

DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

WORKERS' DISABILITY COMPENSATION AGENCY

WORKERS' COMPENSATION HEALTH CARE SERVICES

PART 1. GENERAL PROVISIONS

R 418.10101

Source: 2021 AACS.

R 418.10102

Source: 1998-2000 AACS.

R 418.10103

Source: 2015 AACS.

R 418.10104

Source: 2008 AACS.

R 418.10105

Source: 2003 AACS.

R 418.10106 Procedure codes; relative value units; other billing information.

Rule 106. (1) Upon annual promulgation of R 418.10107, the health care services division of the agency shall provide separate from these rules a manual, tables, and charts containing all of the following information on the agency's website, www.michigan.gov/leo/bureaus-agencies/wdca:

(a) All Current Procedural Terminology (CPT®) procedure codes used for billing healthcare services.

(b) Medicine, surgery, and radiology procedures and their associated relative value units.

(c) Hospital maximum payment ratios.

(d) Billing forms and instruction for completion.

(2) The procedure codes and standard billing and coding instructions for medicine, surgery, and radiology services are adopted from the most recent publication titled "Current Procedural Terminology (CPT®)," as adopted by reference in R 418.10107. However, billing and coding guidelines published in the CPT codebook do not guarantee reimbursement. A carrier shall only reimburse medical procedures for a work-related injury or illness that are reasonable and necessary and are consistent with accepted medical standards.

(3) The formula and methodology for determining the relative value units is adopted from the "Medicare RBRVS: The Physicians Guide," as adopted by reference in R 418.10107, using geographical information for this state. The geographical information, (GPCI), is a melded average using 60% of the figures published for the city of Detroit, added to 40% of the figures published for the rest of this state.

(4) The maximum allowable payment for medicine, surgery, and radiology services is determined by multiplying the relative value unit assigned to the procedure by the conversion factor listed in the reimbursement section, part 10, of these rules.

(5) Procedure codes from "HCPCS 2023 Level II Professional Edition," as adopted by reference in R 418.10107, must be used to describe all of the following services:

(a) Ambulance services.

(b) Medical and surgical expendable supplies.

(c) Dental procedures.

(d) Durable medical equipment.

(e) Vision and hearing services.

(f) Home health services.

(6) Medical services are considered "by report" (BR) if a procedure code listed in "HCPCS 2023 Level II Professional Edition" or "Current Procedural Terminology (CPT®) 2023 Professional Edition," as adopted by reference in R 418.10107, does not have an assigned value.

History: 1998-2000 AACS; 2003 AACS; 2004 AACS; 2014 AACS; 2017 AACS; 2018 AACS; 2019 AACS; 2021 AACS; 2023 MR 20, Eff. Oct. 12, 2023.

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R 418.10107 Source documents; adoption by reference.

Rule 107. The following documents are adopted by reference in these rules and are available for distribution from the indicated sources, at the cost listed in subdivisions (a) to (h) of this rule:

- (a) "Current Procedural Terminology (CPT®) 2023 Professional Edition," published by the American Medical Association, P.O. Box 74008935, Chicago, Illinois 60674-8935, item #EP054123, 1-800-621-8335. The publication may be purchased through the AMA's website at www.amastore.com. The list price is \$134.95 at the time of adoption of these rules. Permission to use this publication is on file in the agency.
- (b) "HCPCS 2023 Level II Professional Edition," published by the American Medical Association, P.O. Box 74008935, Chicago, Illinois 60674-8935, item #OP231523, customer service 1-800-621-8335. The publication may be purchased through the AMA's website at www.amastore.com. The list price is \$106.95 at the time of adoption of these rules.
- (c) "Medicare RBRVS 2023: The Physicians' Guide," published by The American Medical Association, P.O. Box 74008935, Chicago, Illinois 60674-8935, item #OP059623, 1-800-621-8335. The publication may be purchased through the AMA's website at www.amamstore.com. The list price is \$159.95 at the time of adoption of these rules.
- (d) "International Classification of Diseases, ICD-10-CM 2023: The Complete Official Codebook," American Medical Association, P.O. Box 74008935, Chicago, Illinois 60674-8935, item #OP201423, 1-800-621-8335. The publication may be purchased through the AMA's website at www.amamstore.com. The list price is \$112.95 at the time of adoption of these rules.
- (e) "International Classification of Diseases, ICD-10-PCS 2023: The Complete Official Codebook," American Medical Association, P.O. Box 74008935, Chicago, Illinois 60674-8935 item #OP201123, 1-800-621-8335. The publication may be purchased through the AMA's website at www.amastore.com. The list price is \$112.95 at the time of adoption of these rules.
- (f) Merative™ Micromedex® Red Book® online subscription service of Merative, which can be purchased at <https://www.ibm.com/products/micromedex-red-book> or from Merative, 100 Phoenix Drive, Ann Arbor, Michigan 48108, 1-800-525-9083.
- (g) Medi-Span® Drug Information Database, a part of Wolters Kluwer Health, which can be purchased from <http://www.wolterskluwercdi.com> or 1-855-633-0577.
- (h) "Official UB-04 Data Specifications Manual 2023, July 1, 2022" adopted by the National Uniform Billing Committee, © Copyright 2022 American Hospital Association. As of the time of adoption of these rules, the cost of this eBook for a single user is \$170.00 and is available at www.nubc.org.

History: 1998-2000 AACS; 2001 AACS; 2002 AACS; 2003 AACS; 2004 AACS; 2005 AACS; 2006 AACS; 2006 AACS; 2007 AACS; 2008 AACS; 2009 AACS; 2010 AACS; 2012 AACS; 2014 AACS; 2017 AACS; 2018 AACS; 2019 AACS; 2021 AACS; 2023 MR 20, Eff. Oct. 12, 2023.

R 418.10108 Definitions; A to I.

Rule 108. As used in these rules:

- (a) "Acquisition cost" means the provider's purchase cost established by an invoice detailing the line-item cost to the provider from a manufacturer or wholesaler net of any rebates or discounts.
- (b) "Act" means the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941.
- (c) "Adjust" means that a carrier or a carrier's agent reduces a healthcare provider's request for payment to the maximum fee allowed by these rules, to a provider's usual and customary charge, or, when the maximum fee is by report, to a reasonable amount. "Adjust" also means when a carrier re-codes a procedure or reduces payment as a result of professional review.
- (d) "Agency" means the workers' disability compensation agency.
- (e) "Ambulatory surgical center" (ASC) means an entity that operates exclusively for providing surgical services to patients not requiring hospitalization and has an agreement with the centers for Medicare and Medicaid services (CMS) to participate in Medicare.
- (f) "Appropriate care" means healthcare that is suitable for a particular individual, condition, occasion, or place.
- (g) "Biologics" or "biologicals" include drugs or other products that are derived from life forms. Biologics are biology-based products used to prevent, diagnose, treat, or cure disease or other conditions in humans and animals. Biologics generally include products such as vaccines, blood, blood components, allergenics, somatic cells, genes, proteins, DNA, tissues, skin substitutes, recombinant therapeutic proteins, microorganisms, antibodies, immunoglobins, and others, including, but not limited to, those that are produced using biotechnology and are made from proteins, genes, antibodies, and nucleic acids.
- (h) "BR" or "by report" means that the procedure is not assigned a relative value unit or a maximum fee and requires a written description.
- (i) "Carrier" means an organization that transacts the business of workers' compensation insurance in this state and that may be any of the following:
 - (i) A private insurer.
 - (ii) A self-insurer.
 - (iii) One of the funds in chapter 5 of the act, MCL 418.501 to 418.561.

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- (iv) The Christopher R. Slezak first responder presumed coverage fund.
- (j) "Case" means a covered injury or illness that occurs on a specific date and is identified by the worker's name and date of injury or illness.
- (k) "Case record" means the complete healthcare record that is maintained by a carrier and pertains to a covered injury or illness that occurs on a specific date.
- (l) "Complete procedure" means a procedure that contains a series of steps that are not billed separately.
- (m) "Covered injury or illness" means an injury or illness for which treatment is mandated by section 315 of the act, MCL 418.315.
- (n) "Current Procedural Terminology (CPT®)" means a listing of descriptive terms and identifying codes and provides a uniform nationally accepted nomenclature for reporting medical services and procedures. The CPT codebook provides instructions for coding and claims processing.
- (o) "Custom compound" means a customized topical medication prescribed or ordered by a duly licensed prescriber for the specific patient that is prepared in a pharmacy by a licensed pharmacist in response to a licensed practitioner's prescription or order, by combining, mixing, or altering of ingredients, but not reconstituting, to meet the unique needs of an individual patient.
- (p) "Dispute" means a disagreement between a carrier or a carrier's agent and a healthcare provider on the application of these rules.
- (q) "Durable medical equipment" means specialized equipment that is designed to stand repeated use, is used to serve a medical purpose, and is appropriate for home use.
- (r) "Emergency condition" means that a delay in treating a patient would lead to a significant increase in the threat to the patient's life or to a body part.
- (s) "Established patient" means a patient whose medical and administrative records for a particular covered injury or illness are available to the provider.
- (t) "Expendable medical supply" means a disposable article that is needed in quantity on a daily or monthly basis.
- (u) "Facility" means an entity licensed by this state pursuant to the public health code, 1978 PA 368, MCL 333.1101 to 333.25211. The office of an individual practitioner is not considered a facility.
- (v) "Focused review" means the evaluation of a specific healthcare service or provider to establish patterns of use and dollar expenditures.
- (w) "Follow-up days" means the days of care following a surgical procedure that are included in the procedure's maximum allowable payment, but does not include care for complications. The health care services division shall provide the follow-up days for surgical procedures separate from these rules on the agency's website, www.michigan.gov/leo/bureaus-agencies/wdca.
- (x) "Free standing outpatient facility" (FSOF) means a facility, other than the office of a physician, dentist, podiatrist, or other private practice, offering a surgical procedure and related care that in the opinion of the attending physician can be safely performed without requiring overnight inpatient hospital care.
- (y) "Healthcare organization" means a group of practitioners or individuals joined together to provide healthcare services and includes any of the following:
 - (i) Health maintenance organization.
 - (ii) Industrial or other clinic.
 - (iii) Occupational healthcare center.
 - (iv) Home health agency.
 - (v) Visiting nurse association.
 - (vi) Laboratory.
 - (vii) Medical supply company.
 - (viii) Community mental health board.
- (z) "Healthcare review" means the review of a healthcare case or bill, or both, by a carrier, and includes technical healthcare review and professional healthcare review.
- (aa) "Incidental surgery" means a surgery that is performed through the same incision, on the same day, by the same doctor of dental surgery, doctor of medicine, doctor of osteopathy, or doctor of podiatry, that is not related to diagnosis.
- (bb) "Independent medical examination" means an examination and evaluation that is requested by a carrier or an employee, that is conducted by a different practitioner than the practitioner who provides care.
- (cc) "Industrial medicine clinic," also referred to as an "occupational health clinic," means an organization that primarily treats injured workers. The industrial medicine clinic or occupational health clinic may be a healthcare organization or may be a clinic owned and operated by a hospital for the purposes of treating injured workers.
- (dd) "Insured employer" means an employer who purchases workers' compensation insurance from an insurance company that is licensed to write insurance in this state.

History: 2000 AACS; 2001 AACS; 2003 AACS; 2005 AACS; 2010 AACS; 2012 AACS; 2014 AACS; 2017 AACS; 2021 AACS; 2023 MR 20, Eff. Oct. 12, 2023.

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R 418.10109
Source: 2019 AACs.

R 418.10110
Source: 2015 AACs.

R 418.10111
Source: 2017 AACs.

R 418.10112
Source: 1998-2000 AACs.

R 418.10113
Source: 1998-2000 AACs.

R 418.10114
Source: 1998-2000 AACs.

R 418.10115
Source: 2005 AACs.

R 418.10116
Source: 2021 AACs.

R 418.10117
Source: 2019 AACs.

R 418.10118
Source: 2005 AACs.

R 418.10119
Source: 2017 AACs.

R 418.10120
Source: 2005 AACs.

R 418.10121
Source: 2003 AACs.

PART 2. MEDICINE

R 418.10201
Source: 1998-2000 AACs.

R 418.10202
Source: 2021 AACs.

R 418.10203
Source: 1998-2000 AACs.

R 418.10204
Source: 1998-2000 AACs.

R 418.10205
Source: 2010 AACs.

R 418.10206
Source: 1998-2000 AACs.

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R 418.10207
Source: 2021 AACS.

R 418.10208
Source: 2021 AACS.

R 418.10209
Source: 2017 AACS.

R 418.10212
Source: 2018 AACS.

R 418.10213
Source: 2009 AACS.

R 418.10214
Source: 2018 AACS.

PART 4. SURGERY

R 418.10401
Source: 2014 AACS.

R 418.10403
Source: 1998-2000 AACS.

R 418.10404
Source: 2018 AACS.

R 418.10405
Source: 2002 AACS.

R 418.10406
Source: 2002 AACS.

R 418.10407
Source: 2002 AACS.

R 418.10410
Source: 1998-2000 AACS.

R 418.10411
Source: 2002 AACS.

R 418.10415
Source: 2002 AACS.

R 418.10416
Source: 2018 AACS.

R 418.10417
Source: 1998-2000 AACS.

PART 5. RADIOLOGY, RADIATION THERAPY, AND NUCLEAR MEDICINE

R 418.10501
Source: 2002 AACS.

