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Via Electronic Filing

May 1, 2009

Terry J. Romine, Executive Secretary
Public Service Commission of Maryland
William Donald Schaefer Tower
6 St. Paul Street, 16th Floor
Baltimore, MD 21202-6806

**Re: Baltimore Gas and Electric Company Request for Approval to
Distribute Customer Lists to Suppliers**

Dear Ms. Romine:

By this letter, Baltimore Gas and Electric Company (BGE) requests Commission approval to distribute mass market customer lists to electric and natural gas suppliers consisting of a customer's name, billing address, service address, account number, rate class, historical usage for the prior twelve months, Standard Offer Service (SOS) type, and fuel type. Customers will be able to elect not to have this information provided to suppliers. BGE intends to notify its customers of their ability to opt-out of this process via bill message and the BGE website.

Purpose

BGE's intention in providing this list is to facilitate the electric and natural gas competitive market. The provision of customer lists to suppliers will enhance the opportunities for suppliers to communicate with Maryland customers about their offerings. This will allow suppliers to engage customers directly to inform customers of alternatives to SOS. The Commission recently affirmed its commitment to promoting choice with the final adoption of the choice regulations in Rulemaking 17. Approval of the distribution of customer lists will be perceived as a choice-friendly gesture that will presumably attract a greater number of suppliers to the Maryland market, expanding even more the customers' options to choose among suppliers.

History

In April 2000, the Commission first authorized Maryland utilities to provide customer lists to electric and natural gas suppliers consisting of a customer's name, address, and telephone number.¹ The early iteration of Rulemaking 17 in July 2006 proposed expanding those elements to allow for the exchange of customer lists that included account name, billing address, service address, telephone number, utility account number, utility rate class, and utility SOS type. In November 2006, the Joint Committee on Administrative, Executive, and Legislative Review (AELR) sent notice to the Commission requesting a delay in the publication of the proposed regulations due to concern regarding the disclosure of customer information authorized under the regulations. In that notice, the AELR did not identify the specific provisions that formed the basis for their concern. The entire customer lists provision was removed when the Rulemaking 17 proposed rules were re-published in November 2007.

Proposal

BGE proposes to provide lists to electric and natural gas suppliers that include the following data elements:

- a. Account Name
- b. Billing Address
- c. Service Address
- d. BGE Account Number
- e. BGE Rate Class
- f. Historical Usage for the Prior Twelve Months
- g. SOS Type (Electric POLR type)
- h. Use Type (Gas, Electric, Combined)

Customers can elect to remove themselves from inclusion in these lists. BGE will notify its customers of its intent to provide customer lists to suppliers and the customers' ability to opt-out of inclusion in those lists via a message on the customer's bill and on BGE's website in the Energy Choices webpage. Customers will be able to opt-out by calling BGE's call center and on its website.

¹ See Order No. 76110 (authorizing the distribution/sale of electric customer lists with name, address and telephone number; Order No. 76931 (affirming Order No. 76110 with respect to telephone number); Order No.76932 (authorizing the distribution/sale of gas customer lists).

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Conclusion

BGE requests Commission approval to distribute mass market customer lists to suppliers containing a customer's name, billing address, service address, account number, rate class, twelve months' historical usage, Standard Offer Service (SOS) type, and fuel type. BGE will notify its customers of its intent to provide customer lists to suppliers and the customers' ability to opt-out. BGE believes this action is beneficial in that it will promote a robust choice market for Maryland.

Sincerely,

A handwritten signature in black ink that reads "Kimberly A. Curry". The signature is written in a cursive style with a large, stylized initial "K".

Kimberly A. Curry

KAC:jdb