

**Before the
Public Service Commission
of Maryland**

IN THE MATTER OF THE PETITION OF)
NRG ENERGY, INC., INTERSTATE GAS)
SUPPLY, INC., JUST ENERGY GROUP,)
INC., DIRECT ENERGY SERVICES, LLC)
AND ENGIE RESOURCES LLC FOR)
IMPLEMENTATION OF SUPPLIER)
CONSOLIDATED BILLING FOR)
ELECTRICITY AND NATURAL GAS IN)
MARYLAND)

Case No. 9461

**Proposed Timeline for
Implementation of Supplier Consolidated Billing**

In compliance with Commission Order No. 89116 (May 2019), the Supplier Consolidated Billing Work Group proposes the timeline described herein for the implementation of Supplier Consolidated Billing.

I. Background

On September 7, 2017, the Public Service Commission of Maryland (“Commission”) received a petition seeking the implementation of Supplier Consolidated Billing (“SCB”) in Maryland, which was subsequently docketed as Case No. 9461.¹ Following receipt of comments, the Commission held a legislative hearing and received briefs and reply briefs on specific legal issues. On May 7, 2017, the Commission issued Order No. 89116, which authorized the implementation of SCB. By Order No. 89116, the Commission (i) determined it

¹ See Case No. 9461, *Petition of NRG Energy, Inc.; Interstate Gas Supply, Inc.; Just Energy Group, Inc.; Direct Energy Services, LLC; and ENGIE Resources LLC, for Implementation of Supplier Consolidated Billing for Electricity and Natural Gas in Maryland.*

has the authority to implement SCB for retail suppliers of electricity and natural gas under the Electric Customer Choice and Competition Act of 1999² and Natural Gas Supplier Licensing and Consumer Protection Act of 2000³ and previous Commission Orders;⁴ (ii) directed the creation of Work Groups to be facilitated by Staff to implement SCB and address SCB issues;⁵ (iii) required the creation of a comprehensive set of supplier qualifications to participate in SCB;⁶ (iv) clarified the position of purchase of receivables (“POR”) and its related rules and protocols in relation to SCB;⁷ and (v) required that SCB providers be governed by the same consumer protection requirements as a regulated utility.⁸ The Commission also found it inappropriate for SCB providers to perform direct service terminations.⁹

Order No. 89116 directed the SCB Work Group to submit a timeline for implementation of SCB with a procedural schedule that included deliverables.¹⁰ The Order included topics for Work Group examination, including, but not limited to, the following: (1) the development and approval of a model supplier tariff for utility implementation of SCB; (2) model agreements between suppliers and utilities regarding their respective obligations for SCB; (3) the development of EDI and XML protocols; (4) supplier qualifications to participate in SCB, POR, and bad debt practices; and (5) consumer protections.¹¹ The Order also highlighted issues with

² Pub. Utils. § 7-504 *et seq.*

³ Pub. Utils. §7-605 *et seq.*

⁴ Order No. 89116, Pp. 12-15.

⁵ *Id.*, Pp. 22-23.

⁶ *Id.*, Pg. 28.

⁷ *Id.*, Pp. 40-41.

⁸ *Id.*, Pp. 46-47.

⁹ *Id.*, Pg. 36.

¹⁰ *Id.*, Pg. 23.

¹¹ *Id. Passim.*

service quality that should be addressed, including customer complaints, customer deposits, display of charges on bills, customer education, and cost recovery.¹²

The SCB Work Group has held four conference calls to discuss proposed schedules and the manner in which various issues would be approached as put forward by Commission Staff (“Staff”) and other stakeholders including utilities,¹³ state agencies,¹⁴ retail suppliers,¹⁵ and other interested parties. The proposal presented represents the Work Group’s final proposed schedule and is a consensus document. It should be noted that consensus was attained through compromise because some stakeholders preferred shorter time frames for the upfront drafting phases while others preferred a longer time frame on the back-end than was originally proposed by Staff. Parties, including Staff, compromised to reach consensus for efficiencies and so as not to jeopardize the due dates identified in this document.

II. Proposal

By June 1, 2020, the SCB Work Group will file draft regulations and business processes with the Commission and request that a Rulemaking be implemented. Once the draft regulations and business processes are filed with the Commission, the Work Group will continue to meet to finalize EDI and XML standards and to finalize tariffs by December 1, 2020. It is envisioned that the rulemaking process will begin no later than June 1, 2020 and will take three months, ending by September 1, 2020, at which point the proposed rules will be published. Six months are dedicated to the regulation review process, and it is hoped that the proposed regulations will

¹² *Id.*

¹³ Potomac Electric Power Company (“Pepco”), Delmarva Power & Light Company (“Delmarva Power”), Baltimore Gas and Electric Company (“BGE”), The Potomac Edison Company (“PE”), Southern Maryland Electric Cooperative, Inc. (“SMECO”), and Washington Gas Light Company (“WGL”).

