SUBSTITUTE FOR

HOUSE BILL NO. 4660

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 9c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9c. (1) Except as otherwise provided by this section,

- 1 a provider of electric or gas service shall not discontinue the
- 2 service to the residence of a qualifying customer who has made a
- 3 filing under this section.
- 4 (2) In addition to protection provided under the Michigan
- 5 military act, 1967 PA 150, MCL 32.501 to 32.851, a qualifying
- 6 customer may apply for shut-off protection for electric or gas
- 7 service by notifying the provider that he or she is in need of
- 8 assistance because of a reduction in household income as the
- 9 result of a call to active duty status in the military.
- 10 (3) A provider of service may request verification of the
- 11 call to active duty status from the qualifying customer.
- 12 (4) A qualifying customer may receive shut-off protection
- 13 from the provider of service under this section for up to 90
- 14 days. Upon application to the provider, the provider may grant
- 15 the qualifying customer 1 or more extensions.
- 16 (5) A qualifying customer receiving assistance under this
- 17 section shall notify the provider of the end of the call to
- 18 active duty status as soon as that status is known.
- 19 (6) Unless waived by the provider, the shut-off protection
- 20 provided under this section does not void or limit the obligation
- 21 of the qualifying customer to pay for electric or gas services
- 22 received during the time of assistance.
- 23 (7) A provider shall do all of the following:
- 24 (a) Establish a repayment plan requiring minimum monthly
- 25 payments that allows the qualifying customer to pay any past due
- 26 amounts over a reasonable time period not to exceed 1 year.
- 27 (b) Provide a qualifying customer with information regarding

- 1 any governmental, provider, or other assistance programs.
- 2 (c) Provide qualifying customers with access to existing
- 3 information on ways to minimize or conserve their service usage.
- 4 (8) This section does not affect or amend any commission
- 5 rules or orders pertaining to billing standards. If the terms
- 6 and conditions under subsection (7)(a) are not followed by the
- 7 qualifying customer, the provider may follow the procedures in
- 8 the commission's rules on consumer standards and billing
- 9 practices for electric and gas residential service.
- 10 (9) As used in this section, a "qualifying customer" means
- 11 all of the following:
- 12 (a) A residential household where the income is reduced
- 13 because the customer of record, or the spouse of the customer of
- 14 record, is called to full-time active military service by the
- 15 president of the United States or the governor of this state
- 16 during a time of declared national or state emergency or war.
- 17 (b) Assistance is needed by the residential household to
- 18 maintain electric and gas service.
- 19 (c) The residential household has notified the provider of
- 20 the need for assistance and, if required, and has provided
- 21 verification of the call to active duty status.