

HOUSE BILL No. 5376

December 13, 1989, Introduced by Rep. Owinga and referred to the Committee on Public Utilities.

A bill to amend Act No. 3 of the Public Acts of 1939, entitled as amended

"An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; 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 therein 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 rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act,"

as amended, being sections 460.1 to 460.8 of the Michigan Compiled Laws, by adding section 6p.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 3 of the Public Acts of 1939, as
2 amended, being sections 460.1 to 460.8 of the Michigan Compiled
3 Laws, is amended by adding section 6p to read as follows:

4 SEC. 6P. (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
5 ACT OR A RULE PROMULGATED OR ORDER ISSUED UNDER THIS ACT, A RATE
6 ESTABLISHED AFTER JUNE 30, 1989, FOR A FACILITY FUELED PRIMARILY
7 BY MUNICIPAL SOLID WASTE THAT IS LOCATED IN A COUNTY WITH A POPU-
8 LATION OF 600,000 OR LESS, AND A RATE ESTABLISHED FOR A QUALIFY-
9 ING COGENERATION FACILITY THAT AS A RESULT OF ITS OPERATION
10 DECONTAMINATES GROUNDWATER, SHALL BE THE SAME AS THE MOST RECENT
11 RATE APPROVED BY THE COMMISSION FOR SUCH A FACILITY PRIOR TO
12 JUNE 30, 1989.

13 (2) AS USED IN THIS SECTION:

14 (A) "PURPA" MEANS THE PUBLIC UTILITY REGULATORY POLICIES ACT
15 OF 1978, PUBLIC LAW 95-617, 92 STAT. 3117, AND IMPLEMENTING FED-
16 ERAL REGULATIONS PROMULGATED UNDER THE ACT.

17 (B) "QUALIFYING COGENERATION FACILITY" SHALL HAVE THE MEAN-
18 ING DEFINED BY PURPA.