

State Budget Office
Office of Regulatory Reinvention
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REQUEST FOR RULEMAKING (RFR)

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate rules must electronically file a RFR with the Office of Regulatory Reinvention (ORR) before initiating any changes or additions to the rules. Submit copy to the ORR at orr@michigan.gov.

1. Agency Information

Agency name:	Department of Licensing and Regulatory Affairs
Division/Bureau/Office:	Michigan Public Service Commission
Name, title, phone number, and e-mail of person completing this form:	Alissa Day Administrative Law Specialist 517-284-8085 daya@michigan.gov

2. Rule Set Information

Title of proposed rule set:	Technical Standards for Electric Service
Rule number(s) or range of numbers:	R 460.3101-460.3908
Included in agency's annual regulatory plan as rule to be processed in current year?	No.

3. Estimated timetable for completion, or statutory deadline, if applicable:

Three months is estimated, but there is no applicable deadline.

4. Describe the general purpose of these rules, including any problem(s) the changes are intended to address:

These rules apply to electric utility service provided by utilities that are subject to the jurisdiction of the Public Service Commission. The rules are intended to promote safe and adequate electric service to the public, to provide standards for uniform and reasonable electric practices by utilities, and to encourage efficiency and safety. R 460.3308(a) contains an outdated reference to the American National Standards Institute standards for electricity meters, ANSI C12.20-2010, which is the 2010 version. The most current version of this standard is ANSI C12.20-2015, which is the 2015 version. Therefore, R 460.3308(a) needs to be updated to reflect the most up-to-date version. In addition, the prices set forth in R 460.3308(a), (c), and (d) for ANSI C12.1-2014, ANSI C12.20.2015, IEEE C57.13-2016, and IEEE C57.13.6-2005 need to be updated to reflect current prices. The proposed change to these rules is supported by the Commission and by regulated industry.

5. Cite the specific rule promulgation authority (i.e. agency director, commission, board, etc., listing all applicable statutory references. If the rule(s) are mandated by any applicable constitutional or statutory provision, please explain.

MCL 460.557, 460.55, 460.4, and 460.6. There is no constitutional or statutory mandate for the rules. However, the aforementioned statutes provide the Commission with general authority to promulgate rules for the conduct of its business and the proper discharge of its functions.

- 6. Describe the extent to which the rule(s) conflict with, duplicate, or exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level. Include applicable public act and statutory references.**

The Commission is not aware of any conflict with or duplication of state and federal regulations.

- 7. Is the subject matter of the rule(s) currently contained in any guideline, manual, handbook, instructional bulletin, form with instructions, or operational memo?**

No, however the rules adopt by reference certain national engineering and technical standards.

- 8. Explain whether the rule(s) will be promulgated under Sections 44 or 48 of the APA or the full rulemaking process:**

The proposed change to R 460.3308(a) will be promulgated under Section 44(1) of 1969 PA 306 because the American National Standards Institute standards for electricity meters, ANSI C12.20-2010, is obsolete and needs to be replaced with the newest version, the American National Standards Institute standards for electricity meters, ANSI C12.20-2015. In addition, the prices set forth in R 460.3308(a), (c), and (d) for ANSI C12.1-2014, ANSI C12.20.2015, IEEE C57.13-2016, and IEEE C57.13.6-2005 need to be updated to reflect current prices. Because this is solely a formal change that is required to make the rule conform to the most up-to-date American National Standards Institute standard for electricity meters and to reflect the most current prices for copies of the standards, a notice of a public hearing and an opportunity for persons to present data, views, questions, and arguments is not necessary as set forth in MCL 24.241.

- 9. Do the rule(s) incorporate the recommendations of any Advisory Rules Committee formed pursuant to Executive Order 2011-5? If yes, explain.**

No.

- 10. Is there an applicable decision record as defined in Section 3(6) and required by Section 39(2) of the APA? If so, please attach the decision record.**

No.

- 11. Reviewed by the following Departmental Regulatory Affairs Officer:**

Liz Arasim
Department of Licensing and Regulatory Affairs

↓ To be completed by the ORR ↓

Date RFR received:3-8-2019

Based on the information in this RFR, the ORR concludes that there are sufficient policy and legal bases for approving the RFR.

ORR assigned rule set number:	2019-030 LR
Date of approval:	3/13/19

Based on the information in this RFR, the ORR is not approving the RFR at this time.

Date of disapproval:	
Explanation:	