

# HOUSE BILL NO. 4465

April 25, 2023, Introduced by Reps. Roth, Byrnes, Hope, Brabec, Wegela, Dievendorf, Steckloff, Breen, Tsernoglou, Rheingans, Paiz, Wilson, Young, Glanville, Brenda Carter, Conlin, Coffia, Stone, Arbit, McKinney, Hill, Morgan, Brixie, Edwards, Churches, Price, Rogers, Hood, Farhat and Aiyash and referred to the Committee on Energy, Communications, and Technology.

A bill to amend 2008 PA 295, entitled  
"Clean and renewable energy and energy waste reduction act,"  
by amending section 5 (MCL 460.1005), as amended by 2016 PA 342.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1           Sec. 5. As used in this act:  
2           (a) "Electric provider" means any of the following:  
3           (i) Any person or entity that is regulated by the commission  
4 for the purpose of selling electricity to retail customers in this  
5 state.

1 (ii) A municipally owned electric utility in this state.

2 (iii) A cooperative electric utility in this state.

3 (iv) Except as used in subpart C of part 2, an alternative  
4 electric supplier licensed under section 10a of 1939 PA 3, MCL  
5 460.10a.

6 (b) "Eligible electric generator" means a methane digester or  
7 renewable energy system with a generation capacity limited to the  
8 customer's electric need and that does not exceed the following:

9 (i) For a renewable energy system, 150 kilowatts of aggregate  
10 generation at a single site.

11 (ii) For a methane digester, 550 kilowatts of aggregate  
12 generation at a single site.

13 (c) "Energy conservation" means the reduction of customer  
14 energy use through the installation of measures or changes in  
15 energy usage behavior. **Energy conservation includes incidental  
16 repairs, such as roof and gutter repairs, necessary for the  
17 protection of other energy conservation measures.**

18 (d) "Energy efficiency" means a decrease in customer  
19 consumption of electricity or natural gas achieved through measures  
20 or programs that target customer behavior, equipment, devices, or  
21 materials without reducing the quality of energy services.

22 (e) "Energy star" means the voluntary partnership among the  
23 United States Department of Energy, the United States Environmental  
24 Protection Agency, product manufacturers, local utilities, and  
25 retailers to help promote energy efficient products by labeling  
26 with the energy star logo, educate consumers about the benefits of  
27 energy efficiency, and help promote energy efficiency in buildings  
28 by benchmarking and rating energy performance.

29 (f) "Energy waste reduction", subject to subdivision (g),

1 means all of the following:

2 (i) Energy efficiency.

3 (ii) Load management, to the extent that the load management  
4 reduces provider costs.

5 (iii) Energy conservation, but only to the extent that the  
6 decreases in the consumption of electricity produced by energy  
7 conservation are objectively measurable and attributable to an  
8 energy waste reduction plan.

9 (g) Energy waste reduction does not include electric provider  
10 infrastructure projects that are approved for cost recovery by the  
11 commission other than as provided in this act.

12 (h) "Energy waste reduction credit" means a credit certified  
13 pursuant to section 87 that represents achieved energy waste  
14 reduction.

15 (i) "Energy waste reduction plan" means a plan under section  
16 71.

17 (j) "Energy waste reduction standard" means the minimum energy  
18 savings required to be achieved under section 77 or 78(1), as  
19 applicable.

20 (k) "Federal approval" means approval by the applicable  
21 regional transmission organization or other Federal Energy  
22 Regulatory Commission-approved transmission planning process of a  
23 transmission project that includes the transmission line. Federal  
24 approval may be evidenced in any of the following manners:

25 (i) The proposed transmission line is part of a transmission  
26 project included in the applicable regional transmission  
27 organization's board-approved transmission expansion plan.

28 (ii) The applicable regional transmission organization has  
29 informed the electric utility, affiliated transmission company, or

1 independent transmission company that a transmission project  
2 submitted for an out-of-cycle project review has been approved by  
3 the applicable regional transmission organization, and the approved  
4 transmission project includes the proposed transmission line.

5 (iii) If, after October 6, 2008, the applicable regional  
6 transmission organization utilizes another approval process for  
7 transmission projects proposed by an electric utility, affiliated  
8 transmission company, or independent transmission company, the  
9 proposed transmission line is included in a transmission project  
10 approved by the applicable regional transmission organization  
11 through the approval process developed after October 6, 2008.

12 (iv) Any other Federal Energy Regulatory Commission-approved  
13 transmission planning process for a transmission project.