

SENATE BILL No. 1456

August 17, 2010, Introduced by Senators STAMAS, KAHN and BARCIA and referred to the Committee on Energy Policy and Public Utilities.

A bill to provide for the preservation of certain economic development rates or contracts; to provide for the adoption of certain rate-making policies for certain electric utilities; and to prescribe the powers and duties of certain state agencies and officials.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "energy for economic development act of 2010".

3 Sec. 3. As used in this act:

4 (a) "Commission" means the Michigan public service commission
5 created in section 1 of 1939 PA 3, MCL 460.1.

6 (b) "Electric utility" means that term as defined in section 2

1 of the electric transmission line certification act, 1995 PA 30,
2 MCL 460.562.

3 Sec. 5. (1) If an electric utility executes or has executed a
4 written contract with a customer pursuant to an economic
5 development tariff provision approved by the commission, the
6 commission shall not take any action that would alter the rates,
7 terms, conditions, duration, or enforceability of that contract.
8 Such prohibited actions include, but are not limited to, an order
9 that would eliminate, phase out, or otherwise modify the economic
10 development tariff provision in a manner that would allow or
11 require an electric utility to alter the rates, terms, conditions,
12 duration, or enforceability of a contract entered into pursuant to
13 the economic development tariff.

14 (2) If an electric utility executes or has executed a written
15 contract with a customer pursuant to an economic development tariff
16 provision approved by the commission, the commission shall allow
17 the utility to fully recover from all other ratepayers the full
18 amount of the subsidy, if any, as determined by the commission,
19 resulting from the application of that economic development tariff
20 provision.