

ORDER NO. 86768

IN THE MATTER OF THE INVESTIGATION INTO THE MARKETING, ADVERTISING, AND TRADE PRACTICES OF AMERICAN POWER PARTNERS, LLC; BLUE PILOT ENERGY, LLC; MAJOR ENERGY ELECTRIC SERVICES, LLC AND MAJOR ENERGY SERVICES, LLC; AND XOOM ENERGY MARYLAND, LLC	* * * * * * * * * *	BEFORE THE PUBLIC SERVICE COMMISSION OF MARYLAND <hr style="width: 100%;"/> CASE NO. 9346 <hr style="width: 100%;"/>
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Issue Date: December 17, 2014

On April 1, 2014, the Public Service Commission of Maryland (“Commission”) issued to American Power Partners, LLC; Blue Pilot Energy, LLC; Major Energy Electric Services, LLC and Major Energy Services, LLC; and XOOM Energy Maryland, LLC, an Order to Show Cause (“Order”) why the Commission should not find that the Companies violated certain statutes, regulations, or Commission orders in their customer marketing, advertising, or trade practices.¹ The Order also directed the Companies to answer specific questions and to provide individual responses to the Commission on or before April 22, 2014. Major Energy Electric Services, LLC and Major Energy Services, LLC (together, “Major”) filed a joint response to the Commission’s information request on April 18, 2014.² Blue Pilot Energy, LLC (“Blue Pilot”)³ and XOOM Energy Maryland, LLC (“XOOM”)⁴ filed their separate responses on April 22, 2014.

¹ Order No. 86274 (April 1, 2014).

² ML#154407 (April 18, 2014).

³ ML#154436 (April 22, 2014).

⁴ ML#154449 (April 22, 2014).

Upon a review of the record, including the responses to the April 1, 2014 information request submitted by Major, Blue Pilot, and XOOM, the Commission finds that the factual submissions provided by the named parties are insufficient to evaluate the veracity of allegations regarding supplier behavior outlined in the Order to Show Cause. Specifically, the Commission finds that further proceedings are warranted to determine whether the parties' actions with respect to the customer complaints cited in the Order, as well as any customer complaints subsequently filed, constitute: providing false and misleading information about the expected range and nature of variable prices; providing false and misleading information about the process for canceling variable rate contracts; advertising to customers that the supplier's variable rate would not exceed the Standard Offer Service (electric) or Sales Service (natural gas) price for the relevant utility; or providing inadequate information to allow a customer to make an informed choice regarding the purchase of electricity and natural gas services.

IT IS, THEREFORE, this 17th day of December, in the year Two Thousand and Fourteen, by the Public Service Commission of Maryland

ORDERED: That this matter as it pertains to Blue Pilot Energy, LLC; Major Energy Electric Services, LLC and Major Energy Services, LLC; and XOOM Energy Maryland, LLC, is hereby delegated to the Public Utility Law Judge Division.

By Direction of the Commission,
/s/ David J. Collins
David J. Collins
Executive Secretary