

# HOUSE BILL NO. 5662

March 17, 2020, Introduced by Reps. Maddock, Berman, Wozniak and Eisen and referred to the Committee on Energy.

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;



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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 9e.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 9e. (1) Subject to subsection (2), if an electric utility  
2 fails to restore service to a customer within 16 hours after an  
3 interruption in the customer's service that occurred during normal  
4 conditions, or if an electric utility fails to restore service to a  
5 customer within 120 hours after an interruption in the customer's  
6 service that occurred during a catastrophic condition, the electric  
7 utility shall provide the customer a bill credit on the customer's  
8 next electric utility bill. The bill credit must equal 1 of the  
9 following:

10       (a) For a residential customer, \$25.00 or the customer's  
11 monthly service charge, whichever is greater.

12       (b) For a nonresidential customer, the customer's minimum bill  
13 prorated on a daily basis.

14       (2) To receive the bill credit under subsection (1), a  
15 customer must satisfy 1 of the following:

16       (a) For a customer with a smart meter, the electric utility  
17 shall automatically provide the bill credit under subsection (1),  
18 unless the customer opts out of the bill credit.

19       (b) For a customer without a smart meter, the customer must  
20 apply for the bill credit in a form and manner prescribed by the  
21 commission.



(3) As used in this section:

(a) "Catastrophic condition" means either of the following:

(i) Severe weather that results in a service interruption for 10% or more of the customers serviced by the electric utility.

(ii) An event of sufficient magnitude that results in an official state of emergency declaration by a local government, this state, or the federal government.

(b) "Customer's minimum bill prorated on a daily basis" means the amount that results from dividing the customer's minimum bill amount by the number of days in the billing period and then by multiplying that quotient by the number of days during which the customer remained out of service.

(c) "Normal conditions" means any condition other than a catastrophic condition.

