

SUBSTITUTE FOR  
HOUSE BILL NO. 4658

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 90.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

House Bill No. 4658 as amended November 10, 2009

1           SEC. 90. (1) A PROVIDER SHALL, IN THE ORDINARY COURSE OF  
2 BUSINESS, MAKE EFFORTS TO IDENTIFY SENIOR CITIZEN CUSTOMERS BY AT  
3 LEAST 1 OF THE FOLLOWING METHODS:

4           (A) CONDUCTING CUSTOMER INTERVIEWS.

5           (B) OBTAINING INFORMATION FROM A CONSUMER REPORTING AGENCY OR  
6 CONSUMER REPORTING SERVICE.

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

10          (D) FIRST-CLASS MAIL.

11          (E) A PERSONAL VISIT TO THE CUSTOMER.

12          (F) A WRITTEN NOTICE LEFT AT OR ON THE CUSTOMER'S DOOR.

13          (G) A BILL INSERT.

14          (H) ANY OTHER METHOD APPROVED BY THE COMMISSION FOR REGULATED  
15 UTILITIES.

16          (2) A PROVIDER SHALL COMPLY WITH THE REQUIREMENTS IMPOSED IN  
17 SUBSECTION (1) <<WITHIN 30 DAYS AFTER THE EFFECTIVE DATE OF THE  
18 AMENDATORY ACT THAT ADDED THIS SECTION>>. THE PROVIDER'S GOVERNING BODY  
19 MAY FOR GOOD CAUSE GRANT AN EXTENSION TO A PROVIDER FOR COMPLIANCE  
20 WITH SUBSECTION (1).

21          (3) AS USED IN THIS SECTION:

22          (A) "CONSUMER REPORTING AGENCY" MEANS THAT TERM AS DEFINED IN  
23 SECTION 603 OF THE FAIR CREDIT REPORTING ACT, 15 USC 1681A.

24          (B) "PROVIDER" MEANS A MUNICIPALLY OWNED ELECTRIC OR NATURAL  
25 GAS UTILITY.

26          (C) "SENIOR CITIZEN" MEANS A PROVIDER CUSTOMER WHO IS 65 YEARS  
OF AGE OR OLDER.