

(II) SELLS THE GENERATION FACILITIES AND GENERATION ASSETS TO A NONAFFILIATE.

(2) (I) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION, THIS SECTION APPLIES TO AN INVESTOR-OWNED ELECTRIC COMPANY THAT DOES NOT TRANSFER ITS GENERATION FACILITIES AND GENERATION ASSETS TO AN AFFILIATE OR SELL ITS GENERATION FACILITIES AND GENERATION ASSETS TO A NONAFFILIATE IF, ON JANUARY 1, 1999, THE RETAIL PEAK LOAD OF THE INVESTOR-OWNED ELECTRIC COMPANY IN THE STATE WAS LESS THAN 1,000 MEGAWATTS.

(II) AN INVESTOR-OWNED ELECTRIC COMPANY TO WHICH THIS SECTION APPLIES THROUGH SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL, BY JANUARY 1, 2001:

1. TRANSFER ITS GENERATION FACILITIES AND GENERATION ASSETS TO AN AFFILIATE OF THE INVESTOR-OWNED ELECTRIC COMPANY THAT OPERATES THE FACILITIES AND ASSETS; OR

2. SELL THE GENERATION FACILITIES AND GENERATION ASSETS TO A NONAFFILIATE.

(C) THE EXCEPTIONS IN SUBSECTION(A)(1) OF THIS SECTION AS TO ANY ELECTRIC COMPANY SHALL REMAIN IN EFFECT UNTIL THE LATER OF:

(1) THE DATE WHEN ALL CUSTOMERS OF THAT ELECTRIC COMPANY ARE ELIGIBLE FOR CUSTOMER CHOICE UNDER § 7-510 OF THIS SUBTITLE;

(2) THE DATE WHEN THE AMOUNT OF TRANSITION COSTS OR BENEFITS ARISING FROM THE GENERATION THAT IS DEREGULATED HAS BEEN FINALLY DETERMINED BY THE COMMISSION UNDER § 7-513(A) THROUGH (C) OF THIS SUBTITLE; OR

(3) IF, UNDER § 7-510(C)(3)(II) OF THIS SUBTITLE, THE COMMISSION EXTENDS THE OBLIGATION TO PROVIDE STANDARD OFFER SERVICE, THE DATE ON WHICH THE COMMISSION TERMINATES THAT OBLIGATION.

7-510.

(A) (1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE PHASED IMPLEMENTATION OF CUSTOMER CHOICE SHALL BE IMPLEMENTED AS FOLLOWS:

(I) ON JULY 1, 2000, ONE-THIRD OF THE RESIDENTIAL CLASS IN THE STATE OF EACH ELECTRIC COMPANY SHALL HAVE THE OPPORTUNITY FOR CUSTOMER CHOICE;

(II) ON JANUARY 1, 2001, THE ENTIRE INDUSTRIAL CLASS AND THE ENTIRE COMMERCIAL CLASS IN THE STATE OF EACH ELECTRIC COMPANY SHALL HAVE THE OPPORTUNITY FOR CUSTOMER CHOICE;

(III) ON JULY 1, 2001, TWO-THIRDS OF THE RESIDENTIAL CLASS IN THE STATE OF EACH ELECTRIC COMPANY SHALL HAVE THE OPPORTUNITY FOR CUSTOMER CHOICE;