

**SUBSTITUTE FOR
SENATE BILL NO. 338**

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 9s.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9S. (1) A PROVIDER SHALL POSTPONE A SHUTOFF OF SERVICE

1 FOR NOT MORE THAN 21 DAYS IF THE CUSTOMER OR A MEMBER OF THE
2 CUSTOMER'S HOUSEHOLD IS A CRITICAL CARE CUSTOMER OR HAS A CERTIFIED
3 MEDICAL EMERGENCY. THE CUSTOMER'S CERTIFICATION SHALL IDENTIFY THE
4 MEDICAL CONDITION, ANY MEDICAL OR LIFE-SUPPORTING EQUIPMENT BEING
5 USED, AND THE SPECIFIC TIME PERIOD DURING WHICH THE SHUTOFF OF
6 SERVICE WILL AGGRAVATE THE MEDICAL EMERGENCY. THE PROVIDER SHALL
7 EXTEND THE POSTPONEMENT FOR FURTHER PERIODS OF NOT MORE THAN 21
8 DAYS, NOT TO EXCEED A TOTAL POSTPONEMENT OF SHUTOFF OF SERVICE OF
9 63 DAYS, ONLY IF THE CUSTOMER PROVIDES ADDITIONAL CERTIFICATION
10 THAT THE CUSTOMER OR A MEMBER OF THE CUSTOMER'S HOUSEHOLD IS A
11 CRITICAL CARE CUSTOMER OR HAS A CERTIFIED MEDICAL EMERGENCY. IF
12 SHUTOFF OF SERVICE HAS OCCURRED WITHOUT ANY POSTPONEMENT BEING
13 OBTAINED, THE PROVIDER SHALL RESTORE SERVICE FOR NOT MORE THAN 21
14 DAYS, AND SHALL CONTINUE THE RESTORATION FOR FURTHER PERIODS OF NOT
15 MORE THAN 21 DAYS, NOT TO EXCEED A TOTAL RESTORATION OF SERVICE OF
16 63 DAYS IN ANY 12-MONTH PERIOD PER HOUSEHOLD MEMBER. ANNUALLY, A
17 PROVIDER IS NOT REQUIRED TO GRANT SHUTOFF EXTENSIONS TOTALING MORE
18 THAN 126 DAYS PER HOUSEHOLD.

19 (2) AS USED IN THIS SECTION:

20 (A) "CRITICAL CARE CUSTOMER" MEANS A CUSTOMER WHO REQUIRES, OR
21 HAS A HOUSEHOLD MEMBER WHO REQUIRES, HOME MEDICAL EQUIPMENT OR A
22 LIFE-SUPPORT SYSTEM, AND WHO HAS PROVIDED APPROPRIATE DOCUMENTATION
23 FROM A PHYSICIAN OR MEDICAL FACILITY TO THE PROVIDER IDENTIFYING
24 THE MEDICAL EQUIPMENT OR LIFE-SUPPORT SYSTEM AND CERTIFYING THAT AN
25 INTERRUPTION OF SERVICE WOULD BE IMMEDIATELY LIFE-THREATENING.

26 (B) "MEDICAL EMERGENCY" MEANS AN EXISTING MEDICAL CONDITION OF
27 THE CUSTOMER OR A MEMBER OF THE CUSTOMER'S HOUSEHOLD, AS DEFINED

1 AND CERTIFIED BY A PHYSICIAN OR PUBLIC HEALTH OFFICIAL ON OFFICIAL
2 STATIONERY OR COMPANY-PROVIDED FORM, THAT WILL BE AGGRAVATED BY THE
3 LACK OF UTILITY SERVICE.

4 (C) "PROVIDER" MEANS A MUNICIPALLY OWNED ELECTRIC OR NATURAL
5 GAS UTILITY.