

**SENATE BILL NO. 1246**

September 15, 1998, Introduced by Senator BERRYMAN and referred to the Committee on Technology and Energy.

A bill to require certain disclosures by electricity suppliers in this state; and to prescribe the powers and duties of certain state agencies and officials.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. As used in this act:

2       (a) "Aggregation" means the combining of electric loads of  
3 multiple retail customers or a single customer with multiple  
4 sites to facilitate the provision of direct access electric serv-  
5 ice to such retail customers.

6       (b) "Commission" means the Michigan public service commis-  
7 sion in the department of consumer and industry services.

8       (c) "Consumer" or "customer" means an end-user of  
9 electricity.

10       (d) "Electricity distributor" or "distributor" means a  
11 person or their lessees, trustees, and receivers, owning or

1 operating equipment or facilities for delivering electricity to  
2 the public for compensation.

3 (e) "Electricity supplier" or "supplier" means a person that  
4 sells electricity and related services to electricity distribu-  
5 tors, aggregators, or at retail to customers located in the serv-  
6 ice territories of electricity distributors.

7 Sec. 2. Effective January 1, 1998, every electricity sup-  
8 plier shall provide all of the following information to its cus-  
9 tomers on an annual basis or to potential customers as part of  
10 solicitation at no charge:

11 (a) The fuel sources of electricity supplied by the supplier  
12 to the customer, broken out by percentages.

13 (b) The information required under subdivision (a) shall be  
14 provided in a pie chart that graphically depicts the percentages  
15 of the sources of the electricity supplied as set forth in subdi-  
16 vision (a).

17 Sec. 3. In addition, every electricity supplier and alter-  
18 native retail electricity supplier shall provide at no charge to  
19 its customers on an annual basis a standardized chart, in a  
20 format to be determined by the commission, that provides the  
21 amounts of carbon dioxide (COW), nitrous oxides (NOx), and sulfur  
22 dioxide (SOW) emissions and nuclear waste attributable to the  
23 sources of electricity supplied as set forth in section 2.

24 Sec. 4. An electricity supplier shall not knowingly provide  
25 false or inaccurate information that is required by this act.

26 Sec. 5. If after notice and hearing the commission finds a  
27 person has violated this act, the commission shall order remedies

1 and penalties to protect and make whole any persons who have  
2 suffered an economic loss as a result of the violation, includ-  
3 ing, but not limited to, 1 or more of the following:

4 (a) The person to pay a fine for the first offense of not  
5 less than \$1,000.00 nor more than \$20,000.00 per day that the  
6 person is in violation of this act, and for each subsequent  
7 offense, a fine of not less than \$2,000.00 nor more than  
8 \$40,000.00 per day.

9 (b) A refund to the customers of any collected excessive  
10 rates.

11 (c) Cease and desist orders.

12 (d) If the person is certified or registered under this or  
13 any other act, revoke the person's certificate or registration.