R 418.10502

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Source: 2002 AACS.

R 418.10503

Source: 2002 AACS.

R 418.10504

Source: 2014 AACS.

R 418.10505

Source: 2017 AACS.

PART 7. DENTAL

R 418.10701

Source: 2014 AACS.

PART 9. BILLING
SUBPART A. PRACTITIONER BILLING

R 418.10901

Source: 2021 AACS.

R 418.10902

Source: 2019 AACS.

R 418.10902a

Source: 2014 AACS.

R 418.10904 Procedure codes and modifiers.

Rule 904. (1) A healthcare service must be billed with procedure codes adopted from "Current Procedural Terminology (CPT®) 2023 Professional Edition" or "HCPCS 2023 Level II Professional Edition," as referenced in R 418.10107. Procedure codes from the CPT code set are not included in these rules, but are provided on the agency's website at www.michigan.gov/leo/bureaus-agencies/wdca. Refer to "Current Procedural Terminology (CPT®) 2023 Professional Edition," as referenced in R 418.10107, for standard billing instructions, except where otherwise noted in these rules. A provider billing services described with procedure codes from "HCPCS 2023 Level II Professional Edition" shall refer to the publication as adopted by reference in R 418.10107, for coding information.

(2) The following ancillary service providers shall bill codes from "HCPCS 2023 Level II Professional Edition," as adopted by reference in R 418.10107, to describe the ancillary services:

- (a) Ambulance providers.
- (b) Certified orthotists and prosthetists.
- (c) Medical suppliers, including expendable and durable equipment.
- (d) Hearing aid vendors and suppliers of prosthetic eye equipment.
- (e) A home health agency.

(3) If a practitioner performs a procedure that cannot be described by 1 of the codes listed in the most recent publication entitled "Current Procedural Terminology (CPT®)" or "HCPCS Level II", as adopted in R 418.10107, the practitioner shall bill the unlisted procedure code. An unlisted procedure code must only be reimbursed when the service cannot be properly described with a listed code and the documentation supporting medical necessity includes all of the following:

- (a) Description of the service.
- (b) Documentation of the time, effort, and equipment necessary to provide the care.
- (c) Complexity of symptoms.
- (d) Pertinent physical findings.
- (e) Diagnosis.
- (f) Treatment plan.

(4) The provider shall add a modifier code, found in Appendix A of the CPT codebook, as adopted by reference in R 418.10107, following the correct procedure code describing unusual circumstances arising in the treatment of a covered injury or illness. When a modifier code is applied to describe a procedure, a report describing the unusual circumstances must be included with the charges submitted to the carrier.

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(5) Applicable modifiers from table 10904 must be added to the procedure code to describe the type of practitioner performing the service. The required modifier codes for describing the practitioner are, as follows:

Table 10904 Modifier Codes

- (a) AA: When anesthesia services are performed personally by the anesthesiologist.
- (b) AD: When an anesthesiologist provides medical supervision for more than 4 qualified individuals, being either certified registered nurse anesthetists, certified anesthesiologist assistants, or anesthesiology residents.
- (c) AH: When a licensed psychologist bills a diagnostic service or a therapeutic service, or both.
- (d) AJ: When a certified social worker bills a therapeutic service.
- (e) AL: When a limited license psychologist bills a diagnostic service or a therapeutic service.
- (f) CO: When occupational therapy services are furnished in whole or in part by an occupational therapy assistant.
- (g) CQ: When physical therapy services are furnished in whole or in part by a physical therapy assistant.
- (h) CS: When a limited licensed counselor bills for a therapeutic service.
- (i) GF: When a non-physician (nurse practitioner, advanced practice nurse, or physician assistant) provides services.
- (j) LC: When a licensed professional counselor performs a therapeutic service.
- (k) MF: When a licensed marriage and family therapist performs a therapeutic service.
- (l) ML: When a limited licensed marriage and family therapist performs a service.
- (m) TC: When billing for the technical component of a radiology service.
- (n) QK: When an anesthesiologist provides medical direction for not more than 4 qualified individuals, being either certified registered nurse anesthetists, certified anesthesiologist assistants, or anesthesiology residents.
- (o) QX: When a certified registered nurse anesthetist or certified anesthesiologist assistant performs a service under the medical direction of an anesthesiologist.
- (p) QZ: When a certified registered nurse anesthetist performs anesthesia services without medical direction.

History: 1998-2000 AACS; 2002 AACS; 2003 AACS; 2005 AACS; 2014 AACS; 2015 AACS; 2017 AACS; 2018 AACS; 2019 AACS; 2021 AACS; 2023 MR 20, Eff. Oct. 12, 2023.

R 418.10905

Source: 2018 AACS.

R 418.10907

Source: 2017 AACS.

R 418.10909

Source: 2018 AACS.

R 418.10911

Source: 1998-2000 AACS.

R 418.10912 Billing for prescription medications.

Rule 912. (1) Prescription drugs may be dispensed to an injured worker by either an outpatient pharmacy or a healthcare organization. These rules apply to the pharmacy dispensing the prescription drugs to an injured worker only after the pharmacy has either written or oral confirmation from the carrier that the prescriptions or supplies are covered by workers' compensation insurance.

(2) When a generic drug exists, the generic drug must be dispensed. When a generic drug does not exist, the brand name drug may be dispensed. A physician may only write a prescription for "DAW," or dispense as written, when the generic drug has been utilized and found to be ineffective or has caused adverse effects for the injured worker. A copy of the medical record documenting the medical necessity for the brand name drug must be submitted to the carrier.

(3) A bill or receipt for a prescription drug from an outpatient pharmacy, practitioner, or healthcare organization must be submitted to the carrier and include the name, address, and Social Security number of the injured worker. An outpatient pharmacy shall bill the service using the National Council for Prescription Drug Program (NCPDP) Workers' Compensation/Property & Casualty Universal Claim Form or an invoice and include either the pharmacy's NPI or NCPDP number, and the NDC of the prescription drug.

(4) A healthcare organization or physician office dispensing the prescription drug shall bill the service on the CMS 1500 claim form. Procedure code 99070 must be used to code the service and the national drug code must be used to describe the drug.

(5) If an injured worker has paid for a prescription drug for a covered work illness, then the worker may send a receipt showing payment, along with the drug information, to the carrier for reimbursement.

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(6) An outpatient pharmacy or healthcare organization shall include all of the following information when submitting a bill for a prescription drug to the carrier:

- (a) The brand or chemical name of the drug dispensed.
- (b) The NDC number from Red Book or Medi-Span, as adopted by reference in R 418.10107.
- (c) The dosage, strength, and quantity dispensed.
- (d) The date the drug was dispensed.
- (e) The physician prescribing the drug.

(7) A practitioner or a healthcare organization, other than an inpatient hospital, shall bill a dispense fee for each prescription drug. A provider shall only be reimbursed for 1 dispense fee for each prescription drug in a 10-day period. A dispense fee must not be billed with "OTC"s, over-the-counter drugs.

History: 2000 AACS; 2002 AACS; 2005 AACS; 2008 AACS; 2014 AACS; 2018 AACS; 2023 MR 20, Eff. Oct. 12, 2023.

R 418.10913 Billing for durable medical equipment and supplies.

Rule 913. (1) DME and supplies must be billed using the appropriate descriptor from the HCPCS Level II codebook, as referenced in R 418.10107, for the service. If the equipment or supply is billed using an unlisted or not otherwise specified code and the charge exceeds \$35.00, then the acquisition cost must be included with the bill.

(2) Initial claims for rental or purchased DME must be filed with a prescription for medical necessity, including the expected time span the equipment is required.

(3) Durable medical equipment may be billed as a rental or a purchase. If possible, the provider and carrier shall agree before dispensing the item as to whether it should be a rental or a purchased item. With the exception of oxygen equipment, rented DME is considered purchased equipment once the monthly rental allowance exceeds the purchase price or payment of 12 months rental, whichever comes first.

(4) If the worker's medical condition changes or does not improve as expected, then the rental may be discontinued in favor of purchase.

(5) If death occurs, rental fees for equipment terminates at the end of the month and additional rental payments must not be made.

(6) The return of rented equipment is the dual responsibility of the worker and the DME supplier. The carrier is not responsible and shall not be required to reimburse for additional rental periods solely because of a delay in equipment returns.

(7) Oxygen equipment must be considered a rental as long as the equipment is medically necessary. The equipment rental allowance includes reimbursement for the oxygen contents.

(8) A bill for an expendable medical supply must include the brand name and the quantity dispensed.

(9) A bill for a miscellaneous supply, for example, a wig, shoes, or shoe modification, must be submitted on an invoice if the supplier is not listed as a healthcare professional.

History: 2000 AACS; 2006 AACS; 2008 AACS; 2019 AACS; 2023 MR 20, Eff. Oct. 12, 2023.

R 418.10915

Source: 2017 AACS.

R 418.10916

Source: 2006 AACS.

R 418.10918

Source: 2002 AACS.

R 418.10920

Source: 2018 AACS.

R 418.10921

Source: 2014 AACS.

R 418.10922

Source: 2017 AACS.

R 418.10923

Source: 2015 AACS.

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R 418.10923b

Source: 2018 AACS.

R 418.10924

Source: 2003 AACS.

R 418.10925

Source: 2017 AACS.

R 418.10926

Source: 2021 AACS.

PART 10. REIMBURSEMENT
SUBPART A. PRACTITIONER REIMBURSEMENT

R 418.101001

Source: 2006 AACS.

R 418.101002 Conversion factors for practitioner services.

Rule 1002. (1) The agency shall determine the conversion factors for medicine, evaluation and management, physical medicine, surgery, pathology, and radiology procedures. The conversion factor is used by the agency for determining the maximum allowable payment for medical, surgical, and radiology procedures. The maximum allowable payment is determined by multiplying the appropriate conversion factor by the relative value unit assigned to a procedure. The relative value units are provided for the medicine, surgical, and radiology procedure codes separate from these rules on the agency's website, www.michigan.gov/leo/bureaus-agencies/wdca. The relative value units are updated by the agency using codes adopted from "Current Procedural Terminology (CPT®)" as adopted by reference in R 418.10107. The agency shall determine the relative values by using information found in the "Medicare RBRVS: The Physicians' Guide" as adopted by reference in R 418.10107. (2) The conversion factor for medicine, radiology, and surgical procedures is \$47.66 for the year 2023 and is effective for dates of service on or after the effective date of these rules.

History: 1998-2000 AACS; 2002 AACS; 2003 AACS; 2004 AACS; 2005 AACS; 2006 AACS; 2014 AACS; 2017 AACS; 2018 AACS; 2019 AACS; 2021 AACS; 2023 MR 20, Eff. Oct. 12, 2023.

R 418.101002a

Source: 2014 AACS.

R 418.101002b

Source: 2010 AACS.

R 418.101003

Source: 2021 AACS.

R 418.101003a Reimbursement for dispensed medications.

Rule 1003a. (1) Prescription medication must be reimbursed at the average wholesale price (AWP) minus 10%, as determined by Red Book or Medi-Span, adopted by reference in R 418.10107, plus a dispense fee. All of the following apply to reimbursements:

The dispense fee for a brand name drug is \$3.50.

The dispense fee for a generic drug is \$5.50.

(c) Reimbursement for repackaged pharmaceuticals is at a maximum reimbursement of AWP minus 10% based on the original manufacturer's NDC number, as determined by Red Book or Medi-Span, adopted by reference in R 418.10107, plus a dispensing fee of \$3.50 for brand name and \$5.50 for generic.

(d) All pharmaceutical bills submitted for repackaged products must include the original manufacturer or distributor stock package national drug code or NDC number.

(e) When an original manufacturer's NDC number is not available in either Red Book or Medi-Span, as adopted by reference in R 418.10107, and a pharmaceutical is billed using an unlisted or not otherwise specified code, the payer shall select the most closely related NDC number to use for reimbursement of the pharmaceutical.

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(2) Over-the-counter drugs (OTC's), dispensed by a provider other than a pharmacy, must be dispensed in 10-day quantities and be reimbursed at the average wholesale price, as determined by Red Book or Medi-Span, adopted by reference in R 418.10107, or \$2.50, whichever is greater.

(3) All commercially manufactured topical medications that do not meet the definition of custom compound dispensed by a pharmacy or a provider, must not exceed a 30-day supply. Regardless of dispensing party, reimbursement is a maximum of the acquisition cost, plus a single dispense fee. The single dispense fee is \$8.50. A provider shall only be reimbursed 1 dispense fee per topical medication in a 10-day period.

History: 2008 AACs; 2010 AACs; 2012 AACs; 2014 AACs; 2017 AACs; 2018 AACs; 2021 AACs; 2023 MR 20, Eff. Oct. 12, 2023.

R 418.101003b Reimbursement for biologicals, durable medical equipment, and supplies.

Rule 1003b. (1) The carrier shall reimburse durable medical equipment (DME), supplies, and biologicals at Medicare plus 5%. The health care services division shall provide the maximum allowable payments for DME, supplies, and biologicals separate from these rules on the agency website, www.michigan.gov/leo/bureaus-agencies/wdca. Biologicals that have NDC numbers must be billed and reimbursed under R 418.10912.

(2) Rented DME must be identified on the provider's bill by RR. Modifier NU identifies the item as purchased, new.

