

Act No. 128
Public Acts of 2010
Approved by the Governor
July 21, 2010
Filed with the Secretary of State
July 21, 2010
EFFECTIVE DATE: July 21, 2010

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2010**

Introduced by Senators Hunter, Olshove, Whitmer, Jacobs, Switalski, Anderson, Barcia, Gleason, Brater, Cherry, Prusi, Patterson, Birkholz, Kuipers, Brown, Nofs and Richardville

ENROLLED SENATE BILL No. 1310

AN ACT 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 9d.

The People of the State of Michigan enact:

Sec. 9d. (1) If a utility observes an unsafe electric or natural gas service connection at a customer's location caused by unauthorized use of electric or natural gas service, the utility shall implement measures consistent with good utility practices intended to cure or to otherwise address the unsafe connection and may take appropriate action to deter future unauthorized use of electric or natural gas service at that location, including, but not limited to, installation of additional utility facilities.

(2) At any customer location where a utility has shut off electric or natural gas service 2 or more times during the prior 24 months because of unauthorized use of electric or natural gas service, a utility may refuse to provide electric or natural gas service to that location notwithstanding any other administrative rules or statutes if the utility determines that denying electric or natural gas service at that location will prevent the reoccurrence of the unauthorized use.