

SENATE BILL No. 787

September 19, 2007, Introduced by Senator PATTERSON and referred to the Committee on Energy Policy and Public Utilities.

A bill to amend 1939 PA 3, entitled

"An act to provide for the regulation and control of public and certain private 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,"

by amending sections 10 and 10u (MCL 460.10 and 460.10u), as added by 2000 PA 141.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. (1) Sections 10 through ~~10bb~~-10CC shall be known and
2 may be cited as the "customer choice and electricity reliability
3 act".

4 (2) The purpose of sections 10a through 10bb is to do all of
5 the following:

6 (a) To ensure that all retail customers in this state of
7 electric power have a choice of electric suppliers.

8 (b) To allow and encourage the Michigan public service
9 commission to foster competition in this state in the provision of
10 electric supply and maintain regulation of electric supply for
11 customers who continue to choose supply from incumbent electric
12 utilities.

13 (c) To encourage the development and construction of merchant
14 plants which will diversify the ownership of electric generation in
15 this state.

16 (d) To ensure that all persons in this state are afforded
17 safe, reliable electric power at a reasonable rate.

18 (e) To improve the opportunities for economic development in
19 this state and to promote financially healthy and competitive
20 utilities in this state.

21 ~~(3) Subsection (2) does not apply after December 31, 2003.~~

22 Sec. 10u. The commission shall file a report with the governor
23 and legislature by February 1 of each year that shall include all
24 of the following:

25 (a) The status of competition for the supplying of electricity
26 in this state.

1 (b) Recommendations for legislation, if any.

2 (c) Actions taken by the commission to implement measures
3 necessary to protect consumers from unfair or deceptive business
4 practices by utilities, alternative electric suppliers, and other
5 market participants.

6 (d) Information regarding consumer education programs,
7 approved by the commission, to inform consumers of all relevant
8 information regarding the purchase of electricity and related
9 services from alternative electric suppliers.

10 (E) THE PROGRESS MADE IN ACHIEVING THE GOALS SET FORTH IN
11 SECTION 10.