

For additional information, see:

- 1999 Laws of Md., Ch. 3, § 1, & 4, § 1 (codified at PUA § 7-501, et seq.), referred to as the “Electric Customer Choice and Competition Act.” The law was amended in 2006

(2006 Md. Laws, 1st Spec. Sess., Ch. 5 (Senate Bill 1), although the licensing and consumer protection requirements of the 2000 law were not altered. Also, see specifically Public Utilities Article, Sections 7-505 and 7-507.

- 2000 Laws of Md., Ch. 669, § 2 (codified at PUA § 7-601, et seq.), referred to as the “Natural Gas Supplier Licensing and Consumer Protection Act”). Also, see specifically see Public Utilities Article, Sections 7-601 et seq.
- <http://www.dsd.state.md.us/COMAR/ComarHome.html> for links to all Maryland Commission regulation references in this report. Also, see specifically Md. Code Regs. (COMAR) 20.32, 20.51, 20.53, 20.54 and 20.59.

Appendix 6

Connecticut Office of Consumer Counsel Electric Supplier Market Fact Sheet

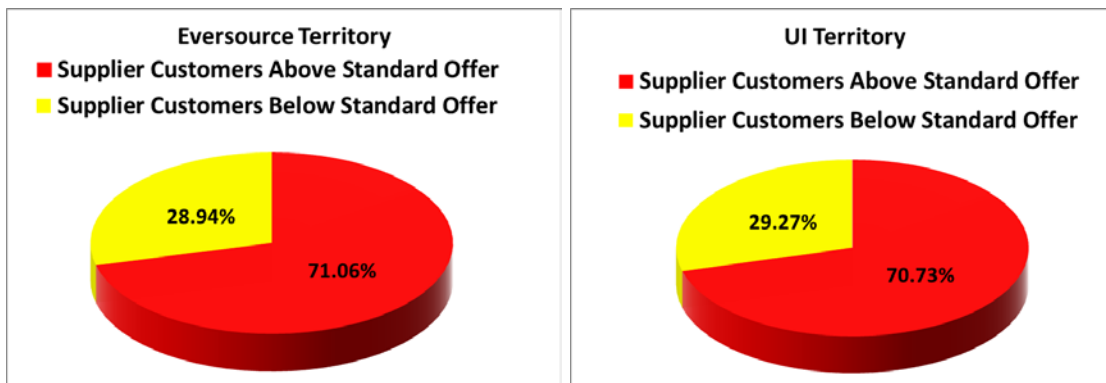


Updated on
September 26, 2018

OCC FACT SHEET: ELECTRIC SUPPLIER MARKET, SEPTEMBER 2017 THROUGH AUGUST 2018

The following is an update to the Office of Consumer Counsel's (OCC's) Electric Supplier Market Fact Sheet, originally created in [2014](#). The numbers provided herein are based on data submitted as compliance filings in the Public Utilities Regulatory Authority's Docket Number 06-10-22.

- Retail suppliers serve 25.8% of Eversource Energy (Eversource) residential customers and 31.5% of United Illuminating (UI) residential customers, in August 2018.
- In the month of August 2018, **seven out of ten** residential supplier customers paid more than the Standard Offer in Eversource territory, and nearly **seven out of ten** residential supplier customers paid more than the Standard Offer in UI territory.¹



- In the month August 2018, residential Eversource customers who chose suppliers paid in aggregate **\$3,078,410 more** than the Standard Offer for their electric generation, and residential UI customers who chose suppliers paid in aggregate **\$974,791 more** than the Standard Offer.²
- For the rolling year of September 2017 through August 2018, residential consumers who chose a retail supplier paid, in aggregate, **\$38,219,551 more** than the Standard Offer.

¹ This Fact Sheet only examines available data regarding pricing by electric suppliers. While some suppliers may offer products or services to customers such as airline miles or a product with additional renewable energy content, there is no data available to quantify the value of such offers. OCC recommends that customers look carefully at the fine print for offers for additional products or services that come with higher prices, to ensure they are getting sufficient value to justify the higher price tag.

² These calculations are based on an assumption of 750/month kWh usage.

- The Standard Offer for Eversource customers from July 1, 2017 through December 31, 2017 was 8.01 cents/kWh. From January 1, 2018 through June 30, 2018, the Standard Offer for Eversource customers was 9.078 cents/kWh. The Standard Offer for Eversource customers from July 1, 2018 through December 31, 2018 is 8.53 cents/kWh.
- The Standard Offer for UI customers from July 1, 2017 through December 31, 2017 was 7.59 cents/kWh. From January 1, 2018 through June 30, 2018, the Standard Offer for UI customers was 9.66 cents/kWh. The Standard Offer for UI customers from July 1, 2018 through December 31, 2018 is 9.04 cents/kWh.
- The following table lists all electric suppliers who charged at least 20% of their residential customers 12.79 cents/kWh (50% higher than Eversource standard service) or 13.57 cents/kWh (50% higher than UI standard service) or more in the month of July. The phone numbers for each supplier are taken from those listed at energizect.com or the website for that supplier.

