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September 9, 2025

Montgomery County Council  
100 Maryland Ave  
Rockville, MD 20850

Re: Expedited Bill 27-25, Environmental Sustainability - Community Choice Aggregation (CCA) – Established

Dear Council President Stewart,

AOBA represents the owners or managers of more than 20.5 million square feet of commercial office space and 215,650 multifamily units in Montgomery and Prince George's counties. AOBA members are served on a mix of utility distribution non-residential rate schedules. Most members in Montgomery County are in the service territory of the Potomac Electric Power Company ("Pepco"), while others are served by Baltimore Gas and Electric Company ("BGE") and Potomac Edison ("PE"). AOBA members served on Pepco's, BGE's and PE's small commercial rate schedules include multifamily apartments that will be subject to the CCA Pilot Program.

Many AOBA members in Montgomery and Prince George's counties purchase their electric supply through competitive energy supply contracts, while others receive electric supply service from utility Standard Offer Service (SOS). AOBA members also use varying terms of service, (i.e., length of supply contract, fixed price contract, pass-through charges, percentage of renewable energy purchased, etc.), to reduce energy costs, which helps keep housing costs low for everyone.

More than 20 years since the deregulation of energy supply, the competitive market in Maryland is functioning well for commercial customers. The practices adopted by the Maryland Public Service Commission regarding SOS have also served commercial customers well. While AOBA supports efforts to stabilize energy costs and increase renewable energy, AOBA approaches the CCA with the goal of protecting members from unexpected harm. Requiring customers to **opt-out** from the CCA would pose an administrative burden for commercial customers with hundreds of accounts. It could also result in higher energy costs for members with SOS or competitive energy supply contracts.



AOBA urges the Council to amend Bill 7-25 as follows:

**Exempt small commercial accounts from the Montgomery County CCA**

Unlike the residential energy supply market, the commercial competitive landscape in Maryland is robust for commercial customers who have many options to purchase 100% green energy if they choose. All small commercial accounts are also subject to the Maryland Renewable Portfolio Standards ("RPS"), which requires that their energy supply meet the state mandated renewable energy standards of 50% renewable energy by 2030. Additionally, some AOBA members purchase 100% green electricity from third party suppliers or offset their energy supply with renewable energy credits.

**Absent exemption, make the CCA *opt-in* for small commercial accounts**

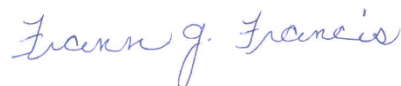
Given that the CCA is *opt-out*, AOBA is concerned that members with third-party supply contracts could inadvertently be enrolled in the CCA when those contracts expire. This enrollment could trigger penalties that were not caused by the owner or manager but would leave them responsible for paying those costs, through no fault of their own, and with no recourse available. By making the program *opt-in*, the likelihood of these kind of mistakes would be eliminated.

AOBA members' buildings typically have hundreds of small commercial accounts, these are not like the corner store with one location and one bill, so managing these accounts is more complicated than for a single small commercial business. AOBA's members have hundreds of accounts that make monitoring accounts more difficult and time-consuming. Further, if errors are made, our members don't become aware of the error until the bills are received and reviewed which could have a two- or three-month lag, making resolving these issues overly burdensome to our members.

Lastly, most AOBA's members utilize a bill paying service so that notices that are sent to the billing address might not reach the property management company in a timely manner. Under the *opt-out* scenario, the property owner or manager would be automatically enrolled in the CCA without having received the notice that was sent to the billing address.

AOBA appreciates the opportunity to highlight some of its members' concerns regarding the implementation of the CCA. If the Council has any questions, please contact Brian Anleu, AOBA Vice President of Government Affairs, at [banleu@aoba-metro.org](mailto:banleu@aoba-metro.org), and Kevin Carey, AOBA Alliance Vice President of Operations, at [kcarey@aoba-metro.org](mailto:kcarey@aoba-metro.org).

Sincerely,

A handwritten signature in blue ink that reads "Frann G. Francis".

Frann G. Francis, Esq