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House Bill 4673 (Substitute H-3 as reported with amendment)

Sponsor: Representative Jeff Mayes

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 do the following:

- Prohibit a municipally owned electric utility from shutting off service to eligible customers (certain senior citizen and low-income customers) during the heating season if they applied for heating assistance, entered into a winter protection payment plan, and paid any arrearages in monthly installments.
- Allow the utility to shut off service to a noncompliant customer after giving a notice containing specified information, including that unless he or she made the payments that were past due within 10 days of the mailing date, the utility could shut off service; and that he or she could petition the utility in accordance with its rules disputing the claim before the proposed shut-off date, or bring an action pursuant to proposed Section 9p.

("Eligible customer" would mean either an eligible low-income customer or an eligible senior citizen customer who demonstrates to the utility his or her eligibility. "Eligible low-income customer" would mean a customer whose household income does not exceed 150% of the poverty level, as published by the U.S. Department of Health and Human Services, or who receives assistance from a State emergency relief program, food stamps, or Medicaid. "Eligible senior citizen customer" would mean a utility customer who is at least 65 years old and who advises the utility of his or her eligibility.)

(House Bill 4656 (H-2) and Senate Bill 557 would add Section 9p to allow the Attorney General or a customer of a municipally owned utility (or a municipally owned electric utility, under the Senate bill) to bring a civil action for injunctive relief against a utility that failed to meet applicable requirements of the PSC law. The House bill also would allow an action for a civil fine.)

Proposed MCL 460.9r

Legislative Analyst: Julie Cassidy

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 9-24-09

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