| Suppliers Charging at Least 20% of their Customers 50% or more than Standard Offer in August | | | |
|---|---|---|-----------------------|
| Electric Suppliers | % of Eversource Customers paying over 12.79 cents | % of UI Customers paying over 13.57 cents | Supplier Phone Number |
| Choice Energy | 46.00% | 44.78% | (888) 565-4490 |
| Energy Plus Holdings, LLC | 86.19% | 72.58% | (888) 766-3509 |
| Hiko Energy, LLC | N/A | 45.34% | (845) 406-9100 |
| Liberty Power Holdings LLC | 28.60% | N/A | (866) 769-3799 |
| Major Energy Services LLC | 21.04% | N/A | (866) 769-3799 |
| North American Power and Gas LLC | 31.23% | N/A | (888) 313-9086 |
| NRG Retail Solutions | 83.77% | 87.39% | 1(855) 457-5700 |
| Public Power LLC | 27.04% | 33.40% | 1(888) 354-4415 |
| Spark Energy LP | 62.38% | 59.58% | (877) 374-8013 |
| Verde Energy USA | 20.57% | N/A | (800) 388-3862 |
| Viridian Energy Inc. | 37.43% | 37.10 % | (866) 663-2508 |

Please feel free to contact the Office of Consumer Counsel at 860-827-2900 or occ.info@ct.gov if you have any questions about this information.

Appendix 7

Sample Consumer Bill in Connecticut

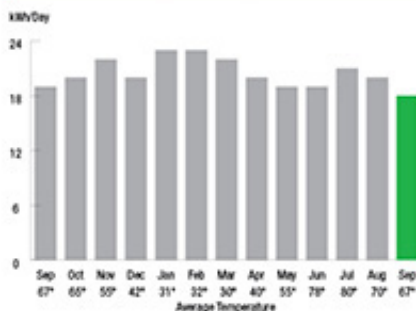
EVERSOURCE

Account Number: 1234 567 8900

Statement Date: 09/30/16

John J Customer
123 Any St
Any Town, CT 00000

Electric Usage History - KiloWatt Hours (kWh)



Electric Usage Summary

This month your average daily electric use was **18 kWh**

This month you used **4% less** than at the same time last year



Total Amount Due
by 10/28/16

\$151.00

| | |
|-----------------------------------|-----------|
| Amount Due On 09/26/16 | \$168.00 |
| Last Payment Received On 09/23/16 | -\$168.00 |
| Balance Forward | \$0.00 |
| Total Current Charges | \$151.00 |

Current Charges for Electricity

Supply
\$69.93

Cost of electricity from Any Energy Co.

Delivery
\$81.07

Cost to deliver electricity
by Eversource



Supply Information

Supplier Rate 9.990¢/kWh Fixed
Term: 13 cycles
Expiration: Dec 2016 meter read
Next Cycle Rate: 9.990¢/kWh
Cancellation Fee: \$0
Standard Service Rate: 6.606¢/kWh
Term/Expiration: 6 mos until Dec 31, 2016
Your Supplier Charge: \$69.93
Standard Service Comparison: \$46.24

Your electric supplier is

Any Energy Company
Any Street
Any Town, Any State 00000
1-100-000-0000

To return to Standard Service, visit CT's official
Rate Board at www.EnergizeCT.com,
Eversource.com or call 1-800-286-2000

News For You

Welcome to your newly designed bill! This new design provides a clear view of your energy use and charges to help you manage your energy costs.

EVERSOURCE

Account Number: 1234 567 8900

The "Total Amount Due" must be received by Oct 28, 2016
to avoid a 1.00% late payment charge.

Seg Code

Remit Payment To: Eversource, PO Box 660032, Dallas, TX 75265-0032

Make your check payable to Eversource. Please consider adding \$1 for Operational Fuel. To add more, visit Eversource.com

Total Amount Due
by 10/28/16

\$151.00

Amount Enclosed



John J Customer
123 Any St
Any Town, CT 00000



Eversource
PO Box 660032
Dallas, TX 75265-0032

Sample Bill

00 0 0000116192 00 70 1234 567 8900

Appendix 8

**Excerpts from New York Department of Public Service
Monthly Report on Consumer Complaint Activity**



Department of Public Service

July 2018

Office of Consumer Services **Monthly Report on Consumer Complaint Activity**

John B. Rhodes
Chief Executive Officer

LuAnn Scherer
Director, Office of Consumer Services

Published August 31, 2018



Monthly Report on Consumer Complaint Activity

July 2018

Table of Contents

| | |
|--|----|
| Director's Message..... | 3 |
| If You Have a Complaint About Your Utility Service | 4 |
| How Utility Complaints are Measured | 5 |
| Complaint Activity of New York's Major Utilities | 7 |
| Customer Service Response Index..... | 8 |
| Credits Obtained for Consumers..... | 13 |
| Number of Initial Complaints Received Against ESCO's..... | 14 |
| Number of Escalated Complaints Received Against ESCO's | 17 |
| Number of Marketing Complaints Received Against ESCO's | 19 |

