

# HOUSE BILL NO. 5855

June 26, 2024, Introduced by Reps. Prestin, Bruck and Markkanen 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 the title and section 13 (MCL 460.1013), as amended by 2023 PA 235; and to repeal acts and parts of acts.

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

1 TITLE  
2 An act to require certain providers of electric service to  
3 establish and recover costs for renewable energy and clean energy  
4 programs; to require certain providers of electric or natural gas  
5 service to establish, and recover costs for, energy waste reduction

1 programs; to ensure that ~~any energy cost~~ **costs and** savings from  
 2 renewable energy, clean energy, and energy waste reduction programs  
 3 are ~~ultimately returned to customers;~~ **included in the determination**  
 4 **of rates;** to authorize the use of certain energy systems to meet  
 5 the requirements of those programs; to provide for the approval of  
 6 energy waste reduction service companies; to reduce energy waste by  
 7 state agencies and the public; to create a wind energy resource  
 8 zone board and provide for its power and duties; to authorize the  
 9 creation and implementation of wind energy resource zones; to  
 10 provide for expedited transmission line siting certificates; to  
 11 provide for customer generation and net metering programs and the  
 12 responsibilities of certain providers of electric service and  
 13 customers with respect to customer generation and net metering; to  
 14 provide for fees; to prescribe the powers and duties of certain  
 15 state agencies and officials; to require the promulgation of rules  
 16 and the issuance of orders; to authorize the establishment of  
 17 residential energy improvement programs by providers of electric or  
 18 natural gas service; ~~to authorize certification by this state~~  
 19 ~~before the construction of certain wind and solar energy facilities~~  
 20 ~~and energy storage facilities;~~ ~~to regulate certain local~~  
 21 ~~ordinances;~~ and to provide for civil sanctions, remedies, and  
 22 penalties.

23       Sec. 13. As used in this act:

24       (a) "Site" means ~~, except as used in part 8,~~ a contiguous  
 25 site, regardless of the number of meters at that site. A site that  
 26 would be contiguous but for the presence of a street, road, or  
 27 highway is considered to be contiguous for the purposes of this  
 28 subdivision.

29       (b) "Transmission line" means all structures, equipment, and

1 real property necessary to transfer electricity at system bulk  
2 supply voltage of 100 kilovolts or more.

3 (c) "Utility system resource cost test" means a standard that  
4 is met for an investment in energy waste reduction if, on a life  
5 cycle basis, using a real societal discount rate based on actual  
6 long-term United States treasury bond yields, the total avoided  
7 supply-side costs to the provider, including representative values  
8 for electricity or natural gas supply, transmission, distribution,  
9 and other associated costs, are greater than the total costs to the  
10 provider of administering and delivering the energy waste reduction  
11 program, including net costs for any provider incentives paid by  
12 customers and capitalized costs recovered under section 89.

13 (d) "Wind energy conversion system" means a system that uses 1  
14 or more wind turbines to generate electricity and has a nameplate  
15 capacity of 100 kilowatts or more.

16 (e) "Wind energy resource zone" or "wind zone" means an area  
17 designated by the commission under section 147.

18 Enacting section 1. Part 8 of the clean and renewable energy  
19 and energy waste reduction act, 2008 PA 295, MCL 460.1221 to  
20 460.1232, is repealed.

21 Enacting section 2. This amendatory act does not take effect  
22 unless Senate Bill No. \_\_\_\_ or House Bill No. 5856 (request no.  
23 05494'24 a) of the 102nd Legislature is enacted into law.