

# HOUSE BILL NO. 5047

September 24, 2025, Introduced by Reps. Myers-Phillips, B. Carter, Miller, Price, Hoskins, Mentzer, Byrnes, Andrews, Rogers, Rheingans, Steckloff, Breen, Conlin, Hope, Edwards, McKinney, Young, Liberati, Brixie, Scott, Martus, Pohutsky, O'Neal, Longjohn and Farhat and referred to Committee on Energy.

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 and certain providers of electric vehicle charging services; 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 powers and duties of certain state governmental officers and entities; 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 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,"

by amending sections 9o and 10t (MCL 460.9o and 460.10t), section 9o as added by 2009 PA 173 and section 10t as amended by 2016 PA 341, and by adding section 9x.

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

1       Sec. 9o. (1) A provider shall, in the ordinary course of  
2 business, make efforts to identify senior citizen customers by at  
3 least 1 of the following methods:

4           (a) Conducting customer interviews.

5           (b) Obtaining information from a consumer reporting agency or  
6 consumer reporting service.

7           (c) A personal or automated telephone call where direct  
8 contact is made with a member of the customer's household or a  
9 message is recorded on an answering machine or voice mail.

10          (d) First-class mail.

11          (e) A personal visit to the customer.

12          (f) A written notice left at or on the customer's door.

13          (g) A bill insert. **A bill insert provided under this**  
14 **subdivision must include information on whether the provider offers**  
15 **a critical care customer and medical emergency shutoff protection**  
16 **program or other affordability programs.**

17          (h) Any other method approved by the commission for regulated  
18 utilities.

1 (2) A provider shall comply with the requirements imposed in  
2 subsection (1) ~~within 30 days after the effective date of the~~  
3 ~~amendatory act that added this section.~~ **not later than January 14,**  
4 **2010.** The provider's governing body may for good cause grant an  
5 extension to a provider for compliance with subsection (1).

6 (3) If a provider offers a winter protection program,  
7 beginning on November 1, 2025, the provider shall automatically  
8 enroll all senior citizens in the provider's winter protection  
9 program. The provider shall review enrollment monthly. The provider  
10 shall utilize any of the methods described under subsection (1) or  
11 access customer account records to identify senior citizens for  
12 automatic enrollment. The provider shall provide a bill insert to a  
13 senior citizen not less than 2 months before automatic enrollment  
14 starts that contains information on all of the following:

15 (a) The winter protection program.

16 (b) Affordability programs.

17 (c) A critical care customer and medical emergency shutoff  
18 protection program.

19 (d) In-person assistance services.

20 (4) If a senior citizen is enrolled in a winter protection  
21 program, the provider shall not disenroll the senior citizen from  
22 the winter protection program unless there is a death or the senior  
23 citizen moves out of the provider's service area.

24 (5) A customer who resides in a household with a senior  
25 citizen may enroll in the winter protection program by submitting  
26 an application, on a form and in a manner prescribed by the  
27 provider. The provider shall make the application and instructions  
28 available on the provider's website and shall accept applications  
29 online, by mail, or over the telephone.

1           (6) Not later than April 28, 2026, and by each April 28  
2 thereafter, a provider shall provide an annual report to the  
3 provider's governing body that includes, but is not limited to, the  
4 total number of senior citizens enrolled in the winter protection  
5 program.

6           (7) ~~(3)~~As used in this section:

7           (a) "Consumer reporting agency" means that term as defined in  
8 section 603 of the fair credit reporting act, 15 USC 1681a.

9           (b) "Provider" means a **cooperative electric utility or a**  
10 municipally owned **or privately owned** electric or natural gas  
11 utility.

12           (c) "Senior citizen" means a provider customer who is 65 years  
13 of age or older. **Senior citizen includes any customer who was 62**  
14 **years of age or older on or before October 31, 2023.**

15           **Sec. 9x. (1) A provider shall, in the ordinary course of**  
16 **business, make best efforts to identify eligible customers by at**  
17 **least 1 of the following methods:**

18           (a) Conducting customer interviews.

19           (b) A personal or automated telephone call where direct  
20 contact is made with a member of the customer's household or a  
21 message is recorded on an answering machine or voicemail.

22           (c) First-class mail.

23           (d) A personal visit to the customer.

24           (e) A written notice left at or on the customer's door.

25           (f) A bill insert.

26           (g) Any other method approved by the commission for regulated  
27 utilities.

28           (2) If a provider offers a winter protection program,  
29 beginning on November 1, 2025 or 60 days after the effective date

1 of the amendatory act that added this section, whichever is later,  
2 the provider shall enroll eligible customers in the winter  
3 protection program. The provider shall make the application and  
4 instructions available on the provider's website and shall accept  
5 applications online, by mail, or over the telephone.

6 (3) Beginning September 1, 2025 or 60 days after the effective  
7 date of the amendatory act that added this section, whichever is  
8 later, a provider shall provide a bill insert to customers that  
9 contains information on all of the following:

10 (a) The winter protection program.

11 (b) Affordability programs.

12 (c) A critical care customer and medical emergency shutoff  
13 protection program.