Number of Initial Complaints Received Against ESCO's

| Code | Company Name | 2018 | 2017 | Jul-18 | Jun-18 | May-18 | Apr-18 | Mar-18 | Feb-18 | Jan-18 | Dec-17 | Nov-17 | Oct-17 | Sep-17 | Aug-17 | Jul-17 |
|--------|--|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| 6898AB | ABC Energy LLC | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| 7091AB | Abest Power & Gas, LLC | 4 | 0 | 2 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5567AB | ABN Energy, LLC DBA GreatEnergy | 1 | 3 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| D128 | Accent Energy Midwest, Llc | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 8281AG | Agera Energy, LLC | 1 | 3 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| D001 | Agway Energy Services, LLC. | 20 | 34 | 0 | 1 | 1 | 4 | 2 | 4 | 8 | 3 | 1 | 0 | 3 | 4 | 5 |
| 6030AL | All American Power & Gas, LLC | 21 | 0 | 5 | 9 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5985AL | Alpha Gas And Electric, Llc | 3 | 19 | 0 | 1 | 0 | 0 | 0 | 0 | 2 | 2 | 1 | 0 | 1 | 2 | 1 |
| D230 | Ambit Energy | 33 | 43 | 3 | 7 | 1 | 8 | 4 | 2 | 8 | 2 | 3 | 3 | 5 | 5 | 2 |
| 5411AM | American Power & Gas, LLC | 27 | 37 | 7 | 3 | 0 | 4 | 4 | 4 | 5 | 0 | 3 | 2 | 6 | 2 | 4 |
| 6023AP | Ap Gas & Electric (ny), Llc | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| 6818AS | Astral Energy LLC | 3 | 6 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 2 |
| 6481AT | Atlantic Energy, LLC | 40 | 40 | 0 | 4 | 3 | 5 | 15 | 10 | 3 | 5 | 2 | 4 | 6 | 3 | 3 |
| 7844AT | Atlantic Power & Gas LLC | 2 | 2 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| D217 | BlueRock Energy, Inc. | 5 | 0 | 0 | 0 | 0 | 2 | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| D113 | Brown's Fuel | 1 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 1 | 0 | 0 | 0 |
| 5246BU | Buy Energy Direct, LLC | 2 | 3 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| D262 | Censtar Energy Corp. | 26 | 20 | 3 | 2 | 4 | 5 | 4 | 7 | 1 | 3 | 3 | 1 | 3 | 4 | 2 |
| 6903CH | Champion Energy Services, LLC | 1 | 4 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5783CH | Chief Energy Gas, Llc. | 1 | 3 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5773CH | Chief Energy Power, Llc | 0 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| 5325CI | Citizens Choice Energy, LLC | 8 | 28 | 0 | 0 | 1 | 2 | 2 | 0 | 3 | 3 | 1 | 3 | 1 | 1 | 2 |
| 5592CI | City Power & Gas, LLC | 8 | 10 | 2 | 1 | 1 | 2 | 0 | 2 | 0 | 0 | 1 | 1 | 0 | 0 | 1 |
| 7005ET | CleanChoice Energy | 13 | 29 | 2 | 1 | 1 | 3 | 2 | 3 | 1 | 2 | 4 | 2 | 6 | 1 | 2 |
| D238 | Clearview Electric Inc. | 8 | 9 | 0 | 0 | 0 | 0 | 5 | 1 | 2 | 2 | 1 | 1 | 1 | 1 | 0 |
| D231 | Columbia Utilities Power, Llc (electric) | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| D040 | Columbia Utilities, LLC | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D086 | Con Edison Solutions | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| 6771CO | Constellation Energy Gas Choice Inc. | 6 | 18 | 1 | 1 | 1 | 0 | 1 | 1 | 1 | 0 | 1 | 2 | 1 | 1 | 2 |
| D084 | Constellation NewEnergy | 31 | 43 | 2 | 5 | 2 | 6 | 5 | 5 | 6 | 4 | 3 | 0 | 5 | 5 | 3 |
| D221 | Constellation NewEnergy - Gas Division | 2 | 2 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 |
| 8168DI | Direct Energy Business Marketing, LLC | 8 | 4 | 1 | 0 | 1 | 2 | 1 | 1 | 2 | 0 | 1 | 0 | 0 | 0 | 1 |
| D176 | Direct Energy Services LLC | 90 | 211 | 7 | 7 | 13 | 10 | 15 | 27 | 11 | 11 | 9 | 9 | 9 | 26 | 15 |
| D256 | East Coast Power and Gas, Llc | 10 | 2 | 3 | 2 | 2 | 1 | 2 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| 6922EL | Eligo Energy Ny, Llc | 47 | 65 | 7 | 7 | 7 | 9 | 12 | 3 | 2 | 5 | 5 | 4 | 2 | 5 | 1 |
| 6031EN | Energy Discounters, LLC | 1 | 6 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 0 |
| D243 | Energy Plus Holdings LLC | 3 | 3 | 0 | 0 | 0 | 2 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 |
| 5568EN | Energy Plus Natural Gas LP | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5182EN | EnergyMark, LLC | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 4963GD | Engie Resources Llc | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| 6424GD | Engie Retail, LLC. | 2 | 5 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| D201 | Entergy Solutions Ltd. | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 8938EN | Entrust Energy East, Inc. | 3 | 6 | 1 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 3 | 0 | 1 | 1 |
| 4920FA | Family Energy, Inc. | 87 | 99 | 8 | 5 | 11 | 12 | 13 | 20 | 18 | 8 | 7 | 10 | 3 | 8 | 5 |
| D138 | FFC Energy | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6594FL | Flanders Energy LLC | 32 | 208 | 0 | 0 | 0 | 2 | 5 | 17 | 8 | 3 | 2 | 4 | 11 | 22 | 38 |
| 6643GA | Galaxy Energy Llc | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 4846GL | Global Energy Marketing LLC dba GMC | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Number of Initial Complaints Received Against ESCO's

