

**SUBSTITUTE FOR
HOUSE BILL NO. 4392**

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 9i.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9I. (1) NO LATER THAN 3 BUSINESS DAYS AFTER SHUTTING OFF
2 SERVICE TO A KNOWN SENIOR CITIZEN CUSTOMER, A PROVIDER SHALL
3 ATTEMPT TO CONTACT THAT CUSTOMER BY AT LEAST 2 METHODS DESCRIBED
4 UNDER SUBSECTION (2) AND EXPLAIN TO THE CUSTOMER THE ACTIONS THAT
5 CUSTOMER MUST TAKE TO HAVE HIS OR HER SERVICE RESTORED.

6 (2) A PROVIDER SHALL UTILIZE THE FOLLOWING NOTIFICATION
7 METHODS TO MEET THE REQUIREMENTS OF SUBSECTION (1):

8 (A) A PERSONAL OR AUTOMATED TELEPHONE CALL WHERE DIRECT
9 CONTACT IS MADE WITH A MEMBER OF THE CUSTOMER'S HOUSEHOLD OR A
10 MESSAGE IS RECORDED ON AN ANSWERING MACHINE OR VOICE MAIL.

11 (B) FIRST-CLASS MAIL.

12 (C) A PERSONAL VISIT TO THE CUSTOMER.

13 (D) A WRITTEN NOTICE LEFT AT OR ON THE CUSTOMER'S DOOR.

14 (E) ANY OTHER METHOD APPROVED BY THE COMMISSION.

15 (3) A COMMUNICATION DESCRIBED IN SUBSECTION (2)(C) OR (D) MADE
16 ON THE DAY OF DISCONNECTION MEETS THE REQUIREMENTS OF SUBSECTION
17 (1).

18 (4) A MESSAGE LEFT ON AN ANSWERING MACHINE OR VOICE MAIL OR A
19 WRITTEN NOTICE LEFT AT OR ON A CUSTOMER'S DOOR MUST INCLUDE A TOLL-
20 FREE TELEPHONE NUMBER INDICATING THAT IT MAY BE USED TO CONTACT A
21 REPRESENTATIVE OF THE PROVIDER REGARDING RESTORATION OF SERVICE.

22 (5) A PROVIDER MAY MEET THE NOTICE REQUIREMENT OF THIS SECTION
23 WITH REGARD TO A SENIOR CITIZEN CUSTOMER BY, WITHIN 3 BUSINESS DAYS
24 OF SHUTTING OFF SERVICE, MAKING A DOCUMENTED REFERRAL OF THAT
25 CUSTOMER TO A SOCIAL SERVICE OR GOVERNMENT AGENCY.

26 (6) AS USED IN THIS SECTION:

27 (A) "PROVIDER" MEANS AN ELECTRIC UTILITY, MUNICIPALLY OWNED

1 ELECTRIC OR NATURAL GAS UTILITY, COOPERATIVE ELECTRIC UTILITY, OR
2 ALTERNATIVE ELECTRIC SUPPLIER, OR A NATURAL GAS UTILITY AS DEFINED
3 IN SECTION 9.

4 (B) "SENIOR CITIZEN CUSTOMER" MEANS A CUSTOMER OF A PROVIDER
5 WHO IS 65 YEARS OF AGE OR OLDER.