

HOUSE BILL No. 4127

January 28, 1997, Introduced by Rep. Dobb and referred to the Committee on Public Utilities.

A bill to amend 1923 PA 238, entitled

"An act authorizing the formation of corporations for the purpose of generating, manufacturing, producing, gathering, storing, transmitting, distributing, transforming, selling and supplying electric energy or gas, either artificial or natural, or both electric energy and gas, to the public generally, or to public utilities or natural gas companies, and providing for and giving to such corporations and also to corporations heretofore lawfully organized, among other things, for such purposes; to corporations heretofore lawfully organized, or that may hereafter be lawfully organized and duly authorized to carry on the electric or gas business as a public utility in the state of Michigan; and to foreign corporations heretofore lawfully organized or that may hereafter be lawfully organized, among other things, for such purposes, and duly authorized to carry on business in the state of Michigan, the right to condemn private property for the uses provided for herein,"

by amending section 3 (MCL 486.253).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. Such corporation shall furnish and sell to the
2 public generally such electric energy as it shall generate or
3 transmit and such gas as it shall manufacture, produce, store or

1 transmit, in the carrying on of its business, upon such
2 reasonable terms, rates and conditions as shall be determined
3 from time to time by the Michigan public service commission, and
4 said commission may for that purpose, examine all books and
5 records of such corporation and audit the same, and any order of
6 said commission may be reviewed, set aside, modified or affirmed
7 in the manner provided by law for the review of orders of said
8 commission pertaining to steam railroad companies. ~~In any case~~
9 ~~where either Act No. 9 or Act No. 69 of the Public Acts of 1929,~~
10 ~~as amended,~~ IF SECTION 3102 OR 6209 OF THE MICHIGAN UTILITY
11 CODE, MCL 460.3102 AND 460.6209, requires a certificate OR
12 DETERMINATION of PUBLIC CONVENIENCE AND necessity to be obtained
13 from the Michigan public service commission, ~~then in such~~
14 ~~instance any such~~ THE corporation shall, before commencing any
15 condemnation proceedings, ~~first make application~~ SHALL APPLY to
16 ~~,~~ and obtain from ~~said~~ THE commission ~~such~~ THE certificate
17 ~~as is now or may hereafter, by amendment, be required by the~~
18 ~~provisions of said acts,~~ OR DETERMINATION and shall ~~, in all~~
19 ~~other respects,~~ comply IN ALL OTHER RESPECTS with ~~the require-~~
20 ~~ments of said acts~~ THAT ACT.

21 Enacting section 1. This amendatory act does not take
22 effect unless Senate Bill No. _____ or House Bill No. _____
23 (request no. 00135'97) of the 89th Legislature is enacted into
24 law.