

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

\*\*\*\*\*

In the matter, on the Commission's own motion, )  
to implement Section 10a(3) of Public Act 141 )  
of 2000. )  
\_\_\_\_\_ )

Case No. U-12640

At the October 6, 2000 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 OPPORTUNITY TO  
SUBMIT PROPOSALS AND TO FILE COMMENTS**

On June 5, 2000, Public Act 141 of 2000 (Act 141) became effective. Section 10a(3) of Act 141, MCL 460.10a(3); MSA 22.13(10a)(3), requires the Commission to issue orders to protect electric customers in this state from being switched to another supplier without the customer's consent (slamming) or from being billed for any unwanted services (cramming). Further, Sections 10c(2) to 10c(5) of Act 141 authorize the Commission to conduct contested case proceedings to investigate violations of Section 10a(3), impose fines, order the payment of refunds and other forms of compensatory relief, issue cease and desist orders, and sanction the use of frivolous arguments.

Accordingly, the Commission finds that it should encourage broad participation by all interested persons in the development of anti-slamming and anti-cramming procedures. To that

end, interested persons are invited either to file a statement of their position or to submit a detailed proposal regarding anti-slamming and anti-cramming procedures. Such statements and detailed proposals shall be filed no later than December 1, 2000. Moreover, the Commission encourages parties to comment on any similarities and differences between their proposed procedures and the procedures adopted pursuant to orders in Cases Nos. U-11757 and U-11900, which concern anti-slamming procedures applicable to the telecommunications industry. Interested persons may access those cases at the Commission's web site: <http://www.cis.state.mi.us/mpsc/>. Replies to detailed proposals are due no later than December 15, 2000. It is the Commission's intent to issue orders establishing the required procedures as soon as possible following the filing of reply comments.

The Commission FINDS that:

- a. Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; MSA 22.151 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 AACS, R 460.17101 et seq.
- b. A notice of opportunity to comment should be published.
- c. Interested persons should be given an opportunity to file statements and detailed proposals regarding anti-slamming and anti-cramming procedures and to reply to the proposals filed by other persons.

THEREFORE, IT IS ORDERED that:

A. A notice of opportunity to comment shall be published in The Oakland Press, The Grand Rapids Press, and The Marquette Mining Journal.

B. Initial statements or detailed anti-slamming and anti-cramming proposals from interested persons shall be filed no later than December 1, 2000.

C. Reply comments on detailed anti-slamming and anti-cramming proposals shall be due no later than December 15, 2000.

D. A person submitting a statement of his or her position may do so by mailing a letter referencing Case No. U-12640 to the Office of the Executive Secretary, Michigan Public Service Commission, 6545 Mercantile Way, P.O. Box 30221, Lansing, Michigan, 48909. A person filing a detailed proposal or a reply comment to a detailed proposal shall submit an original and 15 copies to the Commission's Executive Secretary.

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

MICHIGAN PUBLIC SERVICE COMMISSION

( S E A L )

/s/ John G. Strand  
Chairman

By its action of October 6, 2000

/s/ David A. Svanda  
Commissioner

/s/ Dorothy Wideman  
Its Executive Secretary

/s/ Robert B. Nelson  
Commissioner

THEREFORE, IT IS ORDERED that:

A. A notice of opportunity to comment shall be published in The Oakland Press, The Grand Rapids Press, and The Marquette Mining Journal.

B. Initial statements or detailed anti-slamming and anti-cramming proposals from interested persons shall be filed no later than December 1, 2000.

C. Reply comments on detailed anti-slamming and anti-cramming proposals shall be due no later than December 15, 2000.

D. A person submitting a statement of his or her position may do so by mailing a letter referencing Case No. U-12640 to the Office of the Executive Secretary, Michigan Public Service Commission, 6545 Mercantile Way, P.O. Box 30221, Lansing, Michigan, 48909. A person filing a detailed proposal or a reply comment to a detailed proposal shall submit an original and 15 copies to the Commission's Executive Secretary.

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

MICHIGAN PUBLIC SERVICE COMMISSION

---

Chairman

By its action of October 6, 2000.

---

Commissioner

---

Its Executive Secretary

---

Commissioner

In the matter, on the Commission’s own motion, )  
to implement Section 10a(3) of Public Act 141 )  
of 2000. )  
\_\_\_\_\_ )

Case No. U-12640

Suggested Minute:

“Adopt and issue order dated October 6, 2000 providing notice and an opportunity to submit proposals and file comments regarding procedures to ensure that customers of electric energy services in this state are not switched to another provider without consent or billed for unwanted services, as set forth in the order.”