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Senate Bill 538 (as introduced 5-5-09)
Sponsor: Senator Gretchen Whitmer
Committee: Energy Policy and Public Utilities

Date Completed: 9-17-09

CONTENT

The bill would amend Public Act 3 of 1939, the Public Service Commission (PSC) law, to require a provider (a municipally owned electric utility) to notify the PSC of any shut-off of service that resulted in death or serious injury.

Upon notification or on the PSC's own motion, the Commission could investigate any shut-off by a provider that resulted in death or serious injury. After completing its investigation, the Commission could refer the matter to the Attorney General for commencement of a civil action under proposed Section 9p.

(Section 9p would be added by Senate Bill 557. It would authorize the Attorney General or a municipally owned electric utility customer to commence a civil action for injunctive relief against a utility that failed to meet the applicable requirements of the PSC law. In issuing a final order, a court could award costs of litigation to the prevailing party.)

Proposed MCL 460.9m

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

Any increased costs related to these investigations would be covered with existing revenue to the PSC. The PSC is funded with assessments levied on utility companies.

Fiscal Analyst: Elizabeth Pratt
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.