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House Bill 4655 (Substitute H-1 as reported without amendment)

Sponsor: Representative Wayne Schmidt

House Committee: Energy and Technology

Senate Committee: Energy Policy and Public Utilities

CONTENT

The bill would amend Public Act 3 of 1939, the Public Service Commission (PSC) law, to require a municipally owned electric or natural gas provider to notify the PSC of any shut-off of service that resulted in death or serious injury. A provider would have to give the Commission any relevant information regarding the death or injury, including the procedures followed during the shut-off.

Additionally, upon notification or its own motion, the PSC could investigate any shut-off by a provider that resulted in death or serious injury. After completing its investigation, the Commission could refer the matter to the Attorney General for commencement of a civil action under Section 9p.

(Section 9p would be added by House Bill 4656 (H-2) or Senate Bill 557. Each bill would authorize the Attorney General or the customer of a municipally owned utility (or a municipally owned electric utility, under the Senate bill) to commence a civil action for injunctive relief against a utility that failed to meet the applicable requirements of the PSC law. The court could award costs of litigation to the prevailing party. The House bill also would allow an action for the imposition of a civil fine, which would have to be deposited in the Low Income and Energy Efficiency Fund.)

Proposed MCL 460.9m

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would allow the PSC to investigate a death or serious injury resulting from a utility shut-off. Any costs related to this activity would be covered with existing revenue to the PSC. Revenue to the PSC is generated from assessments levied on providers.

Date Completed: 9-23-09

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