



Senate Fiscal Agency
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House Bill 4655 (Substitute H-1 as passed by the House)
Sponsor: Representative Wayne Schmidt
House Committee: Energy and Technology
Senate Committee: Energy Policy and Public Utilities

Date Completed: 4-2-09

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 9b would be added by House Bill 4656 (H-2). It would authorize the Attorney General or a municipally owned utility customer to commence a civil action for injunctive relief or imposition of a civil fine against a utility that failed to meet the applicable requirements of the PSC law. In issuing a final order, a court could award costs of litigation to the prevailing party, and could order the utility to pay 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.

Fiscal Analyst: Elizabeth Pratt
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.