

SENATE BILL No. 334

March 22, 2005, Introduced by Senators PATTERSON, GILBERT, BASHAM, BIRKHOLZ, BERNERO, BISHOP, BRATER, SWITALSKI, JACOBS, OLSHOVE, CHERRY, CLARK-COLEMAN, CLARKE, TOY, HAMMERSTROM and GARCIA and referred to the Committee on Technology and Energy.

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 10dd.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 10DD. (1) THE COMMISSION SHALL, AFTER NOTICE AND HEARING,
2 ANNUALLY APPROVE A LOW INCOME AND ENERGY EFFICIENCY FACTOR THAT
3 SHALL BE A NONBYPASSABLE SURCHARGE PAYABLE BY EVERY CUSTOMER
4 RECEIVING A DISTRIBUTION SERVICE FROM A GAS OR ELECTRIC UTILITY
5 REGARDLESS OF THE IDENTITY OF THE CUSTOMER'S GAS OR ELECTRIC
6 GENERATION SUPPLIER. THE FUNDING SHALL NOT EXCEED AN AMOUNT EQUAL
7 TO 2% OF COMMERCIAL AND INDUSTRIAL REVENUES OF EACH UTILITY.

8 (2) THE COMMISSION SHALL ADMINISTER THE DISTRIBUTION OF THE
9 FUNDS COLLECTED UNDER SUBSECTION (1) AND DIRECT THAT THE FUNDS
10 RECEIVED FROM THE CUSTOMERS OF A GAS OR ELECTRIC UTILITY SHALL ONLY
11 BE USED TO PROVIDE ENERGY AND CONSERVATION ASSISTANCE TO LOW INCOME
12 AND SENIOR CITIZEN CUSTOMERS WHO RESIDE IN THE GAS OR ELECTRIC
13 UTILITY'S SERVICE AREA.

14 (3) AS USED IN THIS SECTION, "GAS UTILITY" MEANS A NATURAL GAS
15 COMPANY SUBJECT TO THE JURISDICTION OF THE COMMISSION UNDER 1929 PA
16 9, MCL 483.101 TO 483.120.

17 Enacting section 1. This amendatory act does not take effect
18 unless all of the following bills of the 93rd Legislature are
19 enacted into law:

20 (a) Senate Bill No.____ or House Bill No.____ (request no.
21 00370'05).

22 (b) Senate Bill No.____ or House Bill No.____ (request no.
23 00371'05).

24 (c) Senate Bill No.____ or House Bill No.____ (request no.
25 00373'05).

1 (d) Senate Bill No.____ or House Bill No.____ (request no.
2 00374'05).

3 (e) Senate Bill No.____ or House Bill No.____ (request no.
4 00375'05).