

HOUSE BILL No. 5411

February 16, 2012, Introduced by Reps. McMillin, Opsommer, Forlini, Franz, Moss, Lund, Heise, Hooker and Lyons and referred to the Committee on Energy and Technology.

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 10ff.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 10FF. (1) THE COMMISSION SHALL DO ALL OF THE FOLLOWING:

2 (A) REQUIRE AN ELECTRIC UTILITY TO ALLOW A CUSTOMER TO DECLINE
3 THE INSTALLATION OR USE OF AN ADVANCED METER.

4 (B) REQUIRE AN ELECTRIC UTILITY, AT A CUSTOMER'S REQUEST, TO
5 UNINSTALL ANY ADVANCED METER.

6 (C) REQUIRE THAT AN ELECTRIC UTILITY DOES NOT GIVE ANY METER
7 USE DATA FROM AN ADVANCED METER TO ANY PERSON OTHER THAN THE
8 ELECTRIC UTILITY.

9 (D) PROHIBIT AN ELECTRIC UTILITY FROM SHUTTING OFF SERVICE TO
10 A CUSTOMER BASED ON ANY OF THE FOLLOWING REASONS:

11 (i) THE AMOUNT OF ELECTRICITY THE CUSTOMER USES.

12 (ii) THE CUSTOMER DECLINING THE INSTALLATION OR USE OF AN
13 ADVANCED METER.

14 (E) PROHIBIT AN ELECTRIC UTILITY FROM IMPOSING ANY
15 DISINCENTIVE ON A CUSTOMER FOR NOT ACCEPTING THE INSTALLATION OR
16 USE OF AN ADVANCED METER.

17 (F) PROHIBIT AN ELECTRIC UTILITY FROM OBTAINING DATA FROM AN
18 ADVANCED METER MORE THAN ONCE PER MONTH, UNLESS REQUESTED BY A
19 CUSTOMER.

20 (G) REQUIRE AN ELECTRIC UTILITY, 30 DAYS BEFORE INSTALLING AN
21 ADVANCED METER, TO SEND A NOTICE TO THAT CUSTOMER INFORMING THE
22 CUSTOMER OF THE RIGHT TO DECLINE THE INSTALLATION OR USE OF AN
23 ADVANCED METER.

24 (H) ISSUE A REPORT EACH YEAR TO THE HOUSE AND SENATE STANDING
25 COMMITTEES WITH OVERSIGHT OF PUBLIC UTILITIES ISSUES OUTLINING
26 ELECTRIC UTILITIES' COMPLIANCE WITH THIS SECTION.

1 (2) AS USED IN THIS SECTION, "ADVANCED METER" MEANS A METER
2 THAT IS CAPABLE OF MEASURING, RECORDING, STORING, AND REPORTING
3 USAGE ACCORDING TO PREDETERMINED TIME CRITERIA AND THAT ALLOWS 2-
4 WAY COMMUNICATIONS SUITED FOR DEMAND-RESPONSE PROGRAMS.