| Code | Company Name | 2018 | 2017 | Jul-18 | Jun-18 | May-18 | Apr-18 | Mar-18 | Feb-18 | Jan-18 | Dec-17 | Nov-17 | Oct-17 | Sep-17 | Aug-17 | Jul-17 |
|---------|--------------------------------------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| 6009GL | Global Energy, LLC | 1 | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D104 | Great Eastern Energy | 5 | 8 | 2 | 0 | 0 | 2 | 1 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 3 |
| D127 | Green Mountain Energy | 17 | 25 | 4 | 2 | 1 | 1 | 2 | 3 | 4 | 2 | 1 | 3 | 1 | 4 | 2 |
| 4877GR | Greenlight Energy Inc. | 9 | 17 | 0 | 0 | 3 | 3 | 3 | 0 | 0 | 4 | 0 | 0 | 0 | 1 | 0 |
| D254 | High Rise Energy Group, LLC | 1 | 2 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| 8142HI | Hiko Energy, LLC | 10 | 13 | 1 | 0 | 1 | 1 | 5 | 1 | 1 | 1 | 0 | 0 | 0 | 1 | 4 |
| D120 | Hudson Energy Services, Llc | 6 | 8 | 1 | 0 | 1 | 1 | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| D177 | Idt Energy, Inc. | 54 | 170 | 6 | 2 | 3 | 9 | 7 | 13 | 14 | 24 | 13 | 10 | 12 | 21 | 18 |
| 8021IN | Inspire Energy Holdings, LLC | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| D188 | Interstate Gas Supply of New York | 2 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 |
| 7041JO | Josco Energy Corp | 73 | 96 | 5 | 7 | 4 | 12 | 12 | 12 | 21 | 7 | 10 | 12 | 8 | 7 | 8 |
| 5497JU | Just Energy New York Corp | 13 | 27 | 0 | 1 | 3 | 1 | 2 | 3 | 3 | 1 | 0 | 1 | 2 | 2 | 2 |
| D208 | Just Energy Solutions, Inc. | 3 | 1 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 6646KI | Kiwi Energy Inc. | 18 | 14 | 2 | 1 | 1 | 1 | 7 | 5 | 1 | 0 | 0 | 0 | 2 | 1 | 1 |
| 5520LE | Lexington Power & Light, LLC | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D142 | Liberty Power Corp. | 8 | 21 | 1 | 2 | 0 | 0 | 1 | 2 | 2 | 0 | 0 | 3 | 3 | 1 | 4 |
| D214 | Major Energy Services LLC | 42 | 153 | 3 | 2 | 3 | 8 | 9 | 10 | 7 | 10 | 10 | 15 | 11 | 26 | 15 |
| 6007MA | Marathon Energy Corporation | 5 | 8 | 0 | 0 | 0 | 1 | 2 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 9533ME | Median Energy Corp. | 29 | 46 | 2 | 3 | 3 | 3 | 6 | 6 | 6 | 3 | 2 | 1 | 4 | 8 | 2 |
| D267 | Mpower Energy LLC | 31 | 107 | 3 | 1 | 1 | 1 | 9 | 11 | 5 | 4 | 5 | 7 | 13 | 6 | 6 |
| D020 | NATGASCO, Inc. | 2 | 6 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 2 |
| 9285NA | National Gas & Electric, LLC | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5436NE | New Wave Energy Corp. | 3 | 1 | 1 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| 7457NE | Next Utility Energy Llc | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 8221NE | NextEra Energy Services New York Llc | 3 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D235 | Noco Natural Gas, Llc | 2 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5787NO | North American Power & Gas LLC | 4 | 15 | 0 | 0 | 2 | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 2 | 1 | 1 |
| 8654NO | North Energy LLC | 3 | 2 | 0 | 0 | 1 | 0 | 0 | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 1 |
| 4921OA | Oasis Power LLC, d/b/a Oasis Energy | 13 | 29 | 2 | 1 | 0 | 4 | 1 | 4 | 1 | 2 | 3 | 1 | 2 | 3 | 8 |
| 6645PA | Pay Less Energy, LLC | 4 | 6 | 1 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 |
| 6893PE | Perigee Energy, LLC | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6022PH | Phoenix Energy Group, LLC | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| D171 | Plymouth Rock Energy LLC | 5 | 4 | 0 | 2 | 0 | 0 | 2 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| 7871PR | Premier Empire Energy Llc | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| 8155PU | Public Power Llc | 17 | 13 | 1 | 1 | 1 | 3 | 6 | 4 | 1 | 2 | 0 | 1 | 1 | 0 | 2 |
| 10044PU | Pure Energy USA LLC | 14 | 2 | 0 | 1 | 2 | 4 | 4 | 2 | 1 | 2 | 0 | 0 | 0 | 0 | 0 |
| 9805QU | Quantum Power Corp | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 0 |
| 6233RE | Reliant Energy Northeast LLC | 9 | 12 | 1 | 2 | 0 | 1 | 2 | 1 | 2 | 2 | 0 | 1 | 1 | 2 | 2 |
| 6616RE | Renaissance Power & Gas, Inc. | 5 | 22 | 1 | 1 | 0 | 2 | 0 | 1 | 0 | 2 | 0 | 0 | 2 | 0 | 1 |
| 6574RE | Residents Energy, LLC | 13 | 41 | 3 | 1 | 0 | 0 | 5 | 1 | 3 | 3 | 1 | 7 | 4 | 6 | 3 |
| 5199RO | Robison Energy | 2 | 8 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 0 | 0 | 0 |
| 5370SB | SBR Energy, LLC | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 |
| 5481SJ | SJ Energy Partners | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| 4976SM | Smart One Energy, LLC | 4 | 6 | 0 | 0 | 0 | 1 | 1 | 2 | 0 | 0 | 0 | 1 | 0 | 0 | 1 |
| 6216SO | South Bay Energy Corp. | 18 | 51 | 3 | 1 | 3 | 4 | 4 | 3 | 0 | 3 | 2 | 6 | 6 | 10 | 9 |
| D186 | Spark Energy, L.P. | 27 | 49 | 4 | 3 | 0 | 4 | 2 | 5 | 9 | 0 | 4 | 1 | 0 | 5 | 5 |
| 5144SP | Spectrum Gas & Electric, LLC | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 7397SP | Sperian Energy Corp. | 1 | 2 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 |

