

Complaint of the Maryland Office of *
People's Counsel Against Sunsea Energy, *
LLC *

BEFORE THE
PUBLIC SERVICE COMMISSION
OF MARYLAND

CASE NO. 9647

Issue Date: February 13, 2023

NOTICE OF PROBABLE CAUSE HEARING

1. SunSea Energy, LLC ("SunSea") is directed to appear at the Commission's March 8, 2023, Administrative Meeting for a hearing on the matters described in paragraph 3 for the purpose of determining whether there is probable cause to refer this matter for evidentiary proceedings on the alleged violations.
2. On January 30, 2023, the Consumer Affairs Division ("CAD") of the Public Service Commission of Maryland submitted the attached memo ("CAD Memo")¹ regarding SunSea alleging that the supplier had violated Maryland law governing retail suppliers' activities.
3. SunSea is directed to file by March 1, 2023, a response to the allegations of the following violations of Maryland law and regulations as noted in the CAD Memo:
 - a) Defects in contracting practices and documents
 - b) Unauthorized enrollment of customers (slamming)
 - c) Supplier advertising and misconduct by agents

¹ Attachment 1.

d) Inaccessibility of customer service representatives

SunSea is further directed to file evidence to show that other similarly situated customers have not experienced the same violations. SunSea should provide in its response, and filed evidence, information to show that it has the technical and managerial competency to act as a supplier in Maryland's retail supply market. Additionally, SunSea 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.

4. At the hearing the Commission will determine whether there is probable cause to refer the violations alleged in the CAD Memo for expedited evidentiary proceedings by the Public Utility Law Judge Division, and whether interim protections are necessary during such proceedings including:

- a) whether SunSea's license to provide electricity or electricity supply services and/ or gas or gas supply services should be immediately suspended;
- b) whether SunSea should be precluded from soliciting additional customers; and
- c) whether SunSea should be ordered to deposit all Maryland proceeds in excess of applicable standard offer service rates into an interest-bearing escrow account pending final resolution of this matter.

SunSea should cause the appropriate representative(s) with sufficient knowledge regarding the Company's marketing, advertising and trade practices to appear and be prepared to provide any evidence to rebut the allegations made in paragraph 3. The Administrative Meeting will begin 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.

By Direction of the Commission,

/s/ Andrew S. Johnston

Andrew S. Johnston
Executive Secretary