



HOUSE BILL No. 4405

February 15, 1995, Introduced by Reps. Tesanovich, DeHart, Martinez, DeMars, Brater, Hanley, Parks, Scott, Saunders, Anthony and LaForge and referred to the Committee on Public Utilities.

A bill to amend Act No. 3 of the Public Acts of 1939, entitled as amended

"An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; 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 therein 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 rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act,"

as amended, being sections 460.1 to 460.8 of the Michigan

Compiled Laws, by adding section 6p.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 3 of the Public Acts of 1939, as
2 amended, being sections 460.1 to 460.8 of the Michigan Compiled
3 Laws, is amended by adding section 6p to read as follows:

4 SEC. 6P. THE AMOUNTS RECEIVED BY A UTILITY THAT ARE FOUND
5 TO BE IN EXCESS OF THE REVENUES ALLOWED BY THE COMMISSION SHALL
6 BE REFUNDED DIRECTLY TO THE AFFECTED RATEPAYERS UNLESS AN ALTER-
7 NATIVE MEANS OF USING THE AMOUNTS THAT WOULD BENEFIT THE RATEPAY-
8 ERS IS APPROVED BY THE LEGISLATURE.