

SUBSTITUTE FOR
SENATE BILL NO. 1342

A bill to provide for reciprocal access of electric service between electric utilities and alternative electric suppliers under certain conditions.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 1.** As used in this act:

2 (a) **"Alternative electric supplier"** means a person selling
3 electric generation service to retail consumers in this state but
4 not physically delivering electricity directly to those retail
5 consumers.

6 (b) **"Commission"** means the Michigan public service commis-
7 sion in the department of consumer and industry services.

8 (c) **"Delivery service"** means the transmission and distribu-
9 tion services subject to the jurisdiction of the commission which
10 are provided by an electric utility.

1 (d) "Electric utility" means a person physically delivering
2 electricity directly to retail consumers in the United States.

3 Sec. 2. (1) The commission shall not require an electric
4 utility to provide delivery service in connection with a
5 customer's purchase from an alternative electric supplier, who is
6 also an electric utility or an affiliate of an electric utility,
7 unless the alternative electric supplier and its affiliates pro-
8 vide reciprocal access for their customers to purchase from the
9 electric utility under like contemporaneous conditions, as deter-
10 mined by the commission.

11 (2) Beginning January 1, 2002, the commission shall not
12 require an electric utility to provide delivery service in con-
13 nection with a customer's purchase from an alternative electric
14 supplier, unless the alternative electric supplier and its affil-
15 iates or the owner of the generation source or its electric util-
16 ity affiliates provide reciprocal access for their customers to
17 purchase from the electric utility under like contemporaneous
18 conditions, as determined by the commission.

19 Enacting section 1. This act does not take effect unless
20 Senate Bill No. 1340 of the 89th Legislature is enacted into
21 law.