(3) If a DME, supply, or biological exceeding \$35.00 is not listed in the fee schedule, has no maximum allowable payment (MAP) value in the fee schedule, or is billed with a not otherwise specified code, then reimbursement must be the provider's acquisition cost, plus a percent mark-up as follows, for purchased DME:

(a) Invoice cost of \$35.01 to \$100.00 must receive cost plus 50%.

(b) Invoice cost of \$100.01 to \$250.00 must receive cost plus 30%.

(c) Invoice cost of \$250.01 to \$700.00 must receive cost plus 25%.

(d) Invoice cost of \$700.01 or higher must receive cost plus 20%.

(4) If rental DME or supplies are not listed in the fee schedule, have no MAP value in the fee schedule, or are billed with a not otherwise specified code, then reimbursement must be 1 of the following:

(a) The daily rental rate must be calculated using the provider's acquisition cost, plus 20% divided by 365.

(b) If the provider is the manufacturer of the DME, the daily rental rate must be calculated using the manufacturer's cost to produce the DME, plus 20% divided by 365.

(5) A provider's failure to provide the required acquisition cost or manufacturer's cost may result in denial of reimbursement.

(6) All items and services associated with the DME rental must be included in the daily rental rate as calculated in subrule (4) of this rule and must not be unbundled and billed separately, unless otherwise indicated in the HCPCS Level II codebook as adopted by reference in R 418.10107.

History: 2006 AACs; 2014 AACs; 2023 MR 20, Eff. Oct. 12, 2023.

R 418.101004 Modifier code reimbursement.

Rule 1004. (1) Modifiers may be used to report that the service or procedure performed has been altered by a specific circumstance but does not change the definition of the code. This rule lists procedures for reimbursement when certain modifiers are used. A complete listing of modifiers are listed in Appendix A of "Current Procedural Terminology CPT® 2023 Professional Edition," and the "HCPCS 2023 Level II Professional Edition" as adopted by reference in R 418.10107.

(2) When modifier code -25 is added to an evaluation and management procedure code, reimbursement must only be made when the documentation provided supports the patient's condition required a significant separately identifiable evaluation and management service, other than the other service provided or beyond the usual preoperative and postoperative care.

(3) When modifier code -26, professional component, is used with a procedure, the professional component must be paid.

(4) If a surgeon uses modifier code -47 when performing a surgical procedure, anesthesia services that were provided by the surgeon and the maximum allowable payment for the anesthesia portion of the service must be calculated by multiplying the base unit of the appropriate anesthesia code by \$42.00. No additional payment is allowed for time units.

(5) When modifier code -50 or -51 is used with surgical procedure codes, the services must be paid according to the following, as applicable:

(a) The primary procedure at not more than 100% of the maximum allowable payment or the billed charge, whichever is less.

(b) The secondary procedure and the remaining procedure or procedures at not more than 50% of the maximum allowable payment or the billed charge, whichever is less.

(c) When multiple injuries occur in different areas of the body, the first surgical procedure in each part of the body must be reimbursed 100% of the maximum allowable payment or billed charge, whichever is less, and the second and remaining surgical procedure or procedures must be identified by modifier code -51 and be reimbursed at 50% of the maximum allowable payment or billed charges, whichever is less.

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(d) When modifier -50 or -51 is used with a surgical procedure with a maximum allowable payment of BR, the maximum allowable payment must be 50% of the provider's usual and customary charge or 50% of the reasonable amount, whichever is less.

(6) The multiple procedure payment reduction must be applied to the technical and professional component for more than 1 radiological imaging procedure furnished to the same patient, on the same day, in the same session, by the same physician or group practice. When modifier -51 is used with specified diagnostic radiological imaging procedures, the payment for the technical component of the procedure must be reduced by 50% of the maximum allowable payment and payment for the professional component of the procedure must be reduced to 75% of the maximum allowable payment. A table of the diagnostic imaging CPT procedure codes subject to the multiple procedure payment reduction are provided by the agency in a manual separate from these rules.

(7) When modifier code -TC, technical services, is used to identify the technical component of a radiology procedure, payment must be made for the technical component only. The maximum allowable payment for the technical portion of the radiology procedure is designated on the agency's website, www.michigan.gov/leo/bureaus-agencies/wdca.

(8) When modifier -57, initial decision to perform surgery, is added to an evaluation and management procedure code, the modifier -57 must indicate that a consultant has taken over the case and the consultation code is not part of the global surgical service.

(9) When both surgeons use modifier -62 and the procedure has a maximum allowable payment, the maximum allowable payment for the procedure must be multiplied by 25%. Each surgeon is paid 50% of the maximum allowable payment multiplied by 25%, or 62.5% of the MAP. If the maximum allowable payment for the procedure is BR, the reasonable amount must be multiplied by 25% and be divided equally between the surgeons.

(10) When modifier code -80 is used with a procedure, the maximum allowable payment for the procedure must be 20% of the maximum allowable payment listed in these rules, or the billed charge, whichever is less. If a maximum payment has not been established and the procedure is BR, payment must be 20% of the reasonable payment amount paid for the primary procedure.

(11) When modifier code -81 is used with a procedure code that has a maximum allowable payment, the maximum allowable payment for the procedure must be 13% of the maximum allowable payment listed in these rules or the billed charge, whichever is less. If modifier code -81 is used with a BR procedure, the maximum allowable payment for the procedure must be 13% of the reasonable amount paid for the primary procedure.

(12) When modifier -82 is used and the assistant surgeon is a licensed doctor of medicine, doctor of osteopathic medicine and surgery, doctor of podiatric medicine, or a doctor of dental surgery, the maximum level of reimbursement must be the same as modifier -80. If the assistant surgeon is a physician's assistant, the maximum level of reimbursement must be the same as modifier -81. If an individual other than a physician or a certified physician's assistant bills using modifier -82, then the charge and payment for the service is reflected in the facility fee.

(13) When modifier -GF is billed with evaluation and management or minor surgical services, the carrier shall reimburse the procedure at 85% of the maximum allowable payment, or the usual and customary charge, whichever is less.

(14) When modifier -95 is used with procedure code 92507, 92521-92524, 97110, 97112, 97116, 97161-97168, 97530, 97535, or those listed in Appendix P of the CPT codebook, as adopted by reference in R 418.10107, excluding CPT codes 99241-99245 and 99251-99255, the telemedicine services must be reimbursed according to all of the following:

(a) The carrier shall reimburse the procedure code at the non-facility maximum allowable payment, or the billed charge, whichever is less.

(b) Supplies and costs for the telemedicine data collection, storage, or transmission must not be unbundled and reimbursed separately.

(c) Originating site facility fees must not be separately reimbursed.

(15) Modifier -CO must be appended to a procedure code if the procedure was furnished entirely by the occupational therapy assistant, or if the occupational therapy assistant (OTA) has provided a portion of a procedure, separately from the part that is furnished by the occupational therapist, exceeding 10% of the total time for the procedure code. When modifier -CO is used, the procedure code must be reimbursed at 85% of the maximum allowable payment, or the usual and customary charge, whichever is less. Modifier -CO and the corresponding 15% reduction must not be applicable if the occupational therapist has provided more than half of the timed procedure code without the minutes provided by the OTA.

(16) Modifier -CQ must be appended to a procedure if the procedure was furnished entirely by the physical therapy assistant, or if the physical therapy assistant (PTA) has provided a portion of a procedure, separately from the part that is furnished by the physical therapist, exceeding 10% of the total time for the procedure code. When modifier -CQ is used, the procedure code must be reimbursed at 85% of the maximum allowable payment, or the usual and customary charge, whichever is less. Modifier -CQ and the corresponding 15% reduction must not be applicable if the physical therapist has provided more than half of the timed procedure code without the minutes provided by the PTA.

History: 1998-2000 AACS; 2005 AACS; 2007 AACS; 2014 AACS; 2017 AACS; 2019 AACS; 2021 AACS; 2023 MR 20, Eff. Oct. 12, 2023.

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R 418.101005

Source: 2017 AACS.

R 418.101006

Source: 2014 AACS.

R 418.101007

Source: 2017 AACS.

R 418.101008

Source: 2015 AACS.

R 418.101008a

Source: 2018 AACS.

R 418.101008b

Source: 2014 AACS.

R 418.101009 Reimbursement for custom compounded topical medication.

Rule 1009. (1) Six months after the effective date of this rule, a custom compound topical medication, as defined in R418.10108, must be reimbursed only when the compound meets all of the following standards:

- (a) There is no readily available commercially manufactured equivalent product.
- (b) No other United States Food and Drug Administration (FDA) approved alternative drug is appropriate for the patient.
- (c) The active ingredients of the compound each have an NDC number and are components of drugs approved by the FDA.
- (d) The drug has not been withdrawn or removed from the market for safety reasons.
- (e) The prescriber is able to demonstrate to the payer that the compound medication is clinically appropriate for the intended use.

(2) Topical compound drugs or medications must be billed using the specific amount of each component drug and its original manufacturers' NDC number included in the compound. Reimbursement must be based on a maximum reimbursement of the AWP minus 10% based on the original manufacturer's NDC number, as published by Red Book or Medi-Span, adopted by reference in R 418.10107, and pro-rated for each component amount used. Components without NDC numbers must not be reimbursed. A single dispensing fee for a compound prescription is \$12.50 for a non-sterile compound. The provider shall dispense a 30-day supply per prescription.

(3) Reimbursement for a custom compounded drug is limited to a maximum of \$600.00. Any charges exceeding this amount must be accompanied by the original component acquisition cost invoice pro-rated for each component amount used, for review by the carrier.

History: 2014 AACS; 2023 MR 20, Eff. Oct. 12, 2023.

R 418.101010

Source: 2021 AACS.

R 418.101015

Source: 2015 AACS.

R 418.101016

Source: 2009 AACS.

R 418.101017

Source: 2007 AACS.

R 418.101018

Source: 2007 AACS.

R 418.101019

Source: 2007 AACS.

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R 418.101022
Source: 2005 AACS.

R 418.101023
Source: 2017 AACS.

PART 11. HOSPITAL PAYMENT RATIO

R 418.101101
Source: 2017 AACS.

R 418.101102
Source: 2005 AACS.

R 418.101103
Source: 2005 AACS.

R 418.101104
Source: 2005 AACS.

R 418.101105
Source: 2005 AACS.

PART 12. CARRIER'S PROFESSIONAL HEALTH CARE REVIEW PROGRAM

R 418.101201
Source: 1998-2000 AACS.

R 418.101203
Source: 1998-2000 AACS.

R 418.101204
Source: 2021 AACS.

R 418.101205
Source: 2005 AACS.

R 418.101206
Source: 2021 AACS.

R 418.101207
Source: 2012 AACS.

R 418.101208
Source: 2015 AACS.

R 418.101209
Source: 2005 AACS.

R 418.101210
Source: 2005 AACS.

**PART 13. PROCESS FOR RESOLVING DIFFERENCES
BETWEEN CARRIER AND PROVIDER REGARDING BILL**

R 418.101301
Source: 2014 AACS.

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R 418.101302
Source: 1998-2000 AACS.

R 418.101303
Source: 2021 AACS.

R 418.101304
Source: 2017 AACS.

R 418.101305
Source: 2005 AACS.

PART 14. DATA ACQUISITION

R 418.101401
Source: 2014 AACS.

R 418.101402
Source: 2005 AACS.

R 418.101404
Source: 2005 AACS.

PART 15 PROCEDURE CODE AND REIMBURSEMENT TABLES

R 418.101501
Source: 2018 AACS.

R 418.101502
Source: 2007 AACS.

R 418.101503
Source: 2018 AACS.

R 418.101504
Source: 2009 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MARIJUANA REGULATORY AGENCY

MARIHUANA LICENSES

R 420.1
Source: 2022 AACS.

R 420.2
Source: 2020 AACS.

R 420.3
Source: 2022 AACS.

R 420.4
Source: 2022 AACS.

R 420.5
Source: 2022 AACS.

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R 420.6
Source: 2022 AACS.

R 420.7
Source: 2022 AACS.

R 420.8
Source: 2022 AACS.

R 420.9
Source: 2022 AACS.

R 420.10
Source: 2022 AACS.

R 420.11
Source: 2020 AACS.

R 420.11a
Source: 2022 AACS.

R 420.12
Source: 2022 AACS.

R 420.13
Source: 2022 AACS.

R 420.14
Source: 2022 AACS.

R 420.15
Source: 2020 AACS.

R 420.16
Source: 2020 AACS.

R 420.17
Source: 2020 AACS.

R 420.18
Source: 2022 AACS.

R 420.19
Source: 2022 AACS.

R 420.20
Source: 2022 AACS.

**PART 2. SPECIAL LICENSES UNDER THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA
ACT**

R 420.21
Source: 2022 AACS.

R 420.22
Source: 2020 AACS.

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R 420.23
Source: 2022 AACS.

R 420.24
Source: 2020 AACS.

R 420.25
Source: 2022 AACS.

R 420.26
Source: 2022 AACS.

R 420.27
Source: 2022 AACS.

R 420.27a
Source: 2022 AACS.

R 420.27b
Source: 2022 AACS.

R 420.28
Source: 2022 AACS.

R 420.29
Source: 2020 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MARIJUANA REGULATORY AGENCY

MARIHUANA LICENSEES

R 420.101
Source: 2022 AACS.

PART 1. LICENSEES UNDER THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT

R 420.102
Source: 2022 AACS.

R 420.103
Source: 2022 AACS.

R 420.104.
Source: 2022 AACS.

