

HOUSE BILL No. 5880

September 11, 2012, Introduced by Rep. Opsommer and referred to the Committee on Energy and Technology.

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 9e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9E. (1) AN ELECTRIC UTILITY OR NATURAL GAS UTILITY SHALL
2 ALLOW EACH CUSTOMER TO READ AND REPORT THAT CUSTOMER'S ENERGY USAGE
3 IF THE CUSTOMER REPORTS REASONABLY ACCURATE ENERGY USAGE ON A
4 REGULAR BASIS. AN ELECTRIC UTILITY OR NATURAL GAS UTILITY SHALL
5 PROVIDE A CUSTOMER A POSTAGE-PAID, PREADDRESSED POSTCARD UPON
6 REQUEST OR PERMIT A CUSTOMER TO REPORT METER READINGS ON A SECURE
7 WEBSITE, BY TELEPHONE, OR BY OTHER REASONABLE MEANS. AT LEAST ONCE
8 EVERY 12 MONTHS, AN ELECTRIC UTILITY OR NATURAL GAS UTILITY SHALL
9 OBTAIN AN ACTUAL METER READING OF A CUSTOMER'S ENERGY USAGE TO
10 VERIFY THE ACCURACY OF READINGS REPORTED UNDER THIS SECTION.
11 NOTWITHSTANDING THIS SECTION, A REPRESENTATIVE OF AN ELECTRIC
12 UTILITY OR NATURAL GAS UTILITY MAY MANUALLY READ A CUSTOMER'S METER
13 ON A REGULAR BASIS AS OTHERWISE PERMITTED BY LAW.

14 (2) AN ELECTRIC UTILITY OR NATURAL GAS UTILITY SHALL NOT
15 CHARGE A HIGHER RATE, IMPOSE AN ADDITIONAL FEE, OR IMPOSE ANY
16 DISINCENTIVE ON A CUSTOMER THAT CHOOSES TO READ AND REPORT THAT
17 CUSTOMER'S ENERGY USAGE UNDER SUBSECTION (1). THE COMMISSION SHALL
18 NOT APPROVE A UTILITY FILING OR APPLICATION THAT CHARGES CUSTOMERS
19 FOR DECLINING THE INSTALLATION OF AN ADVANCED METER IF THE
20 UTILITY'S COST ESTIMATES ARE BASED ON MORE THAN 1 MANUAL METER
21 READING PER YEAR BY THE UTILITY.

22 (3) IF A CUSTOMER FAILS TO REPORT USAGE UNDER SUBSECTION (1)
23 OR THE UTILITY DOES NOT RECEIVE A CUSTOMER'S ENERGY USAGE ON TIME,
24 THE UTILITY SHALL CHARGE THAT CUSTOMER BASED ON AN ESTIMATE OF
25 PRIOR ENERGY USE IN A MANNER APPROVED THE COMMISSION.

26 (4) AS USED IN THIS SECTION, "REGULAR BASIS" MEANS AT LEAST
27 ONCE BEFORE EACH MONTHLY BILLING CYCLE, OR MORE FREQUENTLY IF

1 CHOSEN BY THE CUSTOMER.