Number of Initial Complaints Received Against ESCO's

| Code | Company Name | 2018 | 2017 | Jul-18 | Jun-18 | May-18 | Apr-18 | Mar-18 | Feb-18 | Jan-18 | Dec-17 | Nov-17 | Oct-17 | Sep-17 | Aug-17 | Jul-17 |
|--------|--|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| 8302SP | Sprague Operating Resources | 2 | 17 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5463ST | Starion Energy NY, Inc. | 8 | 5 | 0 | 1 | 2 | 2 | 1 | 0 | 2 | 0 | 0 | 0 | 2 | 0 | 1 |
| 6809ST | Stream Energy New York LLC. | 9 | 13 | 2 | 0 | 1 | 2 | 1 | 1 | 2 | 0 | 2 | 3 | 0 | 2 | 2 |
| 9014TR | Trident Retail Energy, LLC dba Trident | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| 6084US | U.S. Energy Partners Llc | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5392US | U.S. Gas & Electric, Inc. | 31 | 46 | 3 | 4 | 5 | 5 | 7 | 4 | 3 | 1 | 3 | 2 | 3 | 6 | 7 |
| 5461UT | Utility Expense Reduction LLC | 5 | 25 | 1 | 0 | 1 | 0 | 0 | 0 | 3 | 1 | 2 | 2 | 3 | 2 | 1 |
| 6894VE | Verde Energy USA New York, LLC | 14 | 16 | 1 | 2 | 3 | 1 | 1 | 5 | 1 | 1 | 1 | 2 | 1 | 0 | 2 |
| 5391VI | Viridian Energy Ny, Llc | 25 | 31 | 0 | 2 | 2 | 2 | 8 | 4 | 7 | 4 | 2 | 0 | 0 | 2 | 2 |
| 6668XO | XOOM Energy New York, LLC | 27 | 29 | 2 | 2 | 4 | 4 | 6 | 6 | 3 | 7 | 2 | 2 | 3 | 2 | 1 |
| | Total | 1151 | 2195 | 118 | 103 | 116 | 169 | 220 | 229 | 196 | 150 | 117 | 138 | 158 | 216 | 215 |

ESCO's with no complaints on file since January 2017 are not listed on this report.