R 420.105
Source: 2022 AACS.

R 420.105a
Source: 2022 AACS.

R 420.106
Source: 2022 AACS.

R 420.107
Source: 2022 AACS.

PART 2. LICENSEES UNDER THE MEDICAL MARIHUANA FACILITIES LICENSING ACT

R 420.108
Source: 2022 AACS.

R 420.109
Source: 2022 AACS.

R 420.110
Source: 2022 AACS.

R 420.111
Source: 2022 AACS.

R 420.112
Source: 2022 AACS.

PART 3. AGREEMENTS

R 420.112a
Source: 2022 AACS.

R 420.113
Source: 2020 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MARIJUANA REGULATORY AGENCY

MARIHUANA OPERATIONS

R 420.201
Source: 2022 AACS.

R 420.202
Source: 2022 AACS.

R 420.203
Source: 2022 AACS.

R 420.204
Source: 2022 AACS.

R 420.205
Source: 2022 AACS.

R 420.206
Source: 2022 AACS.

R 420.206a
Source: 2022 AACS.

R 420.207
Source: 2022 AACS.

R 420.207a
Source: 2022 AACS.

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R 420.208
Source: 2022 AACS.

R 420.209
Source: 2022 AACS.

R 420.210
Source: 2022 AACS.

R 420.211
Source: 2022 AACS.

R 420.212
Source: 2022 AACS.

R 420.213
Source: 2022 AACS.

R 420.214
Source: 2022 AACS.

R 420.214a
Source: 2022 AACS.

R 420.214b
Source: 2022 AACS.

R 420.214c
Source: 2022 AACS.

R 420. 215
Source: 2020 AACS.

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MARIJUANA REGULATORY AGENCY

MARIHUANA SAMPLING AND TESTING

R 420.301
Source: 2022 AACS.

R 420.302
Source: 2022 AACS.

R 420.303
Source: 2022 AACS.

R 420.303a
Source: 2022 AACS.

R 420.304
Source: 2022 AACS.

R 420.305
Source: 2022 AACS.

R 420.305a

Annual Administrative Code Supplement
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Source: 2022 AACS.

R 420.305b

Source: 2022 AACS.

R 420.306

Source: 2022 AACS.

R 420.307

Source: 2022 AACS.

R 420.308

Source: 2020 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MARIJUANA REGULATORY AGENCY

MARIHUANA-INFUSED PRODUCTS AND EDIBLE MARIHUANA PRODUCT

R 420.401

Source: 2022 AACS.

R 420.402

Source: 2022 AACS.

R 420.403

Source: 2022 AACS.

R 420.404

Source: 2020 AACS.

R 420. 405

Source: 2020 AACS.

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MARIJUANA REGULATORY AGENCY

MARIHUANA SALE OR TRANSFER

R 420.501

Source: 2022 AACS.

R 420.502

Source: 2022 AACS.

R 420.503

Source: 2022 AACS.

R 420.503a

Source: 2022 AACS.

R 420.504

Source: 2022 AACS.

R 420.505

Source: 2022 AACS.

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R 420.506
Source: 2022 AACS.

R 420.507
Source: 2022 AACS.

R 420.508
Source: 2022 AACS.

R 420.509
Source: 2022 AACS.

R 420.510
Source: 2022 AACS.

R 420. 511
Source: 2020 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MARIJUANA REGULATORY AGENCY

MARIHUANA EMPLOYEES

R 420.601
Source: 2022 AACS.

R 420.602
Source: 2022 AACS.

R 420.602a
Source: 2022 AACS.

R 420. 603
Source: 2020 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MARIJUANA REGULATORY AGENCY

MARIHUANA HEARINGS

R 420.701
Source: 2022 AACS.

R 420.702
Source: 2022 AACS.

R 420.703
Source: 2022 AACS.

R 420.704
Source: 2022 AACS.

R 420.704a
Source: 2022 AACS.

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R 420.705
Source: 2020 AACS.

R 420.706
Source: 2022 AACS.

R 420.707
Source: 2020 AACS.

R 420.708
Source: 2020 AACS.

R 420.709
Source: 2020 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MARIJUANA REGULATORY AGENCY

MARIHUANA DISCIPLINARY PROCEEDINGS

R 420.801
Source: 2022 AACS.

R 420.802
Source: 2022 AACS.

R 420.803
Source: 2022 AACS.

R 420.804
Source: 2020 AACS.

R 420.805
Source: 2022 AACS.

R 420.806
Source: 2022 AACS.

R 420.807
Source: 2022 AACS.

R 420.808
Source: 2022 AACS.

R 420.808a
Source: 2022 AACS.

R 420. 809
Source: 2020 AACS.

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MARIJUANA REGULATORY AGENCY

MARIHUANA DECLARATORY RULINGS

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R 420.821
Source: 2022 AACS.

R 420.822
Source: 2022 AACS.

R 420.823
Source: 2022 AACS.

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MARIJUANA REGULATORY AGENCY

INDUSTRIAL HEMP RULES FOR MARIHUANA BUSINESSES

R 420.1001
Source: 2020 AACS.

R 420.1002
Source: 2020 AACS.

R 420.1003
Source: 2020 AACS.

R 420.1004
Source: 2020 AACS.

MICHIGAN JOBS COMMISSION
MICHIGAN EMPLOYMENT SECURITY AGENCY
EMPLOYMENT SECURITY

PART 1. ADMINISTRATION

R 421.1
Source: 1998-2000 AACS.

R 421.10
Source: 1980 AACS.

R 421.15
Source: 1996 AACS.

PART 2. EMPLOYERS

R 421.101
Source: 1980 AACS.

R 421.105
Source: 1980 AACS.

R 421.112
Source: 2001 AACS.

R 421.113
Source: 1998-2000 AACS.

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R 421.115
Source: 1980 AACS.

R 421.121
Source: 2002 AACS.

R 421.122
Source: 2002 AACS.

R 421.123
Source: 1995 AACS.

R 421.162
Source: 2001 AACS.

R 421.184
Source: 1980 AACS.

R 421.190
Source: 2002 AACS.

PART 3. CLAIMS

R 421.201
Source: 2002 AACS.

R 421.204
Source: 2002 AACS.

R 421.205
Source: 2001 AACS.

R 421.208
Source: 2001 AACS.

R 421.209
Source: 1986 AACS.

R 421.210
Source: 2002 AACS.

R 421.211
Source: 1980 AACS.

R 421.212
Source: 1980 AACS.

R 421.215
Source: 1997 AACS.

R 421.216
Source: 2002 AACS.

R 421.243
Source: 1980 AACS.

R 421.251
Source: 1986 AACS.

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- R 421.254**
Source: 1979 AC.
- R 421.269**
Source: 2001 AACS.
- R 421.270**
Source: 2001 AACS.
- R 421.301**
Source: 1997 AACS.
- R 421.302**
Source: 1980 AACS.

**SECURITY FOR REIMBURSEMENT FINANCING OF
UNEMPLOYMENT INSURANCE COSTS**

- R 421.601**
Source: 1992 AACS.
- R 421.602**
Source: 1992 AACS.
- R 421.603**
Source: 1992 AACS.
- R 421.604**
Source: 1992 AACS.
- R 421.605**
Source: 1992 AACS.
- R 421.606**
Source: 1992 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
EMPLOYMENT SECURITY BOARD OF REVIEW
RULES OF PRACTICE
PART 1. GENERAL PROVISIONS

- R 421.1101**
Source: 2015 AACS.
- R 421.1102**
Source: 2015 AACS.
- R 421.1103**
Source: 2015 AACS.
- R 421.1104**
Source: 2015 AACS.
- R 421.1105**
Source: 2015 AACS.

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R 421.1106
Source: 2015 AACS.

R 421.1107
Source: 2015 AACS.

R 421.1108
Source: 2015 AACS.

R 421.1109
Source: 2015 AACS.

R 421.1110
Source: 2015 AACS.

R 421.1111
Source: 2007 AACS.

R 421.1112
Source: 1979 AC.

PART 2. APPEALS TO REFEREES

R 421.1201
Source: 2015 AACS.

R 421.1202
Source: 2015 AACS.

R 421.1203
Source: 2015 AACS.

R 421.1204
Source: 2015 AACS.

R 421.1205
Source: 2015 AACS.

R 421.1206
Source: 2015 AACS.

R 421.1207
Source: 2015 AACS.

R 421.1208
Source: 2015 AACS.

R 421.1209
Source: 2015 AACS.

R 421.1210
Source: 2015 AACS.

R 421.1211
Source: 2015 AACS.

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R 421.1212
Source: 2015 AACS.

R 421.1213
Source: 2015 AACS.

R 421.1214
Source: 2015 AACS.

PART 3. APPEALS TO APPELLATE COMMISSION

R 421.1301
Source: 2015 AACS.

R 421.1302
Source: 2015 AACS.

R 421.1303
Source: 2015 AACS.

R 421.1304
Source: 2015 AACS.

R 421.1305
Source: 2015 AACS.

R 421.1306
Source: 2015 AACS.

R 421.1307
Source: 2015 AACS.

R 421.1308
Source: 2015 AACS.

R 421.1309
Source: 2015 AACS.

R 421.1310
Source: 2015 AACS.

R 421.1311
Source: 2015 AACS.

R 421.1312
Source: 1988 AACS.

R 421.1313
Source: 2015 AACS.

R 421.1314
Source: 2015 AACS.

R 421.1315
Source: 2015 AACS.

R 421.1316
Source: 2015 AACS.

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R 421.1317
Source: 2015 AACS.

EMPLOYMENT RELATIONS COMMISSION

PART 1. GENERAL PROVISIONS

R 423.101
Source: 2017 AACS.

R 423.102
Source: 2017 AACS.

R 423.103
Source: 2014 AACS.

R 423.104
Source: 2014 AACS.

R 423.105
Source: 2002 AACS.

R423.106
Source: 2014 AACS.

PART 2. MEDIATION OF LABOR DISPUTES

R 423.121
Source: 2002 AACS.

R 423.122
Source: 2002 AACS.

R 423.123
Source: 2002 AACS.

R 423.124
Source: 2014 AACS.

PART 3. FACT FINDING

R 423.131
Source: 2014 AACS.

R 423.132
Source: 2014 AACS.

R 423.133
Source: 2014 AACS.

R 423.134
Source: 2014 AACS.

R 423.135
Source: 2014 AACS.

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R 423.136

Source: 2014 AACS.

R 423.137

Source: 2014 AACS.

R 423.137a

Source: 2014 AACS.

R 423.138

Source: 2014 AACS.

PART 4. REPRESENTATION PROCEEDINGS

R 423.141

Source: 2014 AACS.

R 423.142

Source: 2002 AACS.

R 423.143

Source: 2014 AACS.

R 423.144

Source: 2014 AACS.

R 423.145

Source: 2014 AACS.

R 423.146

Source: 2014 AACS.

R 423.147

Source: 2014 AACS.

R 423.148

Source: 2002 AACS.

R 423.149

Source: 2014 AACS.

R 423.149a

Source: 2014 AACS.

R 423.149b

Source: 2002 AACS.

PART 5. UNFAIR LABOR PRACTICE CHARGES

R 423.151

Source: 2014 AACS.

R 423.152

Source: 2014 AACS.

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R 423.153

Source: 2014 AACS.

R 423.154

Source: 2014 AACS.

R 423.155

Source: 2002 AACS.

R 423.156

Source: 2014 AACS.

R 423.157

Source: 2002 AACS.

R 423.158

Source: 2014 AACS.

PART 6. MOTION PRACTICE

R 423.161

Source: 2014 AACS.

R 423.162

Source: 2014 AACS.

R 423.163

Source: 2002 AACS.

R 423.164

Source: 2014 AACS.

R 423.165

Source: 2014 AACS.

R 423.166

Source: 2014 AACS.

R 423.167

Source: 2014 AACS.

PART 7. HEARINGS

R 423.171

Source: 2014 AACS.

R 423.172

Source: 2014 AACS.

R 423.173

Source: 2014 AACS.

R 423.174

Source: 2014 AACS.

R 423.175

Source: 2014 AACS.

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R 423.176
Source: 2014 AACS.

R 423.176a
Source: 2014 AACS.

R 423.177
Source: 2014 AACS.

R 423.178
Source: 2014 AACS.

R 423.179
Source: 2014 AACS.

PART 8. FILING AND SERVICE OF DOCUMENTS

R 423.181
Source: 2002 AACS.

R 423.182
Source: 2014 AACS.

R 423.183
Source: 2002 AACS.

R 423.184
Source: 2014 AACS.

R 423.185
Source: 2014 AACS.

PART 9. NOTICE OF PUBLIC SCHOOL STRIKE OR LOCKOUT

R 423.191
Source: 2017 AACS.

R 423.191a
Source: 2017 AACS.

R 423.192
Source: 2017 AACS.

R 423.192a
Source: 2017 AACS.

R 423.193
Source: 2018 AACS.

R 423.194
Source: 2017 AACS.

R 423.195
Source: 2017 AACS.

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R 423.196

Source: 2017 AACS.

R 423.197

Source: 2017 AACS.

R 423.198

Source: 2017 AACS.

R 423.301

Source: 1997 AACS.

R 423.302

Source: 1997 AACS.

R 423.303

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R 423.304

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R 423.312

Source: 1997 AACS.

R 423.313

Source: 1997 AACS.

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R 423.315

Source: 1997 AACS.

