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Considering Retail Electric Choice for Consumers

Arizona – Electric

The Arizona Corporation Commission (ACC) previously commenced a proceeding to evaluate the possibility of retail electric choice. However, efforts to do so were determined to be unconstitutional and the push for retail choice waned. Today, there is renewed interest in the possibility of electric choice as ACC Chairwoman, Lea Márquez Peterson, issued a memorandum stating her intent to place on the agenda for the Commission's open meeting in late

October two key items: (1) a draft request and vote to seeking an opinion from the Arizona Attorney General regarding the electricity restructuring statutes and rules in light of recent court rulings; and (2) the outstanding applications from eleven retail suppliers for certificates of convenience and necessity, a necessary requirement in order to provide competitive electric generation service in Arizona.

Implementation of Supplier Consolidated Billing

Maryland – Electric & Natural Gas

The Maryland Public Service Commission (MD PSC) is undertaking a process that will provide for supplier consolidated billing. If you have a competitive energy supplier for electricity and/or natural gas, then you may receive two bills, one from the utility for the delivery service portion and one from your energy supplier for your electricity or natural gas supply (or both). Once implemented, supplier consolidated billing will allow you as a consumer to receive one bill

from your energy supplier that includes your supply charges for electricity and/or natural gas along with your utility charges for the delivery of energy supply to you. As there are a number of complexities involved in the implementation of supplier consolidated billing, MD PSC Staff are in the process of implementing a schedule and deploying the technical expertise necessary for successful implementation to be completed by the end of 2023.

Southeast Energy Exchange Market

Southeast – Electric

The Southeastern region of the U.S. does not have an organized power market similar to many other parts of the country and utilities typically have to enter into bilateral arrangements with each other to procure power. The proposed Southeast Energy Exchange Market (SEEM) would establish a 15-minute energy market across portions of ten states that would automatically match utility participants with low-

cost energy to serve customers. The Federal Energy Regulatory Commission (FERC) was expected to vote on the SEEM proposal; however, the vote was pulled from the FERC's agenda due to a vacant seat leaving four Commissioners that would not yield a majority vote. Once the Commissioner vacancy is filled, the FERC is expected to take up this matter.

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Natural Gas Supplier Switching

Pennsylvania – Electric & Natural Gas

Under current regulations, when a switch of a natural gas customer is submitted, the natural gas distribution company (NGDC) sends the ratepayer of record a confirmation letter noting the proposed change of natural gas supplier. The rules provide that such letter include a notice of a ten-day waiting period in which the switch may be canceled before the change of the natural gas supplier takes place. The NGDC shall make the switch at the beginning of the first feasible billing period following the ten-day waiting period. In a recent retail electric market

proceeding, the Pennsylvania Public Utility Commission (PA PUC) shortened a similar electricity switching waiting period to five days, and the Commission found that it would be prudent to implement similar provisions between the electric and gas markets to reduce customer confusion. Accordingly, the PA PUC has issued a tentative order continuing a waiver which provides for a shortened five-day waiting period related to natural gas switches, as the issue continues to be addressed in a pending rulemaking.

Status of Electric Competition

Illinois – Electric

The Illinois Commerce Commission Office of Retail Market Development issued its annual report on the status of competition in the retail electric industry. For 2021: (1) the number of retail energy suppliers was 106 in comparison to 103 for the prior year; (2) the number of certified agents/brokers/consultants

remained roughly the same between 2020 and 2021 with 429 in the state; and (3) there were 223,103 non-residential customers on alternative retail electric supply – a slight decrease of approximately 1.5 percent over 2020.

Federal Energy Regulatory Commission Vacancy

National – Electric & Natural Gas

President Biden has nominated Willie Phillips to serve as a Commissioner at the Federal Energy Regulatory Commission. Phillips is currently Chairman of the District of Columbia Public Service Commission and is a member of the National Association of Regulatory Utility Commissioners chairing the Select Committee

on Regulatory and Industry Diversity. Previously, he served as Assistant General Counsel for the North American Electric Reliability Corporation. Phillips earned a juris doctorate from Howard University School of Law and a bachelor's of science degree from the University of Montevallo.

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Emergency Declaration under the Federal Power Act

California – Electric

The U.S. Department of Energy (US DOE) approved a request from the California Independent System Operator (CAISO) for an emergency declaration under Section 202(c) of the Federal Power Act so that the CAISO could run certain power plants even if doing so violated clean air permits. This request by CAISO came as a result of an emergency proclamation issued July 30, 2021, by California Governor Gavin Newsom. *"Given the emergency nature of the expected load stress, the responsibility of the CAISO to ensure maximum reliability on its system, and the ability of the CAISO to identify and dispatch generation necessary to meet the additional load, I have determined that additional dispatch of the covered resources is necessary to best meet the*

emergency and serve the public interest," Deputy Energy Secretary David Turk said in a September 10th order. The order allows six generating units to operate at their maximum output to preserve the reliability of the bulk electric power system in the face of ongoing wildfires, extreme heat, and droughts causing a drop in hydropower generation. The order allows approximately 200 megawatts of generation to operate that would have been unable to produce electricity because of air pollution limits. Additionally, the CAISO has rejected requests from five generating facilities to retire their plants, and has been working to accelerate its interconnection process to bring new generating plants online.

PPL Corporation to Purchase Narragansett Electric

Rhode Island – Electric

The Federal Energy Regulatory Commission has granted its approval for PPL Corporation to purchase from National Grid, Narragansett Electric Co., in a sale priced at \$3.8 billion. The last remaining approval

necessary to consummate the sale is approval by the Rhode Island Division of Public Utilities and Carriers with that approval currently pending.

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