Number of Escalated Complaints Received Against ESCO's

| Code | Company Name | 2018 | 2017 | Jul-18 | Jun-18 | May-18 | Apr-18 | Mar-18 | Feb-18 | Jan-18 | Dec-17 | Nov-17 | Oct-17 | Sep-17 | Aug-17 | Jul-17 |
|--------|--|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| 6898AB | ABC Energy LLC | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 7091AB | Abest Power & Gas, LLC | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5567AB | ABN Energy, LLC DBA GreatEnergy | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| 8281AG | Agera Energy, LLC | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| D001 | Agway Energy Services, LLC. | 4 | 5 | 0 | 0 | 1 | 1 | 1 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 |
| 6030AL | All American Power & Gas, LLC | 2 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5985AL | Alpha Gas And Electric, Llc | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 0 |
| D230 | Ambit Energy | 9 | 10 | 0 | 3 | 2 | 1 | 1 | 2 | 0 | 0 | 1 | 0 | 1 | 2 | 0 |
| 5411AM | American Power & Gas, LLC | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 1 |
| 6023AP | Ap Gas & Electric (ny), Llc | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6818AS | Astral Energy LLC | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| 6481AT | Atlantic Energy, LLC | 13 | 5 | 1 | 2 | 0 | 0 | 4 | 5 | 1 | 1 | 0 | 1 | 1 | 0 | 0 |
| D113 | Brown's Fuel | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| 5246BU | Buy Energy Direct, LLC | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| D262 | Censtar Energy Corp. | 13 | 11 | 1 | 0 | 1 | 0 | 8 | 2 | 1 | 1 | 1 | 1 | 1 | 3 | 0 |
| 5773CH | Chief Energy Power, Llc | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| 5325CI | Citizens Choice Energy, LLC | 3 | 4 | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 1 | 0 | 0 | 2 | 0 | 0 |
| 5592CI | City Power & Gas, LLC | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 7005ET | CleanChoice Energy | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 0 |
| D238 | Clearview Electric Inc. | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D231 | Columbia Utilities Power, Llc (electric) | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| D040 | Columbia Utilities, LLC | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D086 | Con Edison Solutions | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6771CO | Constellation Energy Gas Choice Inc. | 2 | 1 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| D084 | Constellation NewEnergy | 11 | 8 | 0 | 4 | 2 | 0 | 0 | 2 | 3 | 0 | 0 | 1 | 1 | 3 | 0 |
| D221 | Constellation NewEnergy - Gas Division | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| 8168DI | Direct Energy Business Marketing, LLC | 1 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D176 | Direct Energy Services LLC | 30 | 54 | 2 | 2 | 5 | 4 | 11 | 3 | 3 | 1 | 2 | 1 | 5 | 5 | 4 |
| D256 | East Coast Power and Gas, Llc | 3 | 1 | 0 | 1 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6922EL | Eligo Energy Ny, Llc | 22 | 21 | 1 | 4 | 3 | 5 | 7 | 0 | 2 | 1 | 1 | 0 | 1 | 1 | 2 |
| 6031EN | Energy Discounters, LLC | 1 | 3 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 |
| D243 | Energy Plus Holdings LLC | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 |
| 5182EN | EnergyMark, LLC | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6424GD | Engie Retail, LLC. | 2 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 8938EN | Entrust Energy East, Inc. | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 |
| 4920FA | Family Energy, Inc. | 24 | 14 | 1 | 2 | 2 | 3 | 2 | 6 | 8 | 1 | 0 | 0 | 1 | 1 | 0 |
| 6594FL | Flanders Energy LLC | 8 | 32 | 0 | 0 | 0 | 0 | 3 | 4 | 1 | 0 | 2 | 0 | 3 | 13 | 6 |
| 6643GA | Galaxy Energy Llc | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 4846GL | Global Energy Marketing LLC dba GMC | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6009GL | Global Energy, LLC | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D104 | Great Eastern Energy | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| D127 | Green Mountain Energy | 2 | 3 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| 4877GR | Greenlight Energy Inc. | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D254 | High Rise Energy Group, LLC | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| 8142HI | Hiko Energy, LLC | 5 | 2 | 0 | 0 | 2 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D120 | Hudson Energy Services, Llc | 3 | 1 | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D177 | Idt Energy, Inc. | 6 | 15 | 0 | 0 | 0 | 0 | 1 | 2 | 3 | 1 | 0 | 2 | 2 | 3 | 2 |
| D188 | Interstate Gas Supply of New York | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Number of Escalated Complaints Received Against ESCO's

