

# HOUSE BILL No. 4659

March 19, 2009, Introduced by Rep. Sheltroun and referred to the Committee on Energy and Technology.

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 9n.

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

1           SEC. 9N. (1) A PROVIDER SHALL NOT SHUT OFF ELECTRIC OR NATURAL  
2 GAS SERVICE TO A CUSTOMER WHO HAS FAILED TO SATISFY AN OBLIGATION  
3 TO THE PROVIDER UNLESS THE PROVIDER COMPLIES WITH THE NOTICE  
4 PROVISIONS OF R 460.138 OF THE MICHIGAN ADMINISTRATIVE CODE, AS IN  
5 EFFECT ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS  
6 SECTION.

7           (2) IF THE COMMISSION AMENDS R 460.138 OF THE MICHIGAN  
8 ADMINISTRATIVE CODE AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT  
9 THAT ADDED THIS SECTION, A PROVIDER MAY ELECT TO OPERATE IN  
10 COMPLIANCE WITH THE UPDATED NOTICE PROVISIONS.

11           (3) AS USED IN THIS SECTION, "PROVIDER" MEANS A MUNICIPALLY  
12 OWNED UTILITY.