R 423.316

Source: 1997 AACS.

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R 423.317
Source: 1997 AACS.

R 423.401
Source: 2002 AACS.

R 423.403
Source: 2002 AACS.

R 423.405
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R 423.407
Source: 2002 AACS.

R 423.411
Source: 2002 AACS.

R 423.421
Source: 2002 AACS.

R 423.422
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R 423.423
Source: 2002 AACS.

R 423.431
Source: 2002 AACS.

R 423.432
Source: 2002 AACS.

R 423.433
Source: 2002 AACS.

R 423.434
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R 423.435
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R 423.446
Source: 2002 AACS.

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R 423.447
Source: 2002 AACS.

R 423.448
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R 423.449
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R 423.450
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R 423.451
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R 423.461
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R 423.467
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R 423.468
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R 423.469
Source: 2002 AACS.

R 423.470

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Source: 2002 AACS.

R 423.471

Source: 2002 AACS.

R 423.472

Source: 2002 AACS.

R 423.481

Source: 2002 AACS.

R 423.482

Source: 2002 AACS.

R 423.483

Source: 2002 AACS.

R 423.484

Source: 2002 AACS.

**ADMINISTRATION OF COMPULSORY ARBITRATION ACT FOR LABOR DISPUTES IN MUNICIPAL
POLICE AND FIRE DEPARTMENTS**

R 423.501

Source: 2014 AACS.

R 423.502

Source: 2014 AACS.

R 423.503

Source: 2014 AACS.

R 423.504

Source: 2014 AACS.

R 423.505

Source: 2014 AACS.

R 423.506

Source: 2014 AACS.

R 423.507

Source: 2014 AACS.

R 423.508

Source: 1995 AACS.

R 423.509

Source: 2014 AACS.

R 423.510

Source: 2014 AACS.

R 423.511

Source: 2014 AACS.

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R 423.512
Source: 2014 AACS.

R 423.513
Source: 2014 AACS.

R 423.514
Source: 2014 AACS.

R 423.515
Source: 2014 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

GEOLOGICAL SURVEY DIVISION

MINE RECLAMATION

R 425.1
Source: 1979 AC.

R 425.2
Source: 1979 AC.

R 425.3
Source: 1979 AC.

R 425.4
Source: 1979 AC.

R 425.5
Source: 1979 AC.

R 425.6
Source: 1979 AC.

R 425.7
Source: 1979 AC.

R 425.8
Source: 1979 AC.

R 425.9
Source: 1979 AC.

R 425.10
Source: 1979 AC.

R 425.11
Source: 1979 AC.

R 425.12
Source: 1979 AC.

R 425.15
Source: 1979 AC.

R 425.16
Source: 1979 AC.

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PART 2. RECLAMATION OF OPEN PITS

R 425.21
Source: 1979 AC.

R 425.22
Source: 1979 AC.

R 425.23
Source: 1979 AC.

R 425.24
Source: 1979 AC.

R 425.25
Source: 1979 AC.

PART 3. RECLAMATION OF STOCKPILES

R 425.31
Source: 1979 AC.

R 425.32
Source: 1979 AC.

R 425.33
Source: 1979 AC.

R 425.34
Source: 1979 AC.

R 425.35
Source: 1979 AC.

PART 4. RECLAMATION OF TAILINGS BASINS AND AUXILIARY LANDS

R 425.41
Source: 1979 AC.

R 425.42
Source: 1979 AC.

R 425.43
Source: 1979 AC.

R 425.44
Source: 1979 AC.

R 425.45
Source: 1979 AC.

R 425.46
Source: 1979 AC.

R 425.47
Source: 1979 AC.

R 425.48
Source: 1979 AC.

R 425.49
Source: 1979 AC.

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DEPARTMENT OF ENVIRONMENTAL QUALITY

OFFICE OF GEOLOGICAL SURVEY

NONFERROUS METALLIC MINERAL MINING

R 425.101
Source: 2006 AACS.

R 425.102
Source: 2006 AACS.

R 425.103
Source: 2006 AACS.

PART 2. PERMITS

R 425.201
Source: 2006 AACS.

R 425.202
Source: 2006 AACS.

R 425.203
Source: 2006 AACS.

R 425.204
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R 425.205
Source: 2006 AACS.

R 425.206
Source: 2006 AACS.

R 425.207
Source: 2006 AACS.

PART 3. FINANCIAL ASSURANCE

R 425.301
Source: 2006 AACS.

R 425.302
Source: 2006 AACS.

R 425.303
Source: 2006 AACS.

R 425.304
Source: 2006 AACS.

R 425.305
Source: 2006 AACS.

R 425.306
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Source: 2006 AACS.

R 425.308

Source: 2006 AACS.

R 425.309

Source: 2006 AACS.

PART 4. MINING OPERATIONS

R 425.401

Source: 2006 AACS.

R 425.402

Source: 2006 AACS.

R 425.403

Source: 2006 AACS.

R 425.404

Source: 2006 AACS.

R 425.405

Source: 2006 AACS.

R 425.406

Source: 2006 AACS.

R 425.407

Source: 2006 AACS.

R 425.408

Source: 2006 AACS.

R 425.409

Source: 2006 AACS.

PART 5. REPORTS

R 425.501

Source: 2006 AACS.

R 425.502

Source: 2006 AACS.

R 425.503

Source: 2006 AACS.

PART 6. MEETINGS AND HEARINGS

R 425.601

Source: 2006 AACS.

R 425.602

Source: 2006 AACS.

DEPARTMENT OF TREASURY

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MICHIGAN GAMING CONTROL BOARD (MGCB)

OFFICE OF THE EXECUTIVE DIRECTOR

HORSE RACING GENERAL RULES

PART 1. GENERAL PROVISIONS

R 431.1001
Source: 2021 AACS.

R 431.1005
Source: 2021 AACS.

R 431.1010
Source: 2021 AACS.

R 431.1015
Source: 2021 AACS.

R 431.1020
Source: 2021 AACS.

R 431.1025
Source: 2021 AACS.

R 431.1027
Source: 2021 AACS.

R 431.1030
Source: 2021 AACS.

R 431.1035
Source: 2021 AACS.

R 431.1045
Source: 2021 AACS.

R 431.1047
Source: 2021 AACS.

R 431.1050
Source: 2021 AACS.

R 431.1052
Source: 2021 AACS.

R 431.1060
Source: 2021 AACS.

R 431.1065
Source: 2021 AACS.

R 431.1070
Source: 2021 AACS.

R 431.1075
Source: 2021 AACS.

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R 431.1080
Source: 2021 AACS.

R 431.1085
Source: 2021 AACS.

R 431.1090
Source: 2021 AACS.

R 431.1095
Source: 2021 AACS.

R 431.1101
Source: 2021 AACS.

R 431.1105
Source: 2021 AACS.

R 431.1110
Source: 2021 AACS.

R 431.1115
Source: 2021 AACS.

R 431.1120
Source: 2021 AACS.

R 431.1125
Source: 2021 AACS.

R 431.1130
Source: 2021 AACS.

R 431.1135
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R 431.1140
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R 431.1145
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R 431.1150
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R 431.1155
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R 431.1165
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R 431.1170
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R 431.1175

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Source: 2021 AACS.

R 431.1180

Source: 2021 AACS.

R 431.1185

Source: 2021 AACS.

R 431.1190

Source: 2021 AACS.

R 431.1195

Source: 2021 AACS.

R 431.1200

Source: 2021 AACS.

R 431.1205

Source: 2021 AACS.

R 431.1210

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R 431.1215

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R 431.1261

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R 431.1270
Source: 2021 AACS.

R 431.1275
Source: 2021 AACS.

R 431.1280
Source: 2021 AACS.

R 431.1285
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R 431.1290
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R 431.1295
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R 431.1301
Source: 2021 AACS.

R 431.1302
Source: 2021 AACS.

R 431.1303
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R 431.1304
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R 431.1325
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R 431.1330
Source: 2021 AACS.

R 431.1335
Source: 2021 AACS.

R 431.1340
Source: 2021 AACS.

R 431.1999
Source: 2021 AACS.

PART 2. MUTUELS

R 431.2001
Source: 2021 AACS.

R 431.2005
Source: 2021 AACS.

R 431.2010
Source: 2021 AACS.

R 431.2015
Source: 2021 AACS.

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R 431.2020
Source: 2021 AACS.

R 431.2025
Source: 2021 AACS.

R 431.2030
Source: 2021 AACS.

R 431.2035
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R 431.2036
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R 431.2040
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Source: 2021 AACS.

R 431.2060
Source: 2021 AACS.

R 431.2061
Source: 2003 AACS.

R 431.2065
Source: 1985 AACS.

R 431.2070
Source: 2021 AACS.

R 431.2075
Source: 2021 AACS.

R 431.2080
Source: 2021 AACS.

R 431.2085
Source: 1985 AACS.

R 431.2090
Source: 2021 AACS.

R 431.2094
Source: 2021 AACS.

R 431.2095
Source: 2021 AACS.

R 431.2096

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Source: 2021 AACS.

R 431.2100

Source: 2021 AACS.

R 431.2105

Source: 2021 AACS.

R 431.2110

Source: 2021 AACS.

R 431.2115

Source: 2021 AACS.

R 431.2120

Source: 2021 AACS.

PART 3. THOROUGHBRED RACING

R 431.3001

Source: 2021 AACS.

R 431.3005

Source: 2021 AACS.

R 431.3010

Source: 2021 AACS.

R 431.3015

Source: 2021 AACS.

R 431.3020

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Source: 2021 AACS.

R 431.3070

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R 431.3095

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R 431.3101

Source: 2021 AACS.

R 431.3105

Source: 2021 AACS.

R 431.3110

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R 431.3115

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R 431.3120

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R 431.3125

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R 431.3130

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R 431.3135

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R 431.3140

Source: 2021 AACS.

R 431.3145

Source: 2021 AACS.

R 431.3150

Source: 1985 AACS.

R 431.3155

Source: 2021 AACS.

R 431.3160

Source: 2021 AACS.

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R 431.3165
Source: 2021 AACS.

R 431.3170
Source: 2021 AACS.

R 431.3175
Source: 2021 AACS.

R 431.3180
Source: 2021 AACS.

R 431.3195
Source: 1985 AACS.

R 431.3201
Source: 2021 AACS.

R 431.3205
Source: 2021 AACS.

R 431.3210
Source: 2021 AACS.

R 431.3215
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R 431.3245
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R 431.3250
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R 431.3255
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R 431.3260
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R 431.3265
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R 431.3270

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Source: 2021 AACS.

R 431.3275

Source: 2021 AACS.

R 431.3280

Source: 1985 AACS.

R 431.3285

Source: 1985 AACS.

R 431.3290

Source: 2021 AACS.

R 431.3295

Source: 2021 AACS.

R 431.3300

Source: 2021 AACS.

R 431.3301

Source: 2021 AACS.

R 431.3305

Source: 2021 AACS.

R 431.3310

Source: 2021 AACS.

PART 4. STANDARD BRED RACING

R 431.4001

Source: 2021 AACS.

R 431.4005

Source: 2021 AACS.

R 431.4010

Source: 2021 AACS.

R 431.4015

Source: 2021 AACS.

R 431.4020

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R 431.4050
Source: 2021 AACS.

R 431.4055
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R 431.4060
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R 431.4065
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R 431.4070
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R 431.4095
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R 431.4100
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R 431.4105
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R 431.4110
Source: 2021 AACS.

R 431.4115
Source: 2021 AACS.

R 431.4120
Source: 1985 AACS.

R 431.4125
Source: 2021 AACS.

R 431.4130
Source: 2021 AACS.

R 431.4135
Source: 2021 AACS.

R 431.4140
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R 431.4145

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Source: 2021 AACS.

R 431.4150

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R 431.4155

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R 431.4225

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R 431.4230

Source: 2021 AACS.

R 431.4235

Source: 1985 AACS.

R 431.4240

Source: 2021 AACS.

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R 431.4245
Source: 1985 AACS.

R 431.4250
Source: 1985 AACS.

R 431.4255
Source: 2021 AACS.

R 431.4260
Source: 2021 AACS.

R 431.4265
Source: 2021 AACS.

R 431.4270
Source: 2021 AACS.

R 431.4275
Source: 2021 AACS.

R 431.4280
Source: 2021 AACS.

R 431.4285
Source: 2021 AACS.

R 431.4290
Source: 2021 AACS.

PART 5. ACCOUNT WAGERING

R 431.5001
Source: 2021 AACS.

R 431.5005
Source: 2021 AACS.

R 431.5010
Source: 2021 AACS.

R 431.5015
Source: 2021 AACS.

R 431.5020
Source: 2021 AACS.

R 431.5025
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R 431.5030
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R 431.5035
Source: 2021 AACS.

R 431.5040
Source: 2021 AACS.

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DEPARTMENT OF TREASURY
BUREAU OF STATE LOTTERY
LOTTERY RULES

PART 1. GENERAL PROVISIONS

R 432.1
Source: 2006 AACS.

R 432.2
Source: 2018 AACS.

R 432.3
Source: 2006 AACS.

R 432.4
Source: 2006 AACS.

R 432.5
Source: 2018 AACS.

R 432.6
Source: 2018 AACS.

R 432.7
Source: 1998-2000 AACS.

R 432.8
Source: 2006 AACS.

R 432.9
Source: 2006 AACS.

R 432.10
Source: 2006 AACS.