| Code | Company Name | 2018 | 2017 | Jul-18 | Jun-18 | May-18 | Apr-18 | Mar-18 | Feb-18 | Jan-18 | Dec-17 | Nov-17 | Oct-17 | Sep-17 | Aug-17 | Jul-17 |
|---------|-------------------------------------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| 7041JO | Josco Energy Corp | 6 | 8 | 0 | 0 | 0 | 2 | 0 | 4 | 0 | 0 | 1 | 1 | 2 | 2 | 1 |
| 5497JU | Just Energy New York Corp | 2 | 4 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D208 | Just Energy Solutions, Inc. | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| 6646KI | Kiwi Energy Inc. | 2 | 3 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D142 | Liberty Power Corp. | 3 | 2 | 0 | 0 | 1 | 0 | 0 | 1 | 1 | 0 | 2 | 0 | 0 | 0 | 0 |
| D214 | Major Energy Services LLC | 8 | 20 | 1 | 2 | 1 | 1 | 3 | 0 | 0 | 0 | 1 | 1 | 2 | 5 | 1 |
| 6007MA | Marathon Energy Corporation | 3 | 3 | 0 | 0 | 1 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 9533ME | Median Energy Corp. | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D267 | Mpower Energy LLC | 3 | 12 | 0 | 0 | 0 | 0 | 2 | 0 | 1 | 0 | 2 | 2 | 0 | 0 | 1 |
| D020 | NATGASCO, Inc. | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| D235 | Noco Natural Gas, Llc | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5787NO | North American Power & Gas LLC | 3 | 4 | 0 | 0 | 1 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 |
| D239 | NorthEastern Energy Corporation | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 4921OA | Oasis Power LLC, d/b/a Oasis Energy | 6 | 6 | 1 | 0 | 1 | 2 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 2 | 0 |
| 6645PA | Pay Less Energy, LLC | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D171 | Plymouth Rock Energy LLC | 2 | 1 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 8155PU | Public Power Llc | 2 | 3 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| 10044PU | Pure Energy USA LLC | 4 | 0 | 0 | 0 | 0 | 1 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6616RE | Renaissance Power & Gas, Inc. | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| 6574RE | Residents Energy, LLC | 0 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 1 | 0 | 1 |
| 5199RO | Robison Energy | 1 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 1 |
| 5370SB | SBR Energy, LLC | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| 5481SJ | SJ Energy Partners | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 4976SM | Smart One Energy, LLC | 3 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6216SO | South Bay Energy Corp. | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 |
| D186 | Spark Energy, L.P. | 3 | 6 | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 0 | 0 | 1 | 0 | 1 | 1 |
| 6809ST | Stream Energy New York LLC. | 4 | 3 | 0 | 1 | 0 | 1 | 0 | 2 | 0 | 0 | 1 | 0 | 1 | 0 | 0 |
| 5392US | U.S. Gas & Electric, Inc. | 12 | 12 | 0 | 2 | 3 | 2 | 1 | 3 | 1 | 2 | 2 | 1 | 0 | 0 | 2 |
| 5461UT | Utility Expense Reduction LLC | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6894VE | Verde Energy USA New York, LLC | 5 | 3 | 0 | 0 | 0 | 1 | 1 | 3 | 0 | 1 | 0 | 0 | 1 | 0 | 1 |
| 5391VI | Viridian Energy Ny, Llc | 8 | 6 | 0 | 1 | 0 | 4 | 3 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| 6668XO | XOOM Energy New York, LLC | 12 | 5 | 1 | 1 | 0 | 1 | 3 | 5 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Total | 270 | 361 | 13 | 28 | 30 | 39 | 64 | 62 | 34 | 17 | 21 | 20 | 35 | 50 | 28 |

ESCO's with no complaints on file since January 2017 are not listed on this report.

