

# HOUSE BILL NO. 5752

April 30, 2020, Introduced by Reps. Tyrone Carter and Cynthia Johnson and referred to the Committee on Energy.

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 powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain



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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 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 9e.

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

1           **Sec. 9e. (1) Except as otherwise provided by this section, a**  
2 **provider shall not discontinue electric or natural gas service to**  
3 **the residence of a customer if both of the following apply:**

4           **(a) The governor has issued an executive order declaring a**  
5 **state of emergency to protect the public health and safety in**  
6 **response to a communicable disease or infection.**

7           **(b) The customer files an application with the provider.**

8           **(2) A customer may receive shut-off protection from the**  
9 **provider under this section for up to 90 days. Upon application to**  
10 **the provider, the provider may grant the customer 1 or more**  
11 **extensions.**

12           **(3) Unless waived by the provider, the shut-off protection**  
13 **provided under this section does not void or limit the obligation**  
14 **of the customer to pay for electric or natural gas service received**  
15 **during the time of assistance.**

16           **(4) A provider shall do all of the following:**

17           **(a) Establish a repayment plan requiring minimum monthly**  
18 **payments that allows the customer to pay any past due amounts over**  
19 **a reasonable time period not to exceed 1 year.**

20           **(b) Provide a customer with information regarding any**

1 governmental, provider, or other assistance programs.

2 (c) Provide customers with access to existing information on  
3 ways to minimize or conserve their service usage.

4 (5) This section does not affect or amend any commission rules  
5 or orders pertaining to billing standards. If the terms and  
6 conditions under subsection (4) (a) are not followed by the  
7 customer, the provider may follow the procedures in the  
8 commission's rules on consumer standards and billing practices for  
9 electric and natural gas residential service.

10 (6) As used in this section:

11 (a) "Communicable disease" means that term as defined in  
12 section 5101 of the public health code, 1978 PA 368, MCL 333.5101.

13 (b) "Infection" means that term as defined in section 5101 of  
14 the public health code, 1978 PA 368, MCL 333.5101.

15 (c) "Provider" means any of the following:

16 (i) An electric utility.

17 (ii) A natural gas utility.

18 (iii) A cooperative electric utility.

19 (iv) A municipally owned electric utility.

