

HOUSE BILL No. 4321

February 21, 2001, Introduced by Rep. Spade and referred to the Committee on Energy and Technology.

A bill to amend 1939 PA 3, entitled

"An act to provide for the regulation and control of public 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 460.10cc) by adding section 9.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9. (1) A NATURAL GAS UTILITY, SUPPLIER, OR DISTRIBUTOR
2 SHALL NOT INCLUDE OR ADD OPTIONAL PRODUCTS OR SERVICES TO A
3 CUSTOMER'S ACCOUNT OR BILL FOR THOSE PRODUCTS OR SERVICES WITHOUT
4 THE AUTHORIZATION OF THE CUSTOMER.

5 (2) THE COMMISSION SHALL ISSUE ORDERS TO ENSURE THAT A NATU-
6 RAL GAS UTILITY, SUPPLIER, OR DISTRIBUTOR DOES NOT ASSIGN,
7 INCLUDE, OR ADD OPTIONAL PRODUCTS OR SERVICES TO A CUSTOMER'S
8 ACCOUNT OR BILL FOR THE PRODUCTS OR SERVICES WITHOUT THE
9 CUSTOMER'S ORAL AUTHORIZATION, WRITTEN CONFIRMATION, CONFIRMATION
10 THROUGH AN INDEPENDENT THIRD PARTY, OR OTHER VERIFICATION PROCE-
11 DURES APPROVED BY THE COMMISSION CONFIRMING THE CUSTOMER'S INTENT
12 TO RECEIVE THE OPTIONAL PRODUCTS OR SERVICES.

13 (3) AS USED IN THIS SECTION:

14 (A) "NATURAL GAS DISTRIBUTOR" OR "DISTRIBUTOR" MEANS A
15 PERSON THAT PHYSICALLY DELIVERS NATURAL GAS TO RETAIL CUSTOMERS.

16 (B) "NATURAL GAS SUPPLIER" OR "SUPPLIER" MEANS A PERSON WHO
17 SELLS NATURAL GAS TO NATURAL GAS RETAIL CUSTOMERS LOCATED IN THIS
18 STATE.

19 (C) "NATURAL GAS UTILITY" OR "UTILITY" MEANS A PUBLIC UTIL-
20 ITY THAT PROVIDED NATURAL GAS SERVICE BEFORE JANUARY 1, 1999.