

~~(1) require each gas company and electric company to establish any program or service that the Commission deems appropriate and cost effective to encourage and promote the efficient use and conservation of energy; [and]~~

~~(2) adopt rate making policies that provide cost recovery and, in appropriate circumstances, reasonable financial incentives for gas companies and electric companies to establish programs and services that encourage and promote the efficient use and conservation of energy; AND~~

~~(3) ASSURE THAT ADOPTION OF ELECTRIC CUSTOMER CHOICE UNDER SUBTITLE 5 OF THIS TITLE DOES NOT ADVERSELY IMPACT THE CONTINUATION OF COST EFFECTIVE ENERGY CONSERVATION AND EFFICIENCY PROGRAMS.~~

#### ~~SUBTITLE 5. ELECTRIC INDUSTRY RESTRUCTURING.~~

##### ~~PART I. GENERAL PROVISIONS.~~

~~7-501.~~

~~(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(B) "AFFILIATE" MEANS A PERSON THAT DIRECTLY OR INDIRECTLY, OR THROUGH ONE OR MORE INTERMEDIARIES, CONTROLS, IS CONTROLLED BY, OR IS UNDER COMMON CONTROL WITH, OR HAS, DIRECTLY OR INDIRECTLY, ANY ECONOMIC INTEREST IN ANOTHER PERSON.~~

~~(C) (1) "ASSIGNEE" MEANS A PERSON TO WHOM AN ELECTRIC COMPANY ASSIGNS OR TRANSFERS ALL OR A PORTION OF ITS INTEREST IN INTANGIBLE TRANSITION PROPERTY, OTHER THAN AS SECURITY.~~

~~(2) "ASSIGNEE" INCLUDES A PERSON TO WHOM ALL OR A PORTION OF THE INTEREST IS SUBSEQUENTLY ASSIGNED OR TRANSFERRED.~~

~~(D) "COMPETITIVE TRANSITION CHARGE" MEANS A RATE, CHARGE, CREDIT, OR OTHER APPROPRIATE MECHANISM AUTHORIZED TO BE IMPOSED FOR THE RECOVERY OF TRANSITION COSTS OR THE RETURN OF A NET TRANSITION BENEFIT AS DETERMINED BY THE COMMISSION UNDER § 7-513 OF THIS SUBTITLE.~~

~~(E) "CONSUMER" AND "CUSTOMER" EACH MEANS A RETAIL ELECTRIC CUSTOMER.~~

~~(F) "CUSTOMER CHOICE" MEANS THE RIGHT OF ELECTRICITY SUPPLIERS AND CUSTOMERS TO UTILIZE AND INTERCONNECT WITH THE ELECTRIC DISTRIBUTION SYSTEM ON A NONDISCRIMINATORY BASIS AT RATES, TERMS, AND CONDITIONS OF SERVICE COMPARABLE TO THE ELECTRIC COMPANY'S OWN USE OF THE SYSTEM TO DISTRIBUTE ELECTRICITY FROM A ELECTRICITY SUPPLIER TO A CUSTOMER, UNDER WHICH A CUSTOMER HAS THE OPPORTUNITY TO PURCHASE ELECTRICITY FROM THE CUSTOMER'S CHOICE OF LICENSED ELECTRICITY SUPPLIERS.~~