

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of **MICHIGAN**)
CONSOLIDATED GAS COMPANY and the)
MICHIGAN GAS AND ELECTRIC ASSOCIATION) Case No. U-11397
requesting promulgation of revised rules concerning)
Consumer Standards and Billing Practices for)
Electric and Gas Residential Service.)
_____)

At the June 1, 1999 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. John G. Strand, Chairman
Hon. David A. Svanda, Commissioner
Hon. Robert B. Nelson, Commissioner

ORDER AND NOTICE OF HEARING

On October 29, 1992, the most recent changes to the Consumer Standards and Billing Practices for Electrical and Gas Residential Service, commonly known as the Billing Practice Rules, (the Rules) became effective. Subsequently, members of the gas and electric industries, as well as the Commission Staff, entered into discussions regarding how the Rules could be modified to (1) reflect common business practices, (2) address recent changes in the marketplace, and (3) eliminate unnecessarily burdensome requirements.

On May 5 and 8, 1997, respectively, Michigan Consolidated Gas Company and the Michigan Electric and Gas Association filed petitions requesting that the Commission promulgate a revised

version of the Rules. Following its review of those two petitions, the Commission forwarded a request for rulemaking to the Office of Regulatory Reform (ORR) on July 9, 1997.

On May 26, 1999, ORR approved the Commission's request to initiate a rulemaking and returned to the Commission the proposed revisions to the Rules, with modifications. Attached to this order as Exhibit A is the modified set of proposed revisions to the Rules, which will serve as the starting point for the rulemaking.

The Commission encourages interested parties to become involved in this rulemaking proceeding. Attached to this order as Exhibit B is a notice of a public hearing regarding the proposed revision of the Rules that has been scheduled for 9:00 a.m. on August 3, 1999 in the offices of the Commission, 6545 Mercantile Way, Lansing, Michigan. In addition, any person may submit comments regarding the proposed revisions to the Rules. Written comments, which should reference the case number of this proceeding, must be received no later than August 10, 1999 in order to be considered. The proposed effective date of the revised Rules is October 1, 1999.

The Commission FINDS that:

a. Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; MSA 22.151 et seq.; 1909 PA 300, as amended, MCL 462.2 et seq.; MSA 22.21 et seq.; 1919 PA 419, as amended, MCL 460.51 et seq.; MSA 22.1 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; MSA 22.13(1) et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; MSA 3.560(101) et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1992 AACCS, R 460.17101 et seq.

b. Hearings should be held on the adoption of revisions to the Rules.

THEREFORE, IT IS ORDERED that:

A. A notice of hearing regarding the proposed revisions to the Consumer Standards and Billing Practices for Electrical and Gas Residential Service shall be published in accordance with the requirements of the Administrative Procedures Act of 1969.

B. A public hearing regarding the proposed rule revisions shall be held at 9:00 a.m. on August 3, 1999 in the offices of the Commission, 6545 Mercantile Way, Lansing, Michigan. A notice of hearing is attached as Exhibit B to this order.

C. The public hearing will be legislative in nature and any person may present data, views, questions, and arguments regarding the proposed rule revisions. Statements may be limited in duration by the presiding officer in order to ensure that all interested parties have an opportunity to participate in the proceeding. If necessary, the proceeding will continue on such dates as the presiding officer may schedule until all persons have had a reasonable opportunity to be heard.

D. Any person may file written comments, suggestions, data, views, questions, arguments, and modifications concerning the proposed rule revisions. An original and 15 copies may be filed at the public hearing or with the Office of the Executive Secretary, Michigan Public Service Commission, 6545 Mercantile Way, P. O. Box 30221, Lansing, Michigan 48909. All written comments must be filed no later than August 10, 1999.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26; MSA 22.45.

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ John G. Strand
Chairman

(S E A L)

/s/ David A. Svanda
Commissioner

/s/ Robert B. Nelson
Commissioner, abstaining.

By its action of June 1, 1999.

/s/ Dorothy Wideman
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

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Suggested Minute:

“Adopt and issue order dated June 1, 1999 publishing for comment proposed revisions to the Consumer Standards and Billing Practices for Electrical and Gas Residential Service, and providing notice of a hearing on the proposed revisions, as set forth in the order.”