

# SENATE BILL No. 1472

September 20, 2006, Introduced by Senators PRUSI, THOMAS, BRATER, LELAND, WHITMER, CHERRY, OLSHOVE, SCHAUER and EMERSON and referred to the Committee on Finance.

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 460.10cc) by adding section 9e.

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

1           SEC. 9E. (1) IF AFTER NOTICE AND HEARING THE COMMISSION FINDS  
2 SUFFICIENT EVIDENCE THAT THERE EXISTS, OR WILL EXIST IF NOT  
3 PREVENTED, A CRISIS SITUATION REGARDING THE AVAILABILITY,  
4 DISTRIBUTION, COST, OR ANY OTHER FACTOR RELATING TO THE PRODUCTION  
5 OR DELIVERY OF ENERGY IN THIS STATE, THE COMMISSION SHALL RECOMMEND  
6 TO THE GOVERNOR THAT HE OR SHE DECLARE AN ENERGY EMERGENCY.

7           (2) IF THE GOVERNOR DECLARES AN ENERGY EMERGENCY UNDER  
8 SUBSECTION (1), THE GOVERNOR SHALL ORDER SUCH MEASURES AS ARE  
9 NECESSARY TO ALLEVIATE THE CRISIS, INCLUDING, BUT NOT LIMITED TO,  
10 THE REALLOCATION OF FUNDS OTHERWISE ALLOCATED TO OTHER ENERGY  
11 PROGRAMS TO PROGRAMS SPECIFICALLY DESIGNED TO ADDRESS THE  
12 EMERGENCY.