

(G) NOTHING IN THIS SECTION PROHIBITS DISSEMINATION BY ANY PARTY OF INFORMATION CONCERNING THE ACQUISITION IF THE DISSEMINATION DOES NOT OTHERWISE CONFLICT WITH FEDERAL OR STATE LAW.

SECTION 4. AND BE IT FURTHER ENACTED, That any approval by the Public Service Commission of a merger between FPL Group, Inc., and Constellation Energy Group, Inc., pending as of the effective date of this Act must include the following conditions:

(1) the ~~transaction may not allow~~ merger transaction does not provide for the transfer of facilities between Florida Power & Light Company or Baltimore Gas and Electric Company and an associate company;

(2) the ~~transaction may not allow~~ merger transaction does not provide for the new issuances of securities by Florida Power & Light Company or Baltimore Gas and Electric Company for the benefit of an associate company;

(3) the ~~transaction may not allow~~ merger transaction does not provide for new pledges or encumbrances of assets of Florida Power & Light Company or Baltimore Gas and Electric Company for the benefit of an associate company;

(4) the ~~transaction may not allow~~ merger transaction does not provide for new affiliate contracts between nonutility associate companies and Florida Power & Light Company or Baltimore Gas and Electric Company, other than for goods and services subject to review under §§ 205 and 206 of the Federal Power Act; and

(5) any savings realized as a result of the merger must be applied in part to the elimination of carrying charges and the delay of increases in residential electric rates approved by the Public Service Commission in Case No. 9052 or successor proceedings.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) The Public Service Commission may not take final action to approve or disapprove a merger between FPL Group, Inc., and Constellation Energy Group, Inc., pending as of the effective date of this Act until five members of the Commission have been appointed and qualified in accordance with Section 12 or Section 22 of this Act.

(b) The Public Service Commission appointed in accordance with Section 12 or Section 22 of this Act shall:

(1) conduct investigatory and evidentiary proceedings, including the use of any necessary outside experts and consultants, to reevaluate the general regulatory structure, agreements, orders, and other prior actions of the Public Service Commission under the Electric Customer Choice and Competition Act of 1999, including the determination of and allowances for stranded costs;

(2) on or before ~~December 31, 2006~~ June 30, 2007, report the results of that reevaluation to the General Assembly in accordance with § 2-1246 of the State Government Article;