

Reps. Bradstreet, Huizenga, McConico and Rivet offered the following resolution:

House Resolution No. 221.

A resolution to encourage the Public Service Commission to clarify the code of conduct established under MCL § 460.10a regarding an electric utility and regulated assets.

Whereas, Section 10a(4) of 1939 PA 3, as amended, being MCL § 460.10a, requires the Michigan Public Service Commission to adopt a code of conduct that would prohibit electric utilities from cross-subsidizing, sharing information, and giving preferential treatment between their regulated and unregulated services; and

Whereas, A code of conduct was established by the Michigan Public Service Commission on December 4, 2000, and subsequently amended and revised on October 29, 2001; and

Whereas, It has been publicly stated by all three members of the Michigan Public Service Commission that the code of conduct that was developed by the commission would not prohibit an appliance service affiliate from sharing vehicles, employees, office buildings, and equipment with the regulated service, given proper accounting safeguards; and

Whereas, It has been suggested by attorneys of a utility that is required to operate under the code of conduct that the language of the code of conduct does in fact require the utility to maintain separate vehicles, employees, office buildings, or equipment from its regulated service; and

Whereas, The Michigan Public Service Commission has the discretion and authority under MCL § 460.10a to establish, change, alter, or clarify the existing code of conduct; now, therefore, be it

Resolved by the House of Representatives, That we encourage the Michigan Public Service Commission to clarify the code of conduct established under MCL § 460.10a, to assure that there is no ambiguity in the wording that would result in a misinterpretation of the code of conduct with respect to the use of vehicles, employees, office buildings, and equipment. Specifically, we urge that the code of conduct be amended to allow for the sharing of vehicles, employees, office buildings, and equipment of a regulated utility with its appliance service affiliate, subject to appropriate, applicable accounting safeguards; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Public Service Commission.