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**By Electronic Filing**

Mr. Andrew S. Johnston  
Executive Secretary  
Maryland Public Service Commission  
William Donald Schaefer Tower  
6 Saint Paul Street, 16<sup>th</sup> Floor  
Baltimore, Maryland 21202-6806

**RE: Case No. 8903**

Dear Secretary Johnston:

The Retail Energy Supply Association (“RESA”),<sup>1</sup> by counsel, submits this letter in response to the Maryland Office of People’s Counsel’s (“OPC”) renewed request in Case No. 8903 that the Commission direct utilities to provide OPC with competitive supplier pricing information. RESA requests that the Commission again deny OPC’s request.<sup>2</sup>

On June 1, 2020, the Commission issued a Notice of Hearing and Opportunity to Comment on the Maryland Department of Human Resources, Family Investment Administration, Office of Home Energy Programs (“OHEP”) Electric Universal Program (“EUSP”) *Proposed Operations Plan for Fiscal Year 2021* (“Proposed Plan”). The Commission directed persons desiring to file comments on the Proposed Plan to do so by Monday July 20, 2020 to be considered at a hearing on Friday, July 24, 2020.

OPC filed comments on July 20, 2020, requesting that the Commission direct utilities to provide competitive supplier pricing data. RESA continues to oppose OPC’s request for supplier pricing data, as RESA has done since 2016.<sup>3</sup> While OPC included metrics for EUSP and Maryland Energy Assistance Program (“MEAP”) shopping customers this year, data provided by

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

<sup>2</sup> See Order No. 89215 at 7 (July 31, 2019).

<sup>3</sup> See Case No. 8903, *Petition to Intervene Out-of-Time of the Retail Energy Supply Association* at ¶¶ 2-3 (Aug. 9, 2016).

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the utilities in response to Order No. 89215 last year, this new data does not warrant granting OPC's request.

RESA remains concerned that the information requested by OPC would not provide a useful comparison between shopping and non-shopping EUSP and MEAP customers and could be used to draw misleading conclusions and comparisons.<sup>4</sup> To the extent that OPC may obtain specific supplier pricing data or market share data, RESA also remains concerned about the confidentiality and competitive sensitivity of this information.<sup>5</sup>

RESA continues to recommend that the Commission deny OPC's request, but instead consider providing an opportunity for broader stakeholder input and suggestions for considering issues of retail choice and pricing in the competitive electricity and natural gas supply markets.<sup>6</sup>

OPC's request was included in comments filed three days ago in advance of the hearing tomorrow, without an opportunity for parties to file a response.<sup>7</sup> Moreover, while RESA is a party to this proceeding, RESA was not served a copy of OPC's comments.<sup>8</sup> If the Commission is not inclined to deny OPC's request at this time, RESA requests an opportunity to brief the issues raised in OPC's request.

For all the reasons explained above, RESA respectfully requests that the Commission deny OPC's request that the Commission direct utilities to provide OPC competitive supplier pricing information.

Sincerely,



Eric J. Wallace

CC: Service List

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<sup>4</sup> See Case No. 8903, *Motion to File Comments Out-of-Time and Comments of the Retail Energy Supply Association* (Aug. 8, 2018).

<sup>5</sup> *Id.* at 7.

<sup>6</sup> Order No. 89215 at 6-7.

<sup>7</sup> RESA will not be attending the virtual hearing on July 24, 2020.

<sup>8</sup> See Order No. 87725 (Aug. 17, 2016).