

SENATE BILL NO. 1242

September 15, 1998, Introduced by Senator DUNASKISS and referred to the Committee on Technology and Energy.

A bill to require certain billing disclosures by electricity distributors in this state; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and civil sanctions and provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Commission" means the Michigan public service commis-
3 sion in the department of consumer and industry services.

4 (b) "Consumer" or "customer" means an end-user of
5 electricity.

6 (c) "Electricity distributor" or "distributor" means a
7 person or their lessees, trustees, and receivers, owning or oper-
8 ating equipment or facilities for delivering electricity to the
9 public for compensation.

1 (d) "Electricity supplier" or "supplier" means a person who
2 sells electricity and related services to electricity
3 distributors, aggregators, or at retail to customers located in
4 the service territories of electricity distributors.

5 Sec. 2. (1) A customer is entitled to obtain all data and
6 information relating to the customer's billing history and energy
7 usage over the last 24 months.

8 (2) Upon receipt of a written request from the customer, the
9 customer's electricity distributor shall provide the information
10 to the customer within 5 business days from the date the request
11 was received.

12 (3) The distributor is entitled to charge a fee under this
13 act not greater than the actual cost of providing the service.
14 Distributors shall include this fee in the tariffs on file and
15 approved by the commission.

16 (4) An electricity supplier or distributor may release the
17 information described in subsection (1) to a third party unless
18 the customer has provided notice withholding consent for the
19 release of the information.

20 (5) The supplier and distributor shall provide on each bill
21 the means for a customer to provide a checkoff notice withholding
22 consent for the release of the information described in subsec-
23 tion (1).

24 (6) The distributor is responsible for the metering of its
25 customers. Each bill shall identify the name of the customer's
26 electricity supplier and provide the supplier's address and
27 telephone number.

1 Sec. 3. If after notice and hearing the commission finds a
2 person has violated this act, the commission shall order remedies
3 and penalties to protect and make whole any persons who have suf-
4 fered an economic loss as a result of the violation, including,
5 but not limited to, 1 or more of the following:

6 (a) The person to pay a fine for the first offense of not
7 less than \$1,000.00 nor more than \$20,000.00 per day that the
8 person is in violation of this act, and for each subsequent
9 offense, a fine of not less than \$2,000.00 nor more than
10 \$40,000.00 per day.

11 (b) A refund to the customers of any collected excessive
12 rates.

13 (c) Cease and desist orders.

14 (d) If the person is certified or registered under this or
15 any other act, revoke the person's certificate or registration.