R 432.12
Source: 2006 AACS.

R 432.13
Source: 2006 AACS.

R 432.14
Source: 1998-2000 AACS.

R 432.15
Source: 2006 AACS.

R 432.16
Source: 2018 AACS.

R 432.17
Source: 2018 AACS.

R 432.18
Source: 2009 AACS.

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R 432.19
Source: 1998-2000 AACS.

R 432.20
Source: 2006 AACS.

R 432.21
Source: 2006 AACS.

R 432.22
Source: 1998-2000 AACS.

PART 2. ON-LINE TERMINALS

R 432.31
Source: 1998-2000 AACS.

R 432.32
Source: 1998-2000 AACS.

R 432.33
Source: 1998-2000 AACS.

R 432.34
Source: 1998-2000 AACS.

R 432.35
Source: 1998-2000 AACS.

R 432.36
Source: 2006 AACS.

R 432.37
Source: 2006 AACS.

R 432.38
Source: 1986 AACS.

DEPARTMENT OF TREASURY

EXECUTIVE DIRECTOR OF THE MICHIGAN GAMING CONTROL BOARD

MILLIONAIRE PARTIES

PART 1. GENERAL PROVISIONS

R 432.101 Definitions.

Rule 101. (1) As used in these rules:

- (a) "Act" means the Traxler-McCauley-Law-Bowman bingo act, 1972 PA 382, MCL 432.101 to 432.152.
- (b) "Administrative procedures act" means the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.
- (c) "Charitable purpose" means 1 or more of the following causes, deeds, or activities that are beneficial to the general public:
 - (i) Relief of poverty.
 - (ii) Advancement of education.
 - (iii) Advancement of religion.
 - (iv) Protection of health or relief from disease, suffering, or distress.
 - (v) Advancement of civic, governmental, or municipal purposes.

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- (vi) Protection of the environment and conservation of wildlife.
 - (vii) Defense of human rights and the elimination of prejudice and discrimination.
 - (viii) Any other purpose that the executive director determines to be beneficial to the general public.
 - (d) "Compliance meeting" means a meeting as prescribed by the administrative procedures act, conducted by the executive director, where the licensee has an opportunity to show compliance with the act, these rules, terms of probation, directives, public policy of this state, or any other local, state, or federal law or regulation.
 - (e) "Compliance meeting notice" means the document issued by the executive director before the compliance meeting to inform a licensee of the date, time, and location of the compliance meeting.
 - (f) "Contested case hearing" means a formal hearing before a hearing officer conducted as prescribed by the administrative procedures act.
 - (g) "Contested case hearing notice" means the document issued by the executive director before the contested case hearing to inform a licensee of the date, time, and location of the contested case hearing.
 - (h) "Day" means the standard 24-hour period, except when referring to the issuance of a millionaire party license, when it means the time period from 8 a.m. of 1 day to 2 a.m. of the following day.
 - (i) "General public" means society as a whole or any considerable part of society.
 - (j) "Gross profit" means total revenue less chip redemptions and prizes. Gross profit does not include the license fee.
 - (k) "Gross revenue" means the monetary value received by the licensee for all fees charged to participate in the millionaire party before any deductions for prizes or other expenses.
 - (l) "Imitation money or chips" means imitation money or chips that have a nominal value equal to or greater than the value of the currency that they can be exchanged for.
 - (m) "Informal meeting" means a meeting conducted by the executive director, at his or her discretion, where the executive director discusses the failure of the licensee to comply with the act, these rules, terms of probation, directives, public policy of this state, or any other local, state, or federal law or regulation.
 - (n) "License" means a millionaire party or supplier license that is issued by the executive director.
 - (o) "Millionaire party equipment" means any authorized item used to conduct authorized games at a millionaire party.
 - (p) "Millionaire party licensee" means the qualified organization that has been issued a license to conduct a millionaire party.
 - (q) "Privately held corporation" means a corporation that does not trade its stock in a stock exchange or in over-the-counter transactions.
 - (r) "Probation" means a license status requiring strict compliance with the act, these rules, directives, public policy of this state, and specific conditions established by the executive director.
 - (s) "Probation violation" means failure to abide by any of the terms of probation.
 - (t) "Probationary period" means the time interval of probation.
 - (u) "Terms of probation" means the conditions established at the discretion of the executive director that must be complied with during the probationary period.
 - (v) "Violation notice" means a document issued by the executive director, at his or her discretion, to a licensee charging a violation of the act, these rules, terms of probation, directives, public policy of this state, or any other local, state, or federal law or regulation.
 - (w) "Week" means a period of 7 days beginning with Sunday and ending with Saturday.
 - (x) "Worker" means an individual who assists or participates in the management, conduct, or operation of a millionaire party. Worker does not include an individual employed by or an agent of a lessor, location owner, or licensed supplier at a licensed millionaire party event.
 - (2) A term defined in the act has the same meaning when used in these rules.
- History: 2014 AACs; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.102 Rescinded.

History: 2014 AACs; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.103 Permanent dissolution; utilization of assets; report.

Rule 103. Upon permanent dissolution of a qualified organization, all assets, real property, and personal property must be utilized for the lawful purpose of the qualified organization and must not be distributed to any private individual or shareholder. All remaining assets upon dissolution must be distributed to the local government or another nonprofit organization as stated in the qualified organization's bylaws, constitution, charter, or articles of incorporation. The disbursement of remaining assets must be reported to the executive director in writing.

History: 2014 AACs; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.104

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Source: 2014 AACS.

R 432.105 Violation notice.

Rule 105. (1) The executive director may issue a violation notice to a licensee for failure to maintain compliance with the act, these rules, terms of probation, directives, public policy of this state, or any other local, state, or federal law or regulation.

(2) The licensee shall respond to the violation notice in writing within the time period specified in the notice and inform the executive director what action has been taken to correct the violation cited. The response must be signed by the principal officer of the qualified organization or the owner or owners of the licensed supplier cited for the violation.

(3) The executive director may initiate further administrative action if a response to the notice is not received or the response does not resolve the violation.

History: 2014 AACS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.106 Informal meeting.

Rule 106. (1) The executive director may require the principal officer of the qualified organization or the owner or owners of the licensed supplier to attend an informal meeting to discuss violations of the act, these rules, terms of probation, directives, public policy of this state, or any other local, state, or federal law or regulation. The purpose of this meeting is to assist the licensee in achieving compliance with the act, these rules, terms of probation, directives, public policy of this state, or any other local, state, or federal law or regulation.

(2) A licensee may agree to be placed on probation as a result of the meeting described in subrule (1) of this rule.

(3) The purpose of the meeting described in subrule (1) of this rule is to forestall the need to take further action, up to, and including, the conduct of a contested case hearing.

(4) The meeting described in subrule (1) of this rule is not required if the executive director determines that the violations of the act, these rules, terms of probation, directives, public policy of this state, or any other local, state, or federal law or regulation warrants action prescribed by R 432.108 to R 432.110.

History: 2014 AACS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.107

Source: 2014 AACS.

R 432.108

Source: 2014 AACS.

R 432.109 Suspension or revocation of license; refusal to renew license.

Rule 109. (1) If the executive director determines that a licensee, location owner, or lessor is not in compliance with the requirements of the act, these rules, terms of probation, directives, public policy of this state, or any other local, state, or federal law or regulation, then the executive director may suspend or revoke, refuse to renew, or suspend the right to obtain a license of a qualified organization or supplier.

(2) The executive director may suspend or revoke, refuse to renew, or suspend the right to obtain a license in accordance with the administrative procedures act for any of the following reasons:

(a) The failure to ensure full accountability for all gaming assets including, but not limited to, cash, prizes, millionaire party chips or imitation money, and all money derived from the millionaire party.

(b) The lack of honesty and integrity of the licensee, location owner, or lessor.

(c) The lack of veracity and accuracy concerning the information submitted on the application.

(d) The indebtedness of the licensee, location owner, or lessor to the federal, state, or local government.

(e) A pending lawsuit or bankruptcy proceeding that involves the licensee, location owner, or lessor and is related to the millionaire party.

(f) The current or past history of compliance of the licensee, location owner, lessor or any of its agents, or owners, shareholders of the privately held corporation, partners, officers, or agent of the licensee with the act, these rules, terms of probation, directives, public policy of this state, or any other local, state, or federal law or regulation.

(g) Evidence that the licensee, location owner, or lessor possesses illegal gambling equipment, that illegal gambling equipment is on any of its premises, or that illegal gambling has occurred at any of its premises.

(h) The submission of a check in payment of a fee that is not paid by the financial institution that it is drawn from.

(i) The hinderance or obstruction of an authorized representative of the executive director in the performance of official duties.

(j) The use or submission of false or misleading information by any of the following means:

(i) An application for or renewal of a license.

(ii) Any document that is submitted to the executive director.

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- (iii) All records completed in conjunction with the millionaire party.
 - (iv) Verbal statements to an authorized representative of the executive director by any owner, shareholder of the privately held corporation, partner, officer, or agent of the licensee, location owner, or lessor.
 - (k) The failure to submit complete and accurate financial statements.
 - (l) The failure or refusal to provide an authorized representative of the executive director access to the location.
 - (m) The failure to promptly produce any book, record, or document as required by the act, these rules, terms of probation, or directives for review by an authorized representative of the executive director.
 - (n) Allowing any individual who has been convicted of, becomes convicted of, has forfeited bond upon a charge of, or has pled guilty to any of the offenses in R 432.203(f) to work in the operation or management of a millionaire party or to be an officer or agent of the qualified organization.
 - (o) Allowing any individual who has been convicted of, becomes convicted of, has forfeited bond upon a charge of, or has pled guilty to any of the offenses in R 432.203(f) to work in the operation or management of a licensed supplier, location, or lessor, or to be an owner, shareholder of the privately held corporation, partner, officer, or agent of the licensed supplier, location, or lessor.
 - (p) The failure to continuously operate as a qualified organization as defined by the act and as represented to the executive director by means of the information submitted to the executive director as required by R 432.201, or the failure to continuously operate as an organization or persons issued a license under section 34 of the act, MCL 432.134.
 - (q) For activities similar to those enumerated which, at the discretion of the executive director, merit enforcement action.
- History: 2014 AACCS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.110 Summary suspension proceedings.

Rule 110. (1) To advance the public policy of prohibition against all gambling activities not conducted in strict conformance with expressed legislative exceptions, including the regulatory framework established by the act, the executive director may summarily order the suspension of a license as provided by section 50(1) of the act, MCL 432.150, and in accordance with section 92 of the administrative procedures act, MCL 24.292, on a determination that any 1 or more of the following circumstances exist:

- (a) The licensee has obtained the license by fraud, misrepresentation, or concealment.
 - (b) The decision to issue the license was a product of a material mistake of law or fact.
 - (c) The licensee, location owner, or lessor has engaged in an act, practice, or course of conduct that would operate as a fraud or deceit on an individual or individuals, or has employed a device, scheme, or artifice to defraud an individual or individuals.
 - (d) The licensee, location owner, or lessor has repeatedly violated, or repeatedly failed or refused to comply with, any of the provisions, requirements, limitations, or duties imposed by the act, these rules, terms of probation, directives, public policy of this state, or any other local, state, or federal law or regulation.
 - (e) The licensee, location owner, lessor, or any owner, shareholder of the privately held corporation, partner, officer, or agent of the licensee, location owner or lessor, has been charged with or convicted of a violation of the act.
 - (f) The licensee, location owner, or lessor has or there is reasonable cause to believe the licensee, location owner, or lessor has engaged in illegal gambling, or a fraud or larceny offense.
 - (g) The immediate cessation of the millionaire party by the licensee is necessary for the protection or preservation of the welfare of the community that these activities are being conducted in, or for the protection or preservation of public policy of this state, or any other local, state, or federal law or regulation respecting unlawful gaming activity.
- (2) If the executive director summarily suspends a license, then the licensee shall be afforded a prompt hearing before the executive director on the question forming the basis of the suspension of the license.

History: 2014 AACCS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.111

Source: 2014 AACCS.

R 432.112 Contested case hearing.

Rule 112. (1) A contested case hearing notice must be issued in accordance with section 71 of the administrative procedures act, MCL 24.271.

- (2) The executive director may establish procedures for the conduct of contested case hearings, including the submission of evidence by written interrogatory, deposition, request for admissions, or by other means established by the hearing officer.
- (3) There must be no discovery other than that allowed by the administrative procedures act.
- (4) When an appearance is made at a contested case hearing, it must be made in person by the principal officer of the qualified organization, the owner, or owners of the licensed supplier, or by counsel.
- (5) The person or persons that have been served with a contested case hearing notice may file a written answer before the date

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set for the contested case hearing or may appear at the contested case hearing and present an oral statement on the charges contained in the contested case hearing notice. If written briefs or arguments are presented, then a copy shall be served on the hearing officer not less than 5 days before the date set for the contested case hearing.

(6) If the person or persons that have been previously served with a contested case hearing notice fail to appear at the contested case hearing, then the hearing officer may proceed with the contested case hearing and may, on the evidence presented, make a decision.

(7) A contested case hearing must not be adjourned or continued except by the hearing officer. All motions and requests for an adjournment or a continuance must be in writing. The motion or request must state concisely the reasons why the requested relief is necessary.

(8) The parties to any contested case hearing may, by stipulation, in writing, and filed with the hearing officer, agree on the facts or any portion of the facts involved in the controversy. The stipulation must be regarded and used as evidence in the contested case hearing. Parties are requested to agree on the facts if practicable.

