

HOUSE BILL No. 6003

July 2, 1998, Introduced by Reps. Hanley and LaForge and referred to the Committee on Public Utilities.

A bill to require certain billing disclosures by electricity distributors in this state; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and civil sanctions and provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Aggregator" means a person who combines electric loads
3 of multiple retail customers or a single customer with multiple
4 sites to facilitate the provision of direct access electric serv-
5 ice to such retail customers.

6 (b) "Commission" means the Michigan public service commis-
7 sion in the department of consumer and industry services.

8 (c) "Customer" means an end-user of electricity.

9 (d) "Direct access" means the decision of an electricity
10 customer to choose its electricity supplier and pay the

1 electricity distributor a reasonable rate to deliver the
2 electricity to the customer.

3 (e) "Electricity distributor" or "distributor" means a
4 person or their lessees, trustees, and receivers, owning or oper-
5 ating equipment or facilities for delivering electricity to the
6 public for compensation.

7 (f) "Electricity generator" or "generator" means a person
8 having generating capability in this state to produce at least 1
9 megawatt of electricity.

10 (g) "Electricity supplier" or "supplier" means a person who
11 sells electricity and related services to electricity distribu-
12 tors, aggregators, or at retail to customers located in the serv-
13 ice territories of electricity distributors.

14 (h) "Person" means an individual, partnership, corporation,
15 association, governmental entity, or other legal entity.

16 Sec. 2. (1) A customer is entitled to obtain all data and
17 information relating to the customer's billing history and energy
18 usage over the last 24 months.

19 (2) Upon receipt of a written request from the customer, the
20 customer's electricity distributor shall provide the information
21 to the customer within 5 business days from the date the request
22 was received.

23 (3) The distributor is entitled to charge a fee under this
24 act not greater than the actual cost of providing the service.
25 Distributors shall include this fee in the tariffs on file and
26 approved by the commission.

1 (4) An electricity supplier or distributor may release the
2 information described in subsection (1) to a third party unless
3 the customer has provided notice withholding consent for the
4 release of the information.

5 (5) The supplier and distributor shall provide on each bill
6 the means for a customer to provide a checkoff notice withholding
7 consent for the release of the information described in subsec-
8 tion (1).

9 (6) The distributor is responsible for the metering of its
10 customers. Each bill shall identify the name of the customer's
11 electricity supplier and provide the supplier's address and tele-
12 phone number.

13 Sec. 3. Every electricity supplier shall provide all of the
14 following information to its customers on an annual basis or to
15 potential customers as part of solicitation at no charge:

16 (a) The known sources of electricity supplied by the sup-
17 plier to the customer, broken out by percentages, of biomass
18 power, coal-fired power, hydro power, natural gas-fired power,
19 nuclear power, oil-fired power, solar power, wind power, landfill
20 gas, wood power, tire power, municipal solid waste power, and
21 other resources, respectively.

22 (b) The information required under subdivision (a) shall be
23 provided in a pie chart that graphically depicts the percentages
24 of the sources of the electricity supplied as set forth in subdi-
25 vision (a).

26 Sec. 4. In addition, every electricity supplier and
27 alternative retail electricity supplier shall provide at no

1 charge to its customers on an annual basis a standardized chart,
2 in a format to be determined by the commission, that provides the
3 amounts of carbon dioxide (COW), nitrous oxides (NOx), and sulfur
4 dioxide (SOW) emissions and nuclear waste attributable to the
5 known sources of electricity supplied as set forth in section 2.

6 Sec. 5. The electricity suppliers and alternative retail
7 electricity suppliers may provide their customers with such other
8 information as they consider relevant to the information required
9 under sections 3 and 4.

10 Sec. 6. An electricity supplier shall not knowingly provide
11 false or inaccurate information that is required by this act.

12 Sec. 7. If after notice and hearing the commission finds a
13 person has violated this act, the commission shall order remedies
14 and penalties to protect and make whole any persons who have suf-
15 fered an economic loss as a result of the violation, including,
16 but not limited to, 1 or more of the following:

17 (a) The person to pay a fine for the first offense of not
18 less than \$1,000.00 nor more than \$20,000.00 per day that the
19 person is in violation of this act, and for each subsequent
20 offense, a fine of not less than \$2,000.00 nor more than
21 \$40,000.00 per day.

22 (b) A refund to the customers of any collected excessive
23 rates.

24 (c) Cease and desist orders.

25 (d) If the person is certified or registered under this or
26 any other act, revoke the person's certificate or registration.