

HOUSE BILL No. 5654

December 8, 2009, Introduced by Reps. Lindberg, Mayes, McDowell, Nerat, Spade, Neumann and Lahti and referred to the Committee on Energy and Technology.

A bill to amend 2008 PA 295, entitled
"Clean, renewable, and efficient energy act,"
by amending section 51 (MCL 460.1051).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 51. (1) By a time determined by the commission, each
2 electric provider shall submit to the commission an annual report
3 that provides information relating to the actions taken by the
4 electric provider to comply with the renewable energy standards. By
5 ~~that same time~~ **CONCURRENTLY**, a municipally-owned electric utility
6 shall submit a copy of the report to the governing body of the
7 municipally-owned electric utility, and a cooperative electric
8 utility shall submit a copy of the report to its board of
9 directors.

10 (2) An annual report under subsection (1) shall include all of

1 the following information:

2 (a) The amount of electricity and renewable energy credits
3 that the electric provider generated or acquired from renewable
4 energy systems during the reporting period and the amount of
5 renewable energy credits that the electric provider acquired, sold,
6 traded, or otherwise transferred during the reporting period.

7 (b) The amount of electricity that the electric provider
8 generated or acquired from advanced cleaner energy systems pursuant
9 to this act during the reporting period.

10 (c) The capacity of each renewable energy system and advanced
11 cleaner energy system owned, operated, or controlled by the
12 electric provider, the total amount of electricity generated by
13 each renewable energy system or advanced cleaner energy system
14 during the reporting period, and the percentage of that total
15 amount of electricity from each renewable energy system that was
16 generated directly from renewable energy.

17 (d) Whether, during the reporting period, the electric
18 provider began construction on, acquired, or placed into operation
19 a renewable energy system or advanced cleaner energy system.

20 (e) Expenditures made in the past year and anticipated future
21 expenditures to comply with this subpart.

22 (f) Any other information that the commission determines
23 necessary.

24 (3) Concurrent with the submission of each report under
25 subsection (1), a municipally-owned electric utility shall submit a
26 summary of the report to its customers in their bills with a bill
27 insert and to its governing body. **IF, TOGETHER WITH THE**

1 SUMMARY REQUIRED UNDER THIS SUBSECTION, A MUNICIPALLY-OWNED
2 ELECTRIC UTILITY SUBMITS TO ITS RESIDENTIAL CUSTOMERS THE
3 INFORMATION REQUIRED PURSUANT TO SECTION 45(5) FOR THE YEAR COVERED
4 BY THE SUMMARY UNDER THIS SUBSECTION, THE MUNICIPALLY-OWNED
5 ELECTRIC UTILITY SHALL BE CONSIDERED TO BE IN COMPLIANCE WITH THE
6 ITEMIZED BILLING REQUIREMENTS OF SECTION 45(2) AND THE REPORTING
7 REQUIREMENTS OF SECTION 45(5) FOR THAT YEAR. Concurrent with the
8 submission of each report under subsection (1), a cooperative
9 electric utility shall submit a summary of the report to its
10 members in a periodical issued by an association of rural electric
11 cooperatives and to its board of directors. A municipally-owned
12 electric utility or cooperative electric provider shall make a copy
13 of the report available at its office and shall post a copy of the
14 report on its website. A summary under this section shall indicate
15 that a copy of the report is available at the office or website.

16 (4) The commission shall monitor reports submitted under
17 subsection (1) and ensure that actions taken under this act by
18 electric providers serving customers in the same distribution
19 territory do not create an unfair competitive advantage for any of
20 those electric providers.

21 (5) By February 15, 2011 and each year thereafter, the
22 commission shall submit to the standing committees of the senate
23 and house of representatives with primary responsibility for energy
24 and environmental issues a report that does all of the following:

25 (a) Summarizes data collected under this section.

26 (b) Discusses the status of renewable energy and advanced
27 cleaner energy in this state and the effect of this subpart and

1 subpart B on electricity prices.

2 (c) For each of the different types of renewable energy sold
3 at retail in this state, specifies the difference between the cost
4 of the renewable energy and the cost of electricity generated from
5 new conventional coal-fired electric generating facilities.

6 (d) Discusses how the commission is fulfilling the
7 requirements of subsection (4).

8 (e) Evaluates whether this subpart has been cost-effective.

9 (f) Provides a comparison of the cost effectiveness of the
10 methods of an electric utility with 1,000,000 or more retail
11 customers in this state as of January 1, 2008 obtaining renewable
12 energy credits under the options described in section 33.

13 (g) Describes the impact of this subpart on employment in this
14 state. The commission shall consult with other appropriate agencies
15 of the department of **ENERGY**, labor, and economic growth in the
16 development of this information.

17 (h) Describes the effect of the percentage limits under
18 section 27(7) on the development of advanced cleaner energy.

19 (i) Makes any recommendations the commission may have
20 concerning amendments to this subpart, including changes in the
21 percentage limits under section 27(7), or changes in the definition
22 of renewable energy resource or renewable energy system to reflect
23 environmentally preferable technology.

24 (6) The department of **ENERGY**, labor, and economic growth shall
25 maintain on the department's website a copy of the commission's
26 most recent report under subsection (5).