

SUBMISSION OF CERTAIN U.S. ENERGY INFORMATION ADMINISTRATION (EIA) REPORT FORMS

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House Bill 5218 as introduced

Sponsor: Rep. Jenn Hill

Committee: Energy, Communications, and Technology

Complete to 11-6-23

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5218 would create a new act to require utilities that submit certain report forms to the U.S. Energy Information Administration (EIA)¹ to also submit a copy of each form to the Michigan Public Service Commission (MPSC).

Specifically, beginning May 1, 2024, and by the first day of each month after that date, a utility subject to MPSC regulation² that submits any of the following monthly report forms to the EIA would also have to submit a copy of each form to the MPSC:

- EIA-782C: Monthly Report of Prime Supplier Sales of Petroleum Products Sold for Local Consumption.³
- EIA-810: Monthly Refinery Report.⁴
- EIA-815: Monthly Bulk Terminal and Blender Report.⁵
- EIA-816: Monthly Natural Gas Liquids Report.⁶

The MPSC could develop report forms that are substantially similar to, and include all of the same informational sections as, the report forms listed above and make those forms available on its website. If the MPSC does so, a utility required above to submit a report form to the MPSC could submit either the EIA form or the MPSC version.

A report form submitted under the bill would be exempt from disclosure under the Freedom of Information Act (FOIA).

¹ From the Congressional Research Service (CRS): <https://crsreports.congress.gov/product/pdf/R/R46524>

² For purposes of the bill, the term utility has the definition here: <http://legislature.mi.gov/doc.aspx?mcl-460-6g>. For the scope of the MPSC's power and jurisdiction, see here: <http://legislature.mi.gov/doc.aspx?mcl-460-6> Note that municipally owned electric utilities are generally not subject to MPSC regulation, and the MPSC also does not regulate the retail rates of electric cooperatives whose rates are member-regulated.

³ "Prime supplier sales of selected petroleum products into the local markets of ultimate consumption are reported by refiners, gas plant operators, importers, petroleum product resellers, and petroleum product retailers that produce, import, or transport product across state boundaries and local marketing areas and sell the product to local distributors, local retailers, or end users" (from the CRS report).

⁴ "Collects information regarding the balance between the supply (beginning stocks, receipts, and production) and disposition (inputs, shipments, fuel use and losses, and ending stocks) of crude oil and refined products located at refineries" (from the CRS report).

⁵ "Collects information on the balance between the supply (beginning stocks, receipts, and production), and disposition (inputs, shipments, fuel use and losses, and ending stocks) of refined products and renewable fuels from bulk terminals. In addition, storage capacity is collected for working, shell in operation, and shell idle for several major product groupings" (from the CRS report).

⁶ "Collects information regarding the balance between the supply (i.e., beginning stocks, receipts, and production) and disposition (i.e., input, shipments, fuel use and losses, and ending stocks) of natural gas liquids" (from the CRS report).

FISCAL IMPACT:

House Bill 5218 would have an indeterminate fiscal impact on the Michigan Public Service Commission. It is unclear whether the MPSC's responsibilities under the bill could be sufficiently absorbed with existing appropriations and resources, or whether additional appropriations would be required to offset the costs. In the event that additional resources were required, the MPSC is financed primarily by public utility assessments levied on the utilities, so any additional incurred costs would likely be factored into the assessment and sufficiently mitigated.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.