

**ORDER NO. 90488**

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|--|---|---------------------------|
| The Complaint of the Staff of the Public | * | BEFORE THE                |
| Service Commission of Maryland against   | * | PUBLIC SERVICE COMMISSION |
| SFE Energy Maryland, Inc., d/b/a SFE or  | * | OF MARYLAND               |
| SFE Energy                               | * |                           |
|  | * | _____                     |
|  | * | CASE NO. 9690             |
|  | * | _____                     |

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**Issue Date: January 30, 2023**

- On January 26, 2023, Technical Staff (“Staff”) of the Public Service Commission of Maryland filed a complaint against SFE Energy Maryland, Inc., d/b/a SFE or SFE Energy alleging that SFE had violated Maryland law governing retail suppliers’ activities. Accordingly, the Commission hereby initiates a new docket, Case No. 9690, for all subsequent proceedings deriving from the Staff complaint against SFE.
- SFE is directed to file by February 13, 2023, an answer to Staff’s complaint and file evidence to show just cause as to why SFE’s license to provide electricity or electricity supply services should not be suspended or revoked, or, in the alternative, why SFE should not be precluded from soliciting additional customers and why SFE should not be subject to a civil penalty under Public Utilities Article (“PUA”), *Annotated Code of Maryland*, § 7-507 and 13-201 for committing fraud and engaging in deceptive practices, for failing to comply with the Commission’s customer protection regulations contained in COMAR 20 Subtitles 53 and 59, and for other violations of Maryland law cited in Staff’s complaint. Additionally, SFE shall file relevant documents used in Maryland solicitations and

contracting including, but not limited to, its marketing materials, training materials and examples of all contracting documents.

3. Comments on SFE's response shall be e-filed by February 23, 2023.<sup>1</sup> The comments should be addressed to Andrew S. Johnston, Executive Secretary, Maryland Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, 16<sup>th</sup> Floor, Baltimore, Maryland 21202. The case number (9690) must appear in the subject line of the cover letter.

4. Finally, SFE is directed to appear at the Commission's March 1, 2023, Administrative Meeting at 10:00 a.m. in the Frank O. Heintz Hearing Room, on the 16th Floor of the William Donald Schaefer Tower, 6 St. Paul Street, Baltimore, Maryland for a hearing on the complaint. The Company should have an appropriate representative(s) with sufficient knowledge regarding the Company's marketing, advertising and trade practices appear and be prepared to provide any evidence to rebut the allegations made against it by Staff.

5. Discovery between SFE, Staff and the Office of People's Counsel ("OPC") shall commence immediately.

- Responses to data requests are due within three business days and any objections to data requests must be served within one business day of service.
- Electronic service of discovery requests, responses and documents is sufficient so long as the recipient acknowledges actual receipt, which the

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<sup>1</sup> Details of the e-File system can be found on the Commission's website, [www.psc.state.md.us](http://www.psc.state.md.us).

sending party should obtain and maintain, and hard copies shall be made available if electronic service is not available.

- The parties should consult with each other and attempt in good faith to resolve all discovery disputes prior to making an objection and again prior to filing a motion seeking relief from the Commission. In the event parties are unable to resolve a dispute, the aggrieved party may file a motion for relief within three business days from service of the written objection. The opponent shall respond to the motion within two business days of service of the motion. The motion and response shall be in letter format, and shall each be limited in length to three single-spaced pages with a 12-point or greater font. The letters must specify the dates and times of all consultations for the purpose of resolving the dispute. The parties shall contact the Executive Secretary via email to schedule a hearing and shall provide the Executive Secretary with an electronic copy of the motion and response.

**IT IS THEREFORE**, this 30<sup>th</sup> day of January, in the year Two Thousand Twenty-Three, by the Public Service Commission of Maryland, **ORDERED**:

- (1) That a new docket, Case No. 9690, is initiated as set forth in this Order;
- (2) That SFE is directed to file an answer to Staff's complaint by February 13, 2023;
- (3) That interested parties are directed to file comments on SFE's answer by February 23, 2023; and

(4) That SFE is directed to appear at the Commission's March 1, 2023, Administrative Meeting for a hearing on the complaint.

By Direction of the Commission,

*/s/ Andrew S. Johnston*

Andrew S. Johnston  
Executive Secretary