

Bill No. 35-07  
Concerning: Consumer Protection –  
Energy and Environmental Advocacy  
Revised: 11/20/07 Draft No. 8  
Introduced: November 20, 2007  
Expires: May 20, 2009  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Councilmembers Berliner, Ervin, Andrews, Elrich, Floreen, and Leventhal

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**AN ACT** to:

- (1) require the Office of Consumer Protection to represent the County's interest in obtaining the lowest possible rates consistent with environmental stewardship for gas, electricity, and other energy sources by participating in matters pending before appropriate federal and state agencies, and
- (2) generally amend County law governing energy and the environment.

By amending

Montgomery County Code  
Chapter 11, Consumer Protection  
Section 11-2

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
<b>[Single boldface brackets]</b>	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
<b>[[Double boldface brackets]]</b>	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1. Section 11-2 is amended as follows:**

2   **11-2. Office of Consumer Protection.**

3           (a)   Established. The Office of Consumer Protection is a department of  
4                   County government.

5           (b)   Authority. The Office may:

6           [(a)] (1)   [receive] Receive and investigate complaints and initiate its  
7                   own investigation of deceptive, unfair, or unconscionable trade  
8                   practices against consumers, hold hearings, compel the  
9                   attendance of witnesses, administer oaths, take the testimony of  
10                  any person under oath and require the production of any  
11                  evidence relating to any matter under investigation or in  
12                  question by the Office;

13          [(b)] (2)   [issue] Issue summonses and subpoenas to compel the  
14                  attendance of witnesses and the production of documents,  
15                  papers, books, records, and other evidence in any matter to  
16                  which this Chapter applies;

17          [(c)] (3)   [issue] Issue cease and desist orders and bring enforcement  
18                  actions regarding any trade practice that violates this Chapter;

19          [(d)] (4)   [report] Report to any appropriate government agency with  
20                  jurisdiction over real estate transactions or consumer protection  
21                  matters any information concerning violation of any consumer  
22                  protection law;

23          [(e)] (5)   [communicate] Communicate the interests of consumers and  
24                  merchants before administrative and regulatory agencies and  
25                  legislative bodies to ensure that both are adequately  
26                  represented;



53 (c) Energy and environmental advocacy.

54 (1) The Office must represent the County’s interest in obtaining the  
55 lowest possible rates consistent with environmental stewardship  
56 for gas, electricity, and other energy sources by participating in  
57 matters pending before appropriate federal and state agencies,  
58 including intervening and filing comments in those matters.

59 (2) The Office may employ consultants and technical advisors as  
60 necessary to implement this subsection in accordance with  
61 funds appropriated in the County budget.

62 (3) By September 1 of each year, the Office must report to the  
63 County Executive and County Council on the actions that the  
64 Office has taken in the preceding fiscal year to implement this  
65 subsection.

66 *Approved:*

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Marilyn J. Praisner, President, County Council Date

70 *Approved:*

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\_\_\_\_\_ Isaih Leggett, County Executive Date

72 *This is a correct copy of Council action.*

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\_\_\_\_\_ Linda M. Lauer, Clerk of the Council Date

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