



Maryland Chamber of Commerce

Legislative Position

**SB 897
OPPOSE
Finance
Committee
03/03/09**

SB 897

Public Service Commission - Acquisition of Power to Influence Electric Company, Gas and Electric Company, or Gas Company Policy or Action - Authorization

Brief Summary of Bill:

SB 897 provides that a specified provision of law may not be construed to limit the authority of the Public Service Commission to authorize a specified person to directly or indirectly acquire the power to exercise influence over the policy or action of an electric company, a gas and electric company, or a gas company.

Maryland Chamber's Position:

The Maryland Chamber of Commerce opposes this bill. This legislation would violate the Commerce Clause and would ultimately be preempted by existing Federal Energy Regulatory Commission jurisdiction over the sale of wholesale electricity.

Today, the Public Service Commission has sufficient flexibility to address the needs of Maryland electricity consumers. The PSC can allow or require Maryland electric utilities to construct or acquire power plants. The PSC can also require Maryland electric utilities to acquire electricity through long-term contracts or portfolio management.

Additionally, this bill would discourage companies outside of Maryland from investing in Maryland based companies that are the cornerstones of Maryland's economy. Good investment in Maryland companies should be encouraged to help strengthen the economy.

For these reasons, the Maryland Chamber respectfully requests that the Committee give SB 897 an unfavorable report.

If questions please contact Allyson Black, ablack@mdchamber.org