

**SUBSTITUTE FOR
HOUSE BILL NO. 4661**

A bill to amend 1939 PA 3, entitled

"An act to provide for the regulation and control of public and certain private 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 460.11) by adding section 9/.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9/. (1) A PROVIDER SHALL, IN THE ORDINARY COURSE OF

1 BUSINESS, MAKE ONGOING EFFORTS TO IDENTIFY SENIOR CITIZEN CUSTOMERS
2 BY AT LEAST 1 OF THE FOLLOWING METHODS:

3 (A) CONDUCTING CUSTOMER INTERVIEWS.

4 (B) OBTAINING INFORMATION FROM A CONSUMER REPORTING AGENCY OR
5 CONSUMER REPORTING SERVICE.

6 (C) A PERSONAL OR AUTOMATED TELEPHONE CALL WHERE DIRECT
7 CONTACT IS MADE WITH A MEMBER OF THE CUSTOMER'S HOUSEHOLD OR A
8 MESSAGE IS RECORDED ON AN ANSWERING MACHINE OR VOICE MAIL.

9 (D) FIRST-CLASS MAIL.

10 (E) A PERSONAL VISIT TO THE CUSTOMER.

11 (F) A WRITTEN NOTICE LEFT AT OR ON THE CUSTOMER'S DOOR.

12 (G) A BILL INSERT.

13 (H) ANY OTHER METHOD APPROVED BY THE COMMISSION.

14 (2) A PROVIDER SHALL COMPLY WITH THE REQUIREMENTS IMPOSED IN
15 SUBSECTION (1) BY NOVEMBER 1, 2009. THE COMMISSION MAY GRANT AN
16 EXTENSION TO A PROVIDER FOR COMPLIANCE WITH SUBSECTION (1).

17 (3) AS USED IN THIS SECTION:

18 (A) "CONSUMER REPORTING AGENCY" MEANS THAT TERM AS DEFINED IN
19 SECTION 603 OF THE FAIR CREDIT REPORTING ACT, 15 USC 1681A.

20 (B) "PROVIDER" MEANS AN ELECTRIC UTILITY, COOPERATIVE ELECTRIC
21 UTILITY, OR ALTERNATIVE ELECTRIC SUPPLIER, OR A NATURAL GAS UTILITY
22 AS DEFINED IN SECTION 9.

23 (C) "SENIOR CITIZEN" MEANS A PROVIDER CUSTOMER WHO IS 65 YEARS
24 OF AGE OR OLDER.