

MICHIGAN PUBLIC SERVICE COMMISSION (EXCERPT)
Act 3 of 1939

460.10q Alternative electric supplier; license requirements.

Sec. 10q.

(1) A person shall not engage in the business of an alternative electric supplier in this state unless the person obtains and maintains a license issued under section 10a.

(2) In addition to any other information required by the commission in connection with a licensing application under section 10a, the applicant shall do both of the following:

(a) Provide information, including information as to the applicant's safety record and its history of service quality and reliability, as to the applicant's technical ability, as defined under regulations of the commission, to safely and reliably generate or otherwise obtain and deliver electricity and provide any other proposed services.

(b) Demonstrate that the employees of the applicant that will be installing, operating, and maintaining generation or transmission facilities within this state, or any entity with which the applicant has contracted to perform those functions within this state, have the requisite knowledge, skills, and competence to perform those functions in a safe and responsible manner in order to provide safe and reliable service.

(3) The commission shall order the applicant for a license under section 10a to post a bond or provide a letter of credit or other financial guarantee in a reasonable amount established by the commission of not less than \$40,000.00, if the commission finds after an investigation and review that the requirement of a bond would be in the public interest.

(4) Only investor-owned, cooperative, or municipally owned electric utilities shall own, construct, or operate electric distribution facilities or electric meter equipment used in the distribution of electricity in this state. This subsection does not prohibit a self-service power provider from owning, constructing, or operating electric distribution facilities or electric metering equipment for the sole purpose of providing or utilizing self-service power. This subsection does not prohibit an entity that provides electric vehicle charging services from owning, constructing, or operating an electric vehicle charging station. This act does not affect the current rights, if any, of a nonutility to construct or operate a private distribution system on private property or private easements. This does not preclude crossing of public rights-of-way. An entity that provides electric vehicle charging services is not a public utility and may not be prohibited from charging a customer for electric vehicle charging services on a volumetric basis, including for, but not limited to, charging a volumetric rate for the electricity transferred to the battery or other storage device. An entity that is a public utility that engages in the sale of electric vehicle charging services remains subject to regulation under this act and is not exempt from that regulation due solely to the provision of electric vehicle charging services.

(5) The commission shall not prohibit an electric utility from metering and billing its customers for services provided by the electric utility.

History: Add. 2000, Act 141, Imd. Eff. June 5, 2000 ;-- Am. 2023, Act 245, Imd. Eff. Nov. 30, 2023

Popular Name: Customer Choice and Electricity Reliability Act