

SENATE BILL NO. 1341

September 24, 1998, Introduced by Senator DUNASKISS 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 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,"

by amending sections 4 and 5 (MCL 460.4 and 460.5), section 4 as amended by 1993 PA 355.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The Michigan public service commission ~~shall~~
2 ~~have~~ HAS and SHALL exercise all rights, privileges, and the

1 jurisdiction in all respects as has been conferred by law and
 2 exercised by the Michigan public utilities commission. ~~Where~~

3 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), WHERE A reference
 4 is or has been made in any law OR STATUTE to the "commission",
 5 the "Michigan public utilities commission", the "Michigan rail-
 6 road commission", that reference shall be construed to mean the
 7 Michigan public service commission. ~~except that with~~

8 (3) WITH respect to railroad, bridge, and tunnel companies,
 9 ~~that reference~~ A REFERENCE TO THE "COMMISSION" shall be con-
 10 strued to mean the state transportation department. ~~Any~~

11 (4) AN order ~~or decree~~ of the Michigan public service com-
 12 mission shall be subject to review in the SAME manner AS provided
 13 for in section 26 of ~~Act No. 300 of the Public Acts of 1909,~~
 14 ~~being section 462.26 of the Michigan Compiled Laws~~ 1909 PA 300,
 15 MCL 462.26.

16 Sec. 5. (1) All books, records, files, papers, documents,
 17 and other property belonging to the Michigan public utilities
 18 commission shall be ~~forthwith turned over~~ TRANSFERRED to the
 19 Michigan public service commission and ~~shall be continued as a~~
 20 ARE part of the records, files, and other property of ~~said~~ THE
 21 MICHIGAN PUBLIC SERVICE commission.

22 (2) The Michigan public service commission ~~shall in all~~
 23 ~~respects be considered to be~~ IS the successor in office of the
 24 Michigan public utilities commission ~~in respect to~~ AND HAS all
 25 of the powers ~~or~~ AND duties ~~now vested in or imposed upon~~
 26 ~~said~~ OF THE public utilities commission. ~~Any~~

1 (3) ALL unexpended ~~balance of moneys~~ MONEY in the state
2 treasury and any fees or other ~~moneys~~ MONEY now owing to ~~said~~
3 THE public utilities commission ~~shall be and the same are~~
4 ~~hereby~~ ARE transferred and assigned ~~over~~ to the Michigan
5 public service commission. ~~hereby created, to be used and dis-~~
6 ~~posed of as provided by law.~~