

SENATE BILL No. 535

May 5, 2009, Introduced by Senators BARCIA, CLARKE, ANDERSON, OLSHOVE and CHERRY 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 9q.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9Q. (1) A PROVIDER SHALL COMPLY WITH R 460.147, 460.148,
2 460.149, AND 460.151 OF THE MICHIGAN ADMINISTRATIVE CODE, AS IN
3 EFFECT ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS
4 SECTION.

5 (2) IF THE COMMISSION AMENDS R 460.147, 460.148, 460.149, OR
6 460.151 OF THE MICHIGAN ADMINISTRATIVE CODE AFTER THE EFFECTIVE
7 DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, A PROVIDER MAY
8 ELECT TO OPERATE IN COMPLIANCE WITH THE UPDATED RULES.

9 (3) AS USED IN THIS SECTION, "PROVIDER" MEANS A MUNICIPALLY
10 OWNED UTILITY.