

(IV) WHETHER INVESTORS HAVE ALREADY BEEN COMPENSATED FOR THE RISK.

7-514.

~~(A) ON COMPLAINT OR ON ITS OWN MOTION, FOR GOOD CAUSE SHOWN, THE COMMISSION MAY CONDUCT AN INVESTIGATION OF THE RETAIL ELECTRICITY SUPPLY AND ELECTRICITY SUPPLY SERVICES MARKETS AND DETERMINE WHETHER THE FUNCTION OF ONE OF THESE MARKETS IS BEING ADVERSELY AFFECTED BY MARKET POWER. THE COMMISSION SHALL MONITOR THE RETAIL ELECTRICITY SUPPLY AND ELECTRICITY SUPPLY SERVICES MARKETS TO ENSURE THAT THE MARKETS ARE NOT BEING ADVERSELY AFFECTED BY MARKET POWER.~~

~~(B) IF, AS A RESULT OF AN INVESTIGATION CONDUCTED UNDER THIS SECTION, THE COMMISSION DETERMINES THAT MARKET POWER IN THE RELEVANT MARKET UNDER THE COMMISSION'S JURISDICTION IS PREVENTING THE ELECTRIC CUSTOMERS IN THE STATE FROM OBTAINING THE BENEFITS OF PROPERLY FUNCTIONING RETAIL ELECTRICITY SUPPLY AND ELECTRICITY SUPPLY SERVICES MARKETS, THE COMMISSION MAY TAKE REMEDIAL ACTIONS WITHIN ITS AUTHORITY TO ADDRESS THE IMPACT OF THE MARKET POWER ACTIVITIES.~~

7-515.

~~AN ELECTRICITY SUPPLIER THAT ALSO PROVIDES DISTRIBUTION SERVICE, OR THAT HAS AN AFFILIATE THAT PROVIDES DISTRIBUTION SERVICE, IN PENNSYLVANIA, DELAWARE, WEST VIRGINIA, AND VIRGINIA OR IN THE DISTRICT OF COLUMBIA MAY NOT PROVIDE RETAIL ELECTRICITY SUPPLY SERVICE, DIRECTLY, INDIRECTLY, OR THROUGH AN AGGREGATOR, MARKETER, OR BROKER, IN THE DISTRIBUTION TERRITORY OF AN UNAFFILIATED ELECTRIC COMPANY UNLESS THERE IS ELECTRICITY SUPPLY COMPETITION IN AT LEAST A PORTION OF THE DISTRIBUTION SERVICE AREA OF THE ELECTRICITY SUPPLIER OR AFFILIATE.~~

7-516.

~~(A) THE COMMISSION SHALL ESTABLISH A UNIVERSAL SERVICE PROGRAM TO ASSIST ELECTRIC CUSTOMERS WITH AN ANNUAL INCOME LEVEL AT OR BELOW 150% OF THE FEDERAL POVERTY LEVEL, WITH INPUT FROM A PANEL OR ROUNDTABLE OF INTERESTED PARTIES. THE DEPARTMENT OF HUMAN RESOURCES SHALL BE RESPONSIBLE FOR ADMINISTERING THE UNIVERSAL SERVICE PROGRAM THROUGH THE MARYLAND ENERGY ASSISTANCE PROGRAM. THE COMMISSION SHALL HAVE OVERSIGHT RESPONSIBILITY FOR THE UNIVERSAL SERVICE PROGRAM.~~

~~(B) ALL CUSTOMERS WILL CONTRIBUTE TO THE FUNDING OF THIS PROGRAM THROUGH A SYSTEMS BENEFIT SURCHARGE COLLECTED BY EACH ELECTRIC COMPANY FROM WITHIN ITS DISTRIBUTION TERRITORY. ON A STATEWIDE BASIS, THE SURCHARGE MAY NOT EXCEED \$24 MILLION IN ANY YEAR. THE COMMISSION SHALL ALLOCATE FUNDING FOR THIS PROGRAM IN THE FOLLOWING MANNER:~~

~~(1) 80% OF THE FUNDING SHALL BE PAID BY THE INDUSTRIAL AND COMMERCIAL CLASSES, AND~~

~~(2) 20% OF THE FUNDING SHALL BE PAID BY THE RESIDENTIAL CLASS.~~