

SENATE BILL No. 538

May 5, 2009, Introduced by Senators WHITMER, 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 9m.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9M. (1) A PROVIDER SHALL NOTIFY THE COMMISSION OF ANY
2 SHUTOFF OF SERVICE THAT RESULTS IN DEATH OR SERIOUS INJURY.

3 (2) UPON NOTIFICATION OR THE COMMISSION'S OWN MOTION, THE
4 COMMISSION MAY INVESTIGATE ANY SHUTOFF OF SERVICE BY A PROVIDER
5 THAT RESULTS IN DEATH OR SERIOUS INJURY. AFTER COMPLETING ITS
6 INVESTIGATION, THE COMMISSION MAY REFER THE MATTER TO THE ATTORNEY
7 GENERAL FOR COMMENCEMENT OF A CIVIL ACTION UNDER SECTION 9P.

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