

SENATE BILL No. 326

March 4, 2009, Introduced by Senators SCOTT, PRUSI, SWITALSKI, BRATER, OLSHOVE, WHITMER, CLARKE, CHERRY, GLEASON, ANDERSON, HUNTER, JACOBS, BARCIA, CLARK-COLEMAN, PAPPAGEORGE, BIRKHOLZ, KAHN and JANSEN and referred to the Committee on Energy Policy and Public Utilities.

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 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 provide for a restructuring of the manner in which energy is provided in this state; 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 6t.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 6T. (1) AN ELECTRIC PROVIDER SHALL NOT USE AN ELECTRIC
2 SERVICE LIMITER IN THIS STATE.

3 (2) NO LATER THAN 180 DAYS AFTER THE EFFECTIVE DATE OF THE
4 AMENDATORY ACT THAT ADDED THIS SECTION, THE COMMISSION SHALL
5 PROMULGATE RULES ESTABLISHING UNIFORM STANDARDS FOR THE USE OF
6 ELECTRIC SERVICE LIMITERS BY ELECTRIC PROVIDERS IN THIS STATE.
7 SUBSECTION (1) DOES NOT APPLY ON OR AFTER THE EFFECTIVE DATE OF THE
8 RULES PROMULGATED UNDER THIS SUBSECTION.

9 (3) AS USED IN THIS SUBSECTION:

10 (A) "ELECTRIC PROVIDER" MEANS AN ELECTRIC UTILITY, MUNICIPALLY
11 OWNED UTILITY, COOPERATIVE ELECTRIC UTILITY, OR ALTERNATIVE
12 ELECTRIC SUPPLIER.

13 (B) "ELECTRIC SERVICE LIMITER" MEANS ANY DEVICE THAT
14 INTERRUPTS ELECTRIC SERVICE AT A CUSTOMER'S RESIDENCE WHEN THE
15 USAGE LIMIT IS EXCEEDED.