History: 2014 AACs; 2023 MR 20, Eff. Oct. 24, 2023.

PART 2. GAMING LICENSING

R 432.201 Qualification requirements.

Rule 201. (1) Each applicant applying for a millionaire party license who has not previously qualified shall first submit qualification information as required by the executive director.

(2) Each applicant shall provide proof that its bylaws, constitution, articles of incorporation, or the bylaws or constitution of its parent organization, include a statement of dissolution. The statement of dissolution must state that all assets of the qualifying organization remaining upon dissolution, after satisfying its debts, be distributed to the local government or another nonprofit organization.

(3) The executive director may require a previously qualified organization to submit updated qualification information to assure the organization's continued eligibility under the act.

(4) In addition to the requirements of the act, the executive director shall consider certain factors when determining if an applicant or licensee qualifies as a branch, lodge, or chapter. These factors include, but are not limited to, the following:

- (a) Charter or a similar document issued by the national or state organization upon acceptance as a branch, lodge, or chapter.
- (b) Conditions established by the national or state organization for the revocation or suspension of the charter or relationship.
- (c) Dues or financial support submitted to the national or state organization by the branch, lodge, or chapter.
- (d) Degree of control exerted by the national or state organization over the activities of the branch, lodge, or chapter.
- (e) Oversight and control provided by the national or state organization over the financial affairs of the branch, lodge, or chapter, including the audit of financial records of the branch, lodge, or chapter.
- (f) Standard bylaws adopted by the branch, lodge, or chapter or bylaws submitted to the national or state organization for approval.
- (g) Appointed or elected officers of the branch, lodge, or chapter who are responsible for the activities of the branch, lodge, or chapter.
- (h) Ability of the branch, lodge, or chapter to influence activities, normally demonstrated by voting privileges, at the state or national level.

History: 2014 AACs; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.202 Rescinded.

History: 2014 AACs; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.203 Additional eligibility factors.

Rule 203. In addition to the requirements of the act, the executive director shall consider the following factors when reviewing a millionaire party license application:

- (a) The honesty and integrity of the applicant.
- (b) The veracity and accuracy of any information supplied to the executive director by the applicant.
- (c) The applicant's indebtedness to local, state, or federal government.
- (d) A pending lawsuit or bankruptcy proceeding involving the applicant.
- (e) The applicant's current or past history of compliance with the act, these rules, terms of probation, directives, public policy of this state, or any other local, state, or federal law or regulation.
- (f) Criminal convictions of the applicant or any individual, officer, or agent of the applicant for any of the following offenses:
 - (i) A violation of the act.
 - (ii) A felony.
 - (iii) A gambling offense.

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- (iv) Criminal fraud.
 - (v) Forgery.
 - (vi) Larceny.
 - (vii) Filing a false report with a governmental agency.
 - (g) The executive director may consider whether the organization has raised sufficient funds in the previous calendar year independent and apart from any raised from gaming under the act. Raising \$500.00 unrelated to gaming under the act in the previous calendar year will satisfy this requirement. Satisfying this requirement does not entitle the organization to a millionaire party license.
 - (h) Any other information considered advisable by the executive director.
- History: 2014 AACs; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.204 Millionaire party license; terms and conditions.

Rule 204. (1) On the issuance of a millionaire party license, the qualified organization shall agree to all of the following:

- (a) To be bound by and comply with the terms of probation, directives, public policy of this state, and any other local, state, and federal laws and regulations.
 - (b) To provide all information requested by the executive director.
 - (c) To maintain current and accurate records of all operations in conjunction with millionaire parties in conformity with the act, these rules, terms of probation, and directives.
 - (d) To conduct the millionaire party in accordance with the information submitted on the application approved by the executive director.
 - (e) To conduct the millionaire party only during the hours and the date or dates stated on the license.
 - (f) To hold the executive director and the state harmless from any liability, including, but not limited to, taxes and legal expenses.
- (2) An individual shall not refuse to cooperate with, hinder, or obstruct in any way, an authorized representative of the executive director while the representative is in the performance of official duties.

History: 2014 AACs; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.205 Changes to qualification or application information.

Rule 205. (1) A qualified organization shall immediately report to the executive director in writing any change to the organization's qualification documentation.

(2) A qualified organization shall immediately submit a copy of the appropriate amended document to the executive director if there is a change in any of the following:

- (a) Constitution.
- (b) Bylaws.
- (c) Articles of incorporation.
- (d) Other qualification documents previously submitted to the executive director.
- (e) Internal revenue service tax-exempt status.

(3) Changes to the information provided on or attached to the millionaire party license application must be immediately reported to the executive director in writing.

History: 2014 AACs; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.206 Request for millionaire party license changes; cancellations.

Rule 206. (1) To change the location, day, date, dates, or time of a millionaire party, a qualified organization shall submit a request to the executive director in writing not less than 20 days before the proposed change takes effect.

(2) If a millionaire party cannot be held on the date approved by the executive director because of inclement weather or other emergency conditions, the qualified organization may submit a request to the executive director in writing for a new millionaire party date. The qualified organization shall also notify the executive director immediately on event cancellation.

(3) If the qualified organization chooses to cancel a millionaire party, it shall give the executive director written notice of the cancellation not less than 10 days before the scheduled date of the event.

(4) If a millionaire party license application is cancelled or denied, the executive director may retain a portion of the original statutory fee submitted to cover processing costs.

History: 2014 AACs; 2023 MR 20, Eff. Oct. 24, 2023.

PART 3. MILLIONAIRE PARTY

R 432.301 Rescinded.

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History: 2014 AACS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.302 Licensing and approval.

Rule 302. (1) An application for a license under this act and these rules is a request by the applicant for the discretionary license. The license is a revocable privilege and is not a property right. No individual, including a qualified organization, supplier, lessor, or location owner, shall have any expectation that the executive director will issue a license.

(2) The executive director may set a maximum number of licenses that will be issued to qualified organizations and may set a maximum number of days that a millionaire party license may be issued for.

(3) The executive director may stop issuing licenses at any time or for any reason.

History: 2014 AACS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.303

Source: 2014 AACS.

R 432.304 Millionaire party chairperson; qualifications and duties.

Rule 304. (1) The chairperson shall be a worker who is a bona fide member of the qualified organization for not less than 6 months and only serves as a millionaire party chairperson for 1 qualified organization in a calendar year.

(2) The chairperson shall be familiar with the act, these rules, terms of probation, and directives.

(3) The chairperson shall be present on the premises continuously during the occasion.

(4) The chairperson shall be readily identifiable to all millionaire party attendees by wearing a name badge with the word "chairperson" followed by the name of the licensee and the chairperson's name.

(5) The chairperson shall be in charge of the millionaire party, supervise and direct all workers, and be responsible for assuring the proper receipting, recording, and depositing of all money derived from the millionaire party.

(6) The chairperson shall attempt to resolve, in accordance with the act, these rules, and directives, disputes that may occur during the conduct of the millionaire party.

(7) Any change in the chairperson or individuals who are listed on the millionaire party license application must be immediately submitted to the executive director in writing. The notification must be signed by the principal officer of the qualified organization.

History: 2014 AACS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.305 Minimum age.

Rule 305. (1) Individuals under 18 years of age shall not be allowed to participate in the millionaire party as players and shall not be allowed to operate millionaire party games or assist in the conduct of the millionaire party.

(2) Individuals under 18 years of age shall not be allowed to play with, operate, handle, collect, or distribute any kind of millionaire party equipment.

(3) Individuals under 18 years of age shall not be allowed to sell or purchase raffle tickets, charity game tickets, or numeral game tickets.

History: 2014 AACS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.306 Raffles

Rule 306. Raffles held in conjunction with a millionaire party license must be conducted as prescribed by rules promulgated pursuant to the act.

History: 2014 AACS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.307

Source: 2014 AACS.

R 432.308

Source: 2014 AACS.

R 432.309 Imitation money and chips.

Rule 309. (1) During the conduct of a millionaire party, only imitation money or chips must be used by the participants. Imitation money or chips must be used solely for wagering or redemption purposes.

(2) Imitation money or chips must not be used for tipping or the purchase of food, beverages, raffle tickets, charity game tickets, numeral game tickets, or non-gaming items.

(3) Imitation money or chips must only be sold by the millionaire party licensee.

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- (4) Imitation money or chips must not be sold by dealers.
- (5) Imitation money or chips must only be redeemed at authorized redemption areas.
- (6) Only imitation money and chips that have received the executive director's prior approval may be used at a millionaire party.
- (7) The executive director may set the maximum amount of chips or imitation money that a millionaire party licensee may sell to an individual at a millionaire party.
- (8) Unless otherwise permitted by law, each millionaire party licensee shall not have more than \$20,000.00 in imitation money or chips in a demarcated area.

History: 2014 AACCS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.310 Millionaire party conduct.

Rule 310. (1) A millionaire party licensee may conduct only those games approved by the executive director. All games must be conducted pursuant to the rules set by the executive director. If approved by the executive director, only games marked on the application can be conducted at an event.

- (2) The qualified organization shall perform the duties concerning the millionaire party as directed by the executive director.
- (3) Millionaire parties must only be conducted during the hours and the date or dates stated on the license.
- (4) A copy of the current license application and any changes must be onsite and available for review.
- (5) Unless approved by the executive director, 2 bona fide members shall be present at all times during an event.
- (6) A qualified organization shall provide the names of its bona fide members who will be participating in the millionaire party to the executive director with its license application.
- (7) Unless allowed by written authorization of the executive director, only bona fide members of the millionaire party licensee may perform any of the following duties at an event conducted under the license:
 - (a) Counting, distributing, handling, selling, or redeeming chips.
 - (b) Receiving, handling, or counting cash.
 - (c) Collecting the house rake.
 - (d) Paying out cash prizes.
 - (e) Completing the millionaire party game records and financial statement.
 - (f) Ensuring only authorized individuals are present in the demarcated area.
 - (g) Monitoring the games and verifying all games have been conducted in conformance with the rules of the game.
 - (h) Verifying the age of the players.
 - (i) Any other duty authorized by the executive director.
- (8) Except for disputed prizes, all winners shall be determined, and all prizes must be awarded, within the hours stated on the license.
- (9) A location owner or lessor, a partner, member, director, officer, agent, or employee of a location owner or lessor, a shareholder of a privately held corporation that is a location owner or lessor, or an individual residing in the same household as any of these shall not do any of the following:
 - (a) Be an officer of a qualified organization conducting a millionaire party at the location.
 - (b) Participate as a player in any event being conducted at the location.
 - (c) Share in a prize, purchase, play, or accept charity game tickets or numeral game tickets offered for sale at the location by the qualified organization at any time during the day he or she is working or assisting.
 - (d) Split a prize with a player.
 - (e) Participate in any aspect of an event conducted at the location, including but not limited to, providing dealers, equipment, or workers, unless all of the following conditions exist:
 - (i) The location is owned or rented by the qualified organization and used by the qualified organization on a continual basis for the regular use of its members.
 - (ii) The qualified organization is the millionaire party licensee and is conducting the event.
 - (iii) The executive director has granted a waiver for the participation.

History: 2014 AACCS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.311 Hours of operation.

Rule 311. The executive director has sole discretion to set the permissible hours of the day during which a millionaire party may be conducted.

History: 2014 AACCS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.312

Source: 2014 AACCS.

R 432.313

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Source: 2014 AACCS.

R 432.314 Dealers.

Rule 314. (1) A dealer shall not be an employee of the location owner or lessor, unless that individual is a bona fide member of the qualified organization and is dealing during an event at that organization's location.

(2) Only those individuals authorized by the executive director may serve as a dealer at the licensed millionaire party event.

History: 2014 AACCS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.315 Game records; retention.

Rule 315. (1) Game records pertaining to the millionaire party must be completed and maintained in a current and accurate manner in accordance with the act, these rules, terms of probation, and directives. A licensee may be required to complete game records on forms prescribed by the executive director.

(2) Game records must include a copy of the current license application and any changes.

(3) Game records and all documents supporting entries made in the records must be available and onsite at the occasion and at other times to authorized representatives of the executive director for review.

(4) Game records and all documents and supporting entries made in the records must be accessed, entered, amended, and submitted by the qualified organization only.

(5) Game records and all documents supporting entries made in the records must be maintained by the qualified organization for at least the current calendar year plus 3 years or as directed in writing by the executive director.

(6) An invoice showing the cost per item for all millionaire party equipment must be available and onsite at the occasion to authorized representatives of the executive director for review.

(7) Game records and all documents supporting entries made in the records may be removed by authorized representatives of the executive director for review.

(8) Game records may be maintained using a computer if they cannot be remotely accessed and are maintained in accordance with the act, these rules, and directives.

History: 2014 AACCS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.316 Accountability; lawful use of proceeds; reasonable expenditures; deposit of proceeds.

Rule 316. (1) The millionaire party licensee is accountable for all cash, prizes, imitation money or chips, raffle tickets, charity game tickets, and numeral game tickets.

(2) The entire net proceeds of the millionaire party must be devoted exclusively to the lawful purpose of the qualified organization.

(3) To ensure that all proceeds are used for the lawful purpose of the qualified organization, each qualified organization shall maintain a separate checking account that must be under its exclusive control. The organization shall only deposit its millionaire party proceeds in the account and shall only make expenditures as authorized under the act and these rules.

