

**SUBSTITUTE FOR
HOUSE BILL NO. 4391**

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 9f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9F. (1) A MUNICIPALLY OWNED ELECTRIC OR NATURAL GAS
2 UTILITY OR PROVIDER SHALL REFUND ANY LATE FEES, FINES, OR PAYMENTS
3 RELATED TO A SHUTOFF OR RESUMPTION OF SERVICE IF THOSE LATE FEES,
4 FINES, OR PAYMENTS WERE IMPROPERLY ASSESSED BECAUSE OF THE
5 MUNICIPALLY OWNED ELECTRIC OR NATURAL GAS UTILITY'S OR THE
6 PROVIDER'S FAILURE TO PROVIDE NOTICE AS REQUIRED BY THIS ACT OR THE
7 PROVIDER'S FAILURE TO PROVIDE NOTICE IN ACCORDANCE WITH RULES
8 PROMULGATED BY THE COMMISSION.

9 (2) AS USED IN THIS SECTION, "PROVIDER" MEANS AN ELECTRIC
10 UTILITY, COOPERATIVE ELECTRIC UTILITY, OR ALTERNATIVE ELECTRIC
11 SUPPLIER, OR A NATURAL GAS UTILITY AS DEFINED IN SECTION 9.