

HOUSE BILL NO. 6043

April 14, 2022, Introduced by Reps. Rabhi, Aiyash, Steven Johnson, Pohutsky, Sowerby and Yancey 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 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 sections 9f and 9g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 9f. (1) An electric utility shall do all of the following**
2 **when a service interruption occurs:**

3 **(a) Reimburse an individual whose utilities are paid for by**
4 **their landlord and whose service was interrupted for more than 4**
5 **but not more than 24 hours, \$50.00 or the cost of spoiled food,**
6 **lodging, or other costs the individual incurred because of the**
7 **service interruption, whichever is larger.**

8 **(b) Reimburse an individual whose utilities are paid for by**
9 **their landlord and whose service was interrupted for more than 24**
10 **hours, \$200.00 or the cost of spoiled food, lodging, or other costs**
11 **the individual incurred because of the service interruption,**
12 **whichever is larger.**

13 **(c) Reimburse a local unit of government for any costs that**
14 **the local unit of government incurred because of the service**
15 **interruption, including, but not limited to, all of the following:**

16 **(i) The cost required to dispatch emergency services during the**
17 **service interruption.**

18 **(ii) The cost required to operate warming or cooling centers**
19 **due to unsafe weather.**

20 **(iii) The cost of operating backup generation during the service**
21 **interruption.**

1 (iv) Other costs incurred to respond to and mitigate the
2 harmful effects of the service interruption.

3 (2) An individual or local unit of government that seeks
4 reimbursement under this section shall submit its account of actual
5 costs to the commission no later than 90 days after the date of
6 service interruption. The commission shall examine the account and
7 determine what costs shall be reimbursed. Not later than 30 days
8 after the commission determines what actual costs shall be
9 reimbursed, the utility shall pay the amount to the individual or
10 the local unit of government.

11 (3) This section is in addition to any other remedy provided
12 by law.

13 (4) As used in this section:

14 (a) "Emergency services" means services provided to the public
15 by police, fire, ambulance, or other first responders.

16 (b) "Service interruption" means a full or partial loss of
17 electric service.

18 Sec. 9g. (1) Except as otherwise provided in section 9f, if a
19 customer's service is interrupted during a billing cycle, the
20 electric utility shall automatically provide the customer a bill
21 credit on the customer's next electric utility bill equal to the
22 amount described under subsection (2). If the customer's credit
23 under subsection (2) exceeds the amount of the customer's bill for
24 the billing cycle, the electric utility shall automatically carry
25 forward the balance of the credit to subsequent billing cycles
26 until it is expended.

27 (2) The bill credit in subsection (1) must equal 1 of the
28 following:

29 (a) For a residential customer, the following amount:

1 (i) Five dollars for the first hour of service interruption.

2 (ii) Seven dollars for every hour of service interruption
3 greater than 1 hour but less than 5 hours.

4 (iii) Ten dollars for every hour of service interruption of at
5 least 5 hours but less than 12 hours.

6 (iv) Twelve dollars for every hour of service interruption of
7 at least 12 hours but less than 24 hours.

8 (v) Fifteen dollars for every hour of service interruption of
9 at least 24 hours but less than 48 hours.

10 (vi) Eighteen dollars for every hour of service interruption of
11 at least 48 hours but less than 72 hours.

12 (vii) Twenty-five dollars for every hour of service
13 interruption of at least 72 hours or more.

14 (b) For a nonresidential customer, an amount determined by a
15 formula established by the commission under subsection (3).

16 (3) Not later than 12 months after the effective date of the
17 amendatory act that added this section, the commission shall issue
18 an order that sets the formula for the nonresidential credit based
19 on a product of the number of outage hours and a multiple of that
20 customer's average hourly load for the preceding 12 months.