

Legislative Analysis



REGULATED ELECTRIC UTILITIES, AESs, & MUNICIPAL UTILITIES: IMPROPER SHUTOFF REFUNDS

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House Bill 4391 (Substitute H-2)
Sponsor: Rep. Terry Brown
Committee: Energy & Technology

Complete to 3-31-09

A SUMMARY OF HOUSE BILL 4391 AS REPORTED FROM COMMITTEE 3-26-09

The bill would add a new Section 9f to the Public Service Commission Law to require electric and natural gas utilities and providers to refund any late fees, fines, or payments related to a shutoff or restoration of service assessed because of the company's failure to provide a notice required by the act or a Public Service Commission rule.

This section would apply to electric utilities, cooperative electric utilities, alternative electric suppliers, municipally-owned gas and electric utilities, and investor-owned, regulated gas utilities.

MCL 460.9f

FISCAL IMPACT:

A fiscal analysis is in process.

POSITIONS:

The Public Service Commission testified in support of the entire shutoff protection package of bills. (3-24-09)

The Attorney General indicated support of the entire package. (3-26-09)

The Department of Human Services indicated support of the entire package. (3-26-09)

ACORN (Michigan) indicated support of the entire package. (3-24-09)

The Center for Civil Justice indicated support of the entire package. (3-24-09)

Clean Water Action testified in support of the entire package, and submitted a letter of support dated 3-24-09, but would also like to see shutoff protections during hot summer weather and a ban on foreclosures due to non-payment of utility bills. (3-24-09)

Consumers Energy indicated support of the entire package. (3-24-09)

DTE Energy indicated support of the entire package. (3-26-09)

Elder Law of Michigan indicated support of the entire package. (3-24-09)

Indiana Michigan Power indicated support of the entire package. (3-26-09)

Michigan Advocacy project indicated support of the entire package. (3-24-09)

The Michigan Catholic Conference indicated support of the entire package. (3-24-09)

The Michigan Electric Cooperative Association indicated support of the entire package. (3-24-09)

The Michigan Electric and Gas Association indicated support of the entire package. (3-26-09)

Michigan Citizen Action indicated support of the entire package. (3-24-09)

The Michigan Municipal Electric Association testified in support of the entire package. (3-26-09)

SEMCO Energy indicated support of the entire package. (3-26-09)

The AARP opposes House Bill 4390 and House Bill 4392 but is supportive of the rest of the package, including this bill. (3-24-09)

Legislative Analyst: Shannan Kane
Fiscal Analyst: Mark Wolf

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.