

HOUSE BILL No. 4660

May 8, 2003, Introduced by Reps. Garfield, Nofs, Casperson, Robertson, LaJoy, Acciavatti, Pastor, Hune, Amos, Spade, Richardville, McConico, Tobocman, Accavitti, Woronchak, Woodward, Middaugh, Ruth Johnson, Pappageorge, Stahl, Milosch, Stakoe, Brandenburg, Nitz, Drolet, Ward, Palsrok, Steil, Elkins, Rivet, Gleason, Sheltroun, Law, Bradstreet, Bisbee and Farhat and referred to the Committee on Energy and Technology.

A bill to amend 1939 PA 3, entitled

"An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,"

(MCL 460.1 to 460.10cc) by adding section 9c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9c. (1) Except as otherwise provided by this section,

HOUSE BILL No. 4660

1 a provider of electric or gas service shall not discontinue the
2 service to the residence of a qualifying customer who has made a
3 filing under this section.

4 (2) In addition to protection provided under the Michigan
5 military act, 1967 PA 150, MCL 32.501 to 32.851, a qualifying
6 customer may apply for shut-off protection for electric or gas
7 service by notifying the provider that he or she is in need of
8 assistance because of a reduction in household income as the
9 result of a call to active duty status in the military.

10 (3) A provider of service may request verification of the
11 call to active duty status from the qualifying customer.

12 (4) A qualifying customer may receive shut-off protection
13 from the provider of service under this section for up to 90
14 days. Upon application to the provider, the provider may grant
15 the qualifying customer 1 or more 90-day extensions.

16 (5) A qualifying customer receiving assistance under this
17 section shall notify the provider of the end of the call to
18 active duty status as soon as that status is known.

19 (6) Unless waived by the provider, the shut-off protection
20 provided under this section does not void or limit the obligation
21 of the qualifying customer to pay for electric or gas services
22 received during the time of assistance.

23 (7) A provider shall do all of the following:

24 (a) Establish a repayment plan requiring minimum monthly
25 payments that allows the qualifying customer to pay any past due
26 amounts over a reasonable time period not to exceed 1 year.

27 (b) Provide a qualifying customer with information regarding

1 any governmental, provider, or other assistance programs.

2 (c) Provide qualifying customers with access to existing
3 information on ways to minimize or conserve their service usage.

4 (8) This section does not affect or amend any commission
5 rules or orders pertaining to billing standards. If the terms
6 and conditions under subsection (7)(a) are not followed by the
7 qualifying customer, the provider may follow the procedures in
8 the commission's rules on consumer standards and billing
9 practices for electric and gas residential service.

10 (9) As used in this section, a "qualifying customer" means
11 all of the following:

12 (a) A residential household where the income is reduced
13 because the customer of record, or the spouse of the customer of
14 record, is called to full-time active military service by the
15 president of the United States or the governor of this state
16 during a time of declared national or state emergency or war.

17 (b) Assistance is needed by the residential household to
18 maintain electric and gas service.

19 (c) The residential household has notified the provider of
20 the need for assistance and, if required, and has provided
21 verification of the call to active duty status.

22 (d) The residential household has notified the provider of
23 the end to active duty status.