

HOUSE BILL No. 5318

December 5, 2017, Introduced by Reps. Johnson, Runestad, Lucido, Glenn, Howrylak, Barrett, Miller and Brann and referred to the Committee on Energy Policy.

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 powers and duties of certain state governmental officers and entities; 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 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 10gg.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 10GG. (1) A UTILITY CUSTOMER CONTROLS AND OWNS THEIR
2 ELECTRICITY AND NATURAL GAS USAGE INFORMATION AND DATA. EXCEPT FOR
3 THE BILLING OF ELECTRICITY OR NATURAL GAS SUPPLY, A UTILITY SHALL
4 NOT RELEASE OR USE A CUSTOMER'S UTILITY METER DATA WITHOUT THE
5 CONSENT OF THAT CUSTOMER.

6 (2) THE COMMISSION SHALL DEVELOP RULES AND PROCESSES FOR
7 CUSTOMERS TO CONSENT TO THE USE AND ACCESS OF A UTILITY CUSTOMER'S
8 DATA BY THE UTILITY OR A THIRD PARTY. ANY UTILITY OR THIRD PARTY
9 USING A UTILITY CUSTOMER'S DATA FOR PURPOSES OTHER THAN THE BILLING
10 OF ELECTRICITY OR NATURAL GAS SUPPLY SHALL DISCLOSE TO THE CUSTOMER
11 BOTH THE TYPE OF DATA ACCESSED AND HOW THE DATA WILL BE USED,
12 INCLUDING WHETHER THAT DATA WILL BE DISCLOSED TO ANY OTHER COMPANY,
13 INCLUDING AN AFFILIATED COMPANY. THE COMMISSION SHALL ALSO CREATE A
14 SECURE PROCESS FOR UTILITY CUSTOMERS TO CONSENT TO AND CONNECT NEW
15 TECHNOLOGIES CAPABLE OF READING INFORMATION DIRECTLY FROM THE
16 CUSTOMER'S UTILITY METER. THIS PROCESS MUST BE TECHNOLOGY NEUTRAL
17 AND ALLOW UTILITY CUSTOMERS TO PURCHASE THIRD PARTY TECHNOLOGIES
18 APPROVED BY THE COMMISSION AS CAPABLE OF INTERCONNECTING TO THE
19 UTILITY CUSTOMER'S METER.

20 (3) AS USED IN THIS SECTION, "UTILITY" MEANS A PERSON THAT
21 SELLS NATURAL GAS OR ELECTRICITY TO RETAIL CUSTOMERS IN THIS STATE
22 AND IS REGULATED BY THE COMMISSION.