¹⁴ Maryland Energy Administration (“MEA”) and Office of People’s Counsel (“OPC”).

¹⁵ NRG Energy Inc.; Interstate Gas Supply, Inc. d/b/a IGS Energy; Just Energy Group, Inc.; Direct Energy Services, LLC; and ENGIE Resources LLC (collectively, the “Petitioners”); WGL Energy Services, Inc.; Constellation NewEnergy, Inc.; and Vistra Energy Corp.

be adopted by March 1, 2021. Once the regulations are adopted as final, approximately 18 months will be dedicated to developing SCB systems and customer education materials. The Work Group plans for SCB to begin September 1, 2022. The proposed schedule is presented in Table 1.

Table 1: Proposed Schedule

Case 9461 Supplier Consolidated Billing Timeline			
	Tasks & Milestones	Start	End/Due
Task 1	Draft/Prepare Regulations	9/3/2019	6/1/2020
Task 2	Design Business Process	9/3/2019	6/1/2020
Task 3	Rulemaking Session(s)	7/1/2020	9/1/2020
Milestone 1	Regulations Published		9/1/2020
Task 4	Finalize EDI/XML Standards	7/1/2020	12/1/2020
Task 5	File & Accept Model Tariffs	7/1/2020	12/1/2020
Milestone 2	Regulations Final (Adopted)		3/1/2021
Task 6	Billing System Programming & Testing	3/1/2021	5/31/2022
Task 7	Customer Education Development	8/2/2021	1/31/2022
Task 8	Utility/Supplier Certification Testing ¹⁶	6/1/2022	8/1/2022
Task 9	File and Approve Customer Education Plans	2/1/2022	8/1/2022
Milestone 3	SCB Billing Start		9/1/2022

III. Stakeholder Expectations

Staff recommends additional guidelines to identify expectations on resources provided by each Work Group participant as follows:

A. Meetings

(1) Each month throughout the development period, stakeholders agree to attend approximately three conference calls for two hours and one in-person work session.

(2) Stakeholders will submit meeting materials at least two days before a Work Group meeting.

¹⁶ Certification testing reflects testing between utilities and suppliers after each has completed internal system testing.

(3) Staff, with the assistance of stakeholders, will keep minutes for each meeting or conference call.

(4) Stakeholders will use an online file-sharing portal to share working materials and meeting records.

(5) Staff, with the assistance of stakeholders, will file updates with the Commission on the Work Group status as needed. Staff will request that any item requiring Commission decision be addressed at an Administrative Meeting.

(6) Stakeholders will make commitments to dedicate appropriate personnel for each phase of the process.

B. Pre Business Process and Regulation Drafting Plan

(1) Certain parties agree to develop strawman regulations and business process plans by August 30, 2019 and September 30, 2019, respectively.

(2) The utilities and suppliers will provide documentation and presentations to the SCB Work Group before September 3, 2019 that describe the current utility consolidated billing business processes. This will ensure that the participating Work Group members understand the current billing processes currently in effect.

(3) Before September 3, 2019, a review of Texas, Ohio, and Georgia's supplier consolidated billing will be provided to the Work Group by the supplier stakeholders so that best practices of other states can inform Maryland's SCB.

C. Business and Regulation Drafting Plan

(1) Stakeholders will identify functions that can be concurrently developed (e.g. separating the development of supplier requirements and customer protections) during the initial month of Work Group calls.

(2) Stakeholder groups should be assigned to different sections to draft/revise regulations or the business practice based on their expertise.

(3) Stakeholder groups will produce documents which will be reviewed with the Work Group. Key points and questions can be raised in advance of each Work Group meeting, which can be addressed in the next meeting.

(4) Each stakeholder group should have a designated leader to assist Staff with developing meeting records and organizing stakeholder positions to assist in developing consensus where possible.

(5) Stakeholders will commit to work together between meetings to ensure that each development process stays on track and meeting time is used effectively.

IV. Conclusion

The Work Group respectfully requests that the Commission accept the proposed timeline and direct the Work Group participants to provide resources consistent with items A through C of this schedule.