

HOUSE BILL No. 4281

February 11, 1997, Introduced by Rep. Ciaramitaro and referred to the Committee on Local Government.

A bill to amend 1939 PA 3, entitled

"An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; 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 therein 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 rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act,"

by amending section 6 (MCL 460.6), as amended by 1993 PA 355.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) The public service commission is vested with
2 complete power and jurisdiction to regulate all public utilities
3 in the state, except, SUBJECT TO SUBSECTION (2), a municipally
4 owned utility, EXCEPT the owner of a renewable resource power

1 production facility as provided in section 6d, and except as
2 otherwise restricted by law. The public service commission is
3 vested with the power and jurisdiction to regulate all rates,
4 fares, fees, charges, services, rules, conditions of service, and
5 all other matters pertaining to the formation, operation, or
6 direction of public utilities. The public service commission is
7 further granted the power and jurisdiction to hear and pass upon
8 all matters pertaining to, necessary, or incident to the regula-
9 tion of public utilities, including electric light and power com-
10 panies, whether private, corporate, or cooperative; water, tele-
11 graph, oil, gas, and pipeline companies; motor carriers; and all
12 public transportation and communication agencies other than rail-
13 roads and railroad companies.

14 (2) A CITY, VILLAGE, TOWNSHIP, COUNTY, OR OTHER GOVERNMENTAL
15 ENTITY THAT OWNS, OPERATES, MANAGES, OR CONTROLS ANY EQUIPMENT OR
16 FACILITIES FOR THE PRODUCTION, TRANSMISSION, DELIVERY, OR FUR-
17 NISHING OF WATER FOR COMPENSATION IS SUBJECT TO THE JURISDICTION
18 OF THE COMMISSION, BUT ONLY WITH RESPECT TO THE DISCONTINUANCE OF
19 RETAIL WATER SERVICE FOR NONPAYMENT OF A BILL. R 460.13404(1)(A)
20 TO (E) AND (G), R 460.13404(2)(B)(4), R 460.13405(1) TO (3) AND
21 (5), R 460.13407(3) AND R 460.13408(3), (4), AND (6) OF THE
22 MICHIGAN ADMINISTRATIVE CODE APPLY TO DISCONTINUANCE OF RETAIL
23 WATER SERVICE BY GOVERNMENTAL ENTITIES SUBJECT TO THE JURISDIC-
24 TION OF THE COMMISSION UNDER THIS SECTION UNLESS, UNDER THE
25 ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO
26 24.328, THE COMMISSION PROMULGATES DIFFERENT RULES APPLICABLE TO

1 THESE GOVERNMENTAL ENTITIES AND PROVIDES FOR REASONABLE ADVANCE

2 NOTICE OF DISCONTINUANCE OF SERVICE FOR NONPAYMENT OF A BILL.