

**SUBSTITUTE FOR  
HOUSE BILL NO. 4387**

A bill to amend 1939 PA 3, entitled

"An act to provide for the regulation and control of public and certain private 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 460.11) by adding section 9h.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 9H. (1) UPON A COMPLAINT OR THE COMMISSION'S OWN MOTION,  
2   THE COMMISSION MAY REVIEW ALLEGATIONS OF VIOLATIONS OF SECTION 9D,  
3   9E, 9F, 9J, OR 9I. IF THE COMMISSION FINDS THAT A PROVIDER HAS  
4   VIOLATED SECTION 9D, 9E, 9F, 9J, OR 9I, THE COMMISSION MAY ORDER ANY  
5   REMEDIES AND PENALTIES SET FORTH IN SECTION 5 OF 1919 PA 419, MCL  
6   460.55. ANY FINE ASSESSED UNDER THIS SECTION SHALL BE DEPOSITED  
7   INTO THE LOW INCOME AND ENERGY EFFICIENCY FUND.

8           (2) AS USED IN THIS SECTION, "PROVIDER" MEANS AN ELECTRIC  
9   UTILITY, COOPERATIVE ELECTRIC UTILITY, OR ALTERNATIVE ELECTRIC  
10  SUPPLIER, OR A NATURAL GAS UTILITY AS DEFINED IN SECTION 9.