14 (d) In-person assistance services.

15 (4) Not later than April 28, 2026, and by each April 28  
16 thereafter, a provider shall provide an annual report to the  
17 provider's governing body that includes, but is not limited to, the  
18 total number of eligible customers enrolled in the winter  
19 protection program.

20 (5) As used in this section:

21 (a) "Eligible customer" means a customer of the provider who  
22 has children in the household who are 16 years of age or younger.

23 (b) "Provider" means a cooperative electric utility or a  
24 municipally owned or privately owned electric or natural gas  
25 utility.

26 Sec. 10t. (1) An electric utility or alternative electric  
27 supplier shall not shut off service to an eligible customer during  
28 the heating season for nonpayment of a delinquent account if the  
29 customer is an eligible senior citizen customer or if ~~the customer~~

~~pays to the utility or supplier a monthly amount equal to 7% of the~~  
~~estimated annual bill for the eligible customer and the eligible~~  
customer demonstrates, ~~within~~ **not later than** 14 days ~~of~~ **after**  
requesting shutoff protection, that ~~he or she has~~ **the customer**  
applied for state or federal heating assistance. If an arrearage  
exists at the time an eligible customer applies for protection from  
shutoff of service during the heating season, the utility or  
supplier shall permit the customer to pay the arrearage in equal  
monthly installments between the date of application and the start  
of the subsequent heating season.

(2) An electric utility or alternative electric supplier may  
shut off service to a customer as provided in part 7 of the clean  
and renewable energy and energy waste reduction act, 2008 PA 295,  
MCL 460.1201 to 460.1211, or to an eligible low-income customer who  
does not pay the monthly amounts required under subsection (1)  
after giving notice in the manner required by rules. The utility or  
supplier is not required to offer a settlement agreement to an  
eligible low-income customer who fails to make the monthly payments  
required under subsection (1).

(3) If a customer fails to comply with the terms and  
conditions of this section, an electric utility may shut off  
service on its own behalf or on behalf of an alternative electric  
supplier after giving the customer a notice, by personal service or  
first-class mail, that contains all of the following information:

(a) That the customer has not paid the per-meter charge  
described in section 205 of the clean and renewable energy and  
energy waste reduction act, 2008 PA 295, MCL 460.1205, or the  
customer has defaulted on the winter protection plan.

(b) The nature of the default.

1 (c) That unless the customer makes the payments that are past  
2 due ~~within~~**not later than** 10 days ~~of~~**after** the date of mailing, the  
3 utility or supplier may shut off service.

4 (d) The date on or after which the utility or supplier may  
5 shut off service, unless the customer takes appropriate action.

6 (e) That the customer has the right to file a complaint  
7 disputing the claim of the utility or supplier before the date of  
8 the proposed shutoff of service.

9 (f) That the customer has the right to request a hearing  
10 before a hearing officer if the complaint cannot be otherwise  
11 resolved and that the customer ~~shall~~**must** pay to the utility or  
12 supplier that portion of the bill that is not in dispute ~~within~~**not**  
13 **later than** 3 days ~~of~~**after** the date that the customer requests a  
14 hearing.

15 (g) That the customer has the right to represent ~~himself or~~  
16 ~~herself,~~**the customer's self**, to be represented by an attorney, or  
17 to be assisted by any other person of ~~his or her~~**the customer's**  
18 choice in the complaint process.

19 (h) That the utility or supplier will not shut off service  
20 pending the resolution of a complaint that is filed with the  
21 utility in accordance with this section.

22 (i) The telephone number and address of the utility or  
23 supplier where the customer may make inquiry, enter into a  
24 settlement agreement, or file a complaint.

25 (j) That the customer should contact a social services agency  
26 immediately if the customer believes ~~he or she~~**the customer** might  
27 be eligible for emergency economic assistance.

28 (k) That the utility or supplier will postpone shutoff of  
29 service if a medical emergency exists at the customer's residence.

1           (l) That the utility or supplier may require a deposit and  
2 restoration charge if the supplier shuts off service for nonpayment  
3 of a delinquent account.

4           (4) An electric utility is not required to shut off service  
5 under this section to an eligible customer for nonpayment to an  
6 alternative electric supplier.

7           (5) The commission shall establish an educational program to  
8 ensure that eligible customers are informed of the requirements and  
9 benefits of this section.

10          (6) As used in this section:

11          (a) "Eligible customer" means either an eligible low-income  
12 customer or an eligible senior citizen customer.

13          (b) "Eligible low-income customer" means a customer whose  
14 household income does not exceed 150% of the poverty level, as  
15 published by the United States Department of Health and Human  
16 Services, or who receives any of the following:

17           (i) Assistance from a state emergency relief program.

18           (ii) Food stamps.

19           (iii) Medicaid.

20          (c) "Eligible senior citizen customer" means a utility or  
21 supplier customer who is 65 years of age or older and who advises  
22 the utility of ~~his or her~~ **the customer's** eligibility.

23          Enacting section 1. This amendatory act may be cited as the  
24 "protect kids and seniors from the cold act".