Consumer Reports of Deceptive Marketing Practices by Energy Services Company

| Code | Company Name | 2018 | 2017 | Jul-18 | Jun-18 | May-18 | Apr-18 | Mar-18 | Feb-18 | Jan-18 | Dec-17 | Nov-17 | Oct-17 | Sep-17 | Aug-17 | Jul-17 |
|--------|---------------------------------------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| 6898AB | ABC Energy LLC | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| 5567AB | ABN Energy, LLC DBA GreatEnergy | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 |
| 8281AG | Agera Energy, LLC | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D001 | Agway Energy Services, LLC. | 4 | 8 | 0 | 1 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 4 |
| 5985AL | Alpha Gas And Electric, Llc | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D230 | Ambit Energy | 2 | 10 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 2 | 0 | 0 | 0 |
| 5411AM | American Power & Gas, LLC | 5 | 9 | 3 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 1 | 1 | 1 | 1 | 0 |
| D249 | AP Gas & Electric (TX) LLC | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| 6481AT | Atlantic Energy, LLC | 5 | 7 | 0 | 1 | 1 | 1 | 2 | 0 | 0 | 2 | 1 | 0 | 0 | 1 | 0 |
| D113 | Brown's Fuel | 0 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | 0 | 0 | 0 |
| D262 | Censtar Energy Corp. | 7 | 4 | 0 | 0 | 2 | 0 | 1 | 4 | 0 | 0 | 1 | 0 | 1 | 0 | 0 |
| 6903CH | Champion Energy Services, LLC | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5773CH | Chief Energy Power, Llc | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5325CI | Citizens Choice Energy, LLC | 2 | 3 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5592CI | City Power & Gas, LLC | 1 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| 7005ET | CleanChoice Energy | 5 | 19 | 0 | 0 | 0 | 2 | 0 | 3 | 0 | 1 | 2 | 1 | 4 | 2 | 2 |
| D238 | Clearview Electric Inc. | 2 | 1 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6771CO | Constellation Energy Gas Choice Inc. | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| D084 | Constellation NewEnergy | 1 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 1 | 1 | 0 | 0 |
| 8168DI | Direct Energy Business Marketing, LLC | 3 | 0 | 0 | 0 | 0 | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D176 | Direct Energy Services LLC | 12 | 18 | 0 | 1 | 1 | 3 | 4 | 2 | 1 | 1 | 1 | 2 | 0 | 0 | 0 |
| D256 | East Coast Power and Gas, Llc | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6922EL | Eligo Energy Ny, Llc | 8 | 20 | 2 | 0 | 2 | 3 | 1 | 0 | 0 | 1 | 2 | 0 | 1 | 1 | 1 |
| 6031EN | Energy Discounters, LLC | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| 4963GD | Engie Resources Llc | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| 6424GD | Engie Retail, LLC. | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 8938EN | Entrust Energy East, Inc. | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 |
| 4920FA | Family Energy, Inc. | 20 | 33 | 3 | 0 | 4 | 1 | 3 | 4 | 5 | 5 | 3 | 2 | 3 | 2 | 2 |
| 6594FL | Flanders Energy LLC | 1 | 33 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 1 | 4 |
| 6009GL | Global Energy, LLC | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D104 | Great Eastern Energy | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D127 | Green Mountain Energy | 1 | 8 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 2 | 0 |
| 4877GR | Greenlight Energy Inc. | 3 | 7 | 0 | 0 | 2 | 0 | 1 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 |
| 8142HI | Hiko Energy, LLC | 2 | 6 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D120 | Hudson Energy Services, Llc | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D177 | Idt Energy, Inc. | 5 | 35 | 2 | 0 | 0 | 1 | 0 | 1 | 1 | 3 | 0 | 2 | 1 | 1 | 5 |
| 7041JO | Josco Energy Corp | 12 | 13 | 1 | 0 | 1 | 1 | 3 | 4 | 2 | 2 | 1 | 1 | 0 | 1 | 1 |
| 5497JU | Just Energy New York Corp | 2 | 4 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 |
| 6646KI | Kiwi Energy Inc. | 4 | 6 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| D142 | Liberty Power Corp. | 1 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 2 |
| D214 | Major Energy Services LLC | 2 | 32 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 1 | 2 | 10 | 2 |
| 6007MA | Marathon Energy Corporation | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 9533ME | Median Energy Corp. | 3 | 6 | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 0 | 0 | 1 | 1 | 0 |
| D267 | Mpower Energy LLC | 3 | 30 | 1 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 2 | 1 | 3 | 3 | 4 |
| 9285NA | National Gas & Electric, LLC | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5787NO | North American Power & Gas LLC | 2 | 5 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 |
| 4921OA | Oasis Power LLC, d/b/a Oasis Energy | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| 6645PA | Pay Less Energy, LLC | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |

Consumer Reports of Deceptive Marketing Practices by Energy Services Company

| Code | Company Name | 2018 | 2017 | Jul-18 | Jun-18 | May-18 | Apr-18 | Mar-18 | Feb-18 | Jan-18 | Dec-17 | Nov-17 | Oct-17 | Sep-17 | Aug-17 | Jul-17 |
|---------|--------------------------------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| 8155PU | Public Power Llc | 4 | 2 | 0 | 1 | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 10044PU | Pure Energy USA LLC | 9 | 0 | 0 | 0 | 1 | 2 | 2 | 3 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6233RE | Reliant Energy Northeast LLC | 2 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6616RE | Renaissance Power & Gas, Inc. | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6574RE | Residents Energy, LLC | 2 | 8 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 2 | 2 |
| 5370SB | SBR Energy, LLC | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 |
| 5481SJ | SJ Energy Partners | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6216SO | South Bay Energy Corp. | 2 | 10 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 2 | 1 |
| D186 | Spark Energy, L.P. | 3 | 4 | 1 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 0 | 0 | 0 |
| 7397SP | Sperian Energy Corp. | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| 8302SP | Sprague Operating Resources | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6809ST | Stream Energy New York LLC. | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| 6084US | U.S. Energy Partners Llc | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5392US | U.S. Gas & Electric, Inc. | 6 | 12 | 1 | 1 | 2 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 2 | 2 |
| D500 | Unidentified ESCO | 8 | 33 | 2 | 0 | 0 | 4 | 0 | 2 | 0 | 2 | 6 | 1 | 0 | 4 | 2 |
| 5461UT | Utility Expense Reduction LLC | 0 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 |
| 6894VE | Verde Energy USA New York, LLC | 2 | 1 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5391VI | Viridian Energy Ny, Llc | 1 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6668XO | XOOM Energy New York, LLC | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Total | 163 | 468 | 20 | 7 | 20 | 27 | 33 | 31 | 25 | 21 | 29 | 21 | 24 | 46 | 38 |

Deceptive marketing complaints are taken from customers who report situations where an energy service company or energy marketer solicits the customer's home or business in a manner which the customer believes is misleading or the customer was presented with information which the customer believes is untrue.