(4) Each check written from the checking account under the qualified organization's exclusive control into which proceeds from the millionaire party are deposited must meet all of the following requirements:

(a) Be preprinted with the name of the licensee.

(b) Be signed by an authorized individual or individuals.

(c) Be made payable to a specific individual, business, partnership, corporation, or account.

(d) Not be made payable to cash or bearer and must not be drawn in blank.

(e) Contain a brief description of the expense on the memo line.

(5) Electronic transfers of funds derived from the conduct of the millionaire party must be done in accordance with directives issued by the executive director.

(6) Cancelled checks written from the checking account under the qualified organization's exclusive control into which proceeds from the millionaire party are deposited must be returned on a monthly basis to the account holder. Copies of the checks are acceptable, if legible, and if originals can be made available on request by the executive director.

(7) All money derived from the conduct of the millionaire party must be deposited into the checking account under the qualified organization's exclusive control within 2 business days after the millionaire party or as directed in writing by the executive director.

(8) Checks must not be cashed out of the millionaire party start cash or gross revenue.

History: 2014 AACCS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.317 Rent and rental location agreement.

Rule 317. (1) A qualified organization shall not pay a location owner or a lessor more than \$250.00 per day to rent a location for a millionaire party. The rental fee must not include any consideration or commission from revenues raised from the millionaire party gaming.

(2) A qualified organization shall not enter into agreements with the location owner or lessor other than those addressed in the

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written rental agreement approved by the executive director.

(3) A location owner or lessor shall not make any payments to, or accept any payments from, a supplier for anything directly or indirectly related to a millionaire party.

(4) A location owner or lessor shall not make the lease or rental of its demarcated area dependent on the use of a particular supplier or particular dealers and shall not vary the rental or lease fee that it charges based on an organization's use of a particular supplier or particular dealers.

History: 2014 AACS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.318 Security.

Rule 318. The qualified organization may hire security officers. Any security services the location provides must be included in the rental fee as approved by the executive director.

History: 2014 AACS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.319 Advertising.

Rule 319. (1) Expenditures by the millionaire party licensee for advertising the millionaire party must be necessary and reasonable.

(2) A millionaire party licensee may advertise a millionaire party by using current and accurate information. The advertising must include all of the following:

(a) Name of the millionaire party licensee.

(b) License number.

(c) Purpose for which the net proceeds will be used.

(d) Date or dates of the millionaire party licensee's event.

(e) Location name.

(3) Advertising must cease once the millionaire party license has expired.

(4) In an advertisement via the internet, printed matter, signs, or billboards, information in subrule (2)(a-e) of this rule must be prominently displayed in the same size font, or larger, as the largest font of the other information contained in the advertisement

(5) Information in subrule (2) of this rule must be continuously visible and readable in television advertising.

(6) The lessor, location owner, or millionaire party licensee shall not advertise the dates or times the location is open for the purpose of conducting a millionaire party or the games that will be played at that location, unless all the information required in subrule (2) of this rule is contained in the advertising.

(7) The following items are not considered advertising:

(a) A message on an answering machine or voicemail by the lessor, location owner, or millionaire party licensee at a location where a millionaire party will occur.

(b) Video, audio, or other means of communication that is broadcast solely within the interior of a location where the millionaire party occurs.

(c) Printed matter contained within the interior of a location where a millionaire party occurs and that is intended to be visible only from the interior of the location where the millionaire party will occur.

(d) An internet webpage that does not mention days, dates, times, specific games played, or program information.

(e) A sign located on the property of a location where a millionaire party occurs that does not mention days, dates, times, specific games played, or game program information.

History: 2014 AACS; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.320

Source: 2014 AACS.

R 432.321

Source: 2014 AACS.

PART 4. SUPPLIERS

R 432.401

Source: 2014 AACS.

R 432.402

Source: 2014 AACS.

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R 432.403 Supplier license renewal; supplier license void on ownership change.

Rule 403. (1) A supplier license is renewable annually upon the submission of a renewal application, provided by, or approved in writing by the executive director, unless summarily suspended, suspended, denied, or revoked by the executive director. (2) If the ownership changes or any portion of ownership of the privately held corporation, partnership, or sole proprietorship acting as a licensed supplier changes, except for deletion of owners or changes in percentage of ownership, then the license issued to that privately held corporation, partnership, or sole proprietorship is void and must be returned to the executive director without delay.

History: 2014 AACs; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.404 Supplier license terms and conditions.

Rule 404. (1) Upon the issuance of a supplier license, the licensed supplier agrees to all of the following terms and conditions:

- (a) To be bound by and comply with the act, these rules, terms of probation, directives, public policy of this state, and any other local, state, and federal laws and regulations.
- (b) To not assign or transfer the supplier license. A privately held corporation, partnership, or sole proprietorship acting as a licensed supplier shall not attempt to sell or transfer an interest in the business without the prior written approval of the executive director.
- (c) To immediately report to the executive director in writing any change in the information stated on, or attached to, the supplier license application.
- (d) To only accept checks from a licensee's account for the payment of equipment or dealers.
- (e) To not reveal investigative information to any licensee.
- (f) To hold the executive director and this state harmless from any liability, including, but not limited to, taxes and legal expenses.

(2) The location the licensed supplier does business, including supplemental storage locations or where an applicant or licensed supplier intends to do business or store equipment, must be open to inspection by an authorized representative of the executive director during reasonable business hours.

(3) An individual shall not refuse to cooperate with, hinder, or obstruct in any way, an authorized representative of the executive director while the representative is performing official duties.

(4) A licensed supplier shall not require any licensee to enter into an exclusive purchase agreement with that licensed supplier.

(5) A licensed supplier may rent or sell authorized equipment to qualified organizations for a reasonable rate as approved by the executive director.

(6) A licensed supplier may provide dealers to a qualified organization.

(7) A licensed supplier shall not make a payment to, or accept a payment from, either directly or indirectly, a location owner or lessor for anything related to a millionaire party.

(8) Notwithstanding R 432.314(2), if a licensed supplier provides the dealers, the licensed supplier shall be responsible for the actions of the dealers, including compliance with the act, these rules, terms of probation, directives, public policy of this state, and any other local, state, and federal laws and regulations.

(9) The executive director may deny, summarily suspend, suspend, revoke, or refuse to renew a supplier license as prescribed by R 432.108 to R 432.110.

History: 2014 AACs; 2023 MR 20, Eff. Oct. 24, 2023.

R 432.405

Source: 2014 AACs.

R 432.406

Source: 2014 AACs.

R 432.407

Source: 2014 AACs.

R 432.408

Source: 2014 AACs.

R 432.409

Source: 2014 AACs.

R 432.410

Source: 2014 AACs.

DEPARTMENT OF TREASURY
MICHIGAN GAMING CONTROL BOARD

FANTASY CONTEST RULES

PART 1. GENERAL PROVISIONS

R 432.511 Definitions.

Rule 511. As used in these rules:

- (a) "Act" means the fantasy contests consumer protection act, 2019 PA 157, MCL 432.501 to 432.516.
- (b) "Advertisement" means any notice, communication, or other dissemination of information to the public or individuals, whether by broadcasting, digital or online media, a fantasy contest platform, social media, publication, or any other means of dissemination, by or on behalf of a fantasy contest operator or licensed management company that is intended or designed to promote the fantasy contest business of the fantasy contest operator or licensed management company or solicit or entice fantasy contest players to enter or participate in fantasy contests offered by the fantasy contest operator or licensed management company. An advertisement includes a promotion and any promotional giveaways, games, and other similar activities.
- (c) "Affiliate" means any of the following:
 - (i) A person that is a holding company, as that term is defined in section 2 of the act, MCL 432.502.
 - (ii) A corporation, firm, partnership, limited partnership, limited liability company, trust, or other form of business organization that is not an individual and that directly or indirectly does either of the following:
 - (A) Holds an ownership interest of 5% or more, as determined by the board, in a licensed management company or an applicant.
 - (B) Holds voting rights with the power to vote 5% or more of the outstanding voting rights of a licensed management company or an applicant.
- (d) "Affiliate marketer" means a person involved in promoting, marketing, and directing business to a fantasy contest operator's or licensed management company's fantasy contest site that is compensated by or on behalf of the fantasy contest operator or licensed management company based on any of the following:
 - (i) The volume of customer referrals to the fantasy contest site.
 - (ii) Customer activity, including, but not limited to, number of fantasy contest player account registrations, number of depositing fantasy contest player account registrations, or fantasy contest entry activity.
 - (iii) Any combination of the compensation methods described in paragraph (i) to (ii) of this subdivision.
- (e) "Agent" means any individual who is employed by any agency of this state, other than the board, the state police, or attorney general, and who is assigned to perform full-time services on behalf of or for the benefit of the board regardless of the title or position held by that individual.
- (f) "Applicant" means any person that applies for any license under the act and these rules.
- (g) "Application" means all materials and information submitted to the board, including, but not limited to, the instructions, forms, and other documents required by the board, comprising a person's request for issuance or renewal of a license, approval of a transfer of ownership interest, or any other board action for which an application is required under the act and these rules.
- (h) "Authorized script" means a script that is made readily available to all fantasy contest players through a fantasy contest platform and is incorporated as a feature of fantasy contests.
- (i) "Auto draft" means a selection method in which a fantasy contest platform automatically selects a fantasy contest team for a fantasy contest player.
- (j) "Beginning player" means a fantasy contest player who meets all of the following conditions:
 - (i) The fantasy contest player has entered fewer than 51 fantasy contests offered by a fantasy contest operator or licensed management company.
 - (ii) The fantasy contest player does not meet the definition of a highly experienced player.
 - (iii) The fantasy contest player is not classified as a highly experienced player by a licensed management company under R 432.532a(1).
- (k) "Chairperson" means the chairperson of the Michigan gaming control board designated under the Michigan Gaming Control and Revenue Act, 1996 IL 1, MCL 432.201 to 432.226.

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- (l) "Conflict of interest" means a situation, relationship, or association in which the private interest of employees, agents, and contractors of the board may influence the judgment of the employee, agent, or contractor in the performance of his or her public duty under the act.
- (m) "Contractor" means any individual not employed by this state who performs services on behalf of or for the benefit of the board and requires unescorted access to board facilities.
- (n) "Executive director" means the executive director of the Michigan gaming control board, appointed under section 4 of the Michigan Gaming Control and Revenue Act, 1996 IL 1, MCL 432.204.
- (o) "Fantasy contest operations" means the conduct of authorized fantasy contests by a fantasy contest operator or licensed management company.
- (p) "Fantasy contest operator license" means a license issued by the board to a person to operate, carry on, conduct, maintain, expose, or offer for play fantasy contests and award prizes of value.
- (q) "Fantasy contest player account" means an electronic ledger in which all of the following types of transactions relative to a fantasy contest player are recorded:
- (i) Deposits and credits.
 - (ii) Withdrawals.
 - (iii) Entry fees.
 - (iv) Monetary value of prizes and awards.
 - (v) Service and other transaction-related charges authorized by the fantasy contest player, if any.
 - (vi) Adjustments to the account.
- (r) "Fantasy contest player funds" means cash or cash equivalents owned by or owed to fantasy contest players, including all of the following except as otherwise provided in paragraph (iv) of this subdivision:
- (i) Amounts held by a fantasy contest operator or licensed management company in fantasy contest player accounts, including pending withdrawals, but not including funds that have been withdrawn successfully by fantasy contest players.
 - (ii) Amounts accepted by a fantasy contest operator or licensed management company as entry fees for fantasy contests whose outcomes have not yet been determined.
 - (iii) Amounts owed to fantasy contest players but not yet paid by a fantasy contest operator or licensed management company as prizes or awards through the period established by the fantasy contest operator or licensed management company for honoring winning fantasy contest entries.
 - (iv) Fantasy contest player funds do not include amounts available to fantasy contest players for entry into fantasy contests that are not redeemable for cash.
- (s) "Fantasy contest player session" means the period of time that a fantasy contest player is logged on to a fantasy contest platform.
- (t) "Geolocation" means the identification of the real-world geographic location of a fantasy contest player.
- (u) "In-state participant" means a participant located in this state at the time of paying an entry fee or otherwise entering a fantasy contest.
- (v) "Institutional investor" means a person that is any of the following:
- (i) A retirement fund administered by a public agency for the exclusive benefit of federal, state, or local public employees.
 - (ii) An employee benefit plan or pension fund that is subject to the employee retirement income security act of 1974, Public Law 93-406.
 - (iii) An investment company registered under the investment company act of 1940, 15 USC 80a-1 to 80a-64.
 - (iv) A collective investment trust organized by a bank under 12 CFR part 9.
 - (v) A closed end investment trust.
 - (vi) A chartered or licensed life insurance company or property and casualty insurance company.
 - (vii) A chartered or licensed financial institution.
 - (viii) An investment advisor registered under the investment advisers act of 1940, 15 USC 80b-1 to 80b-21.
 - (ix) Any other person that the board determines should be considered an institutional investor for reasons consistent with the act and these rules.
- (w) "Key person" means any of the following:
- (i) An individual who holds a 5% or greater ownership interest in an applicant or licensee or in shares of an applicant or licensee.
 - (ii) An individual who holds voting rights with the power to vote 5% or more of the outstanding voting rights of an applicant or licensee.
 - (iii) A director of an applicant or licensee.
 - (iv) A managerial employee of an applicant or licensee who performs the function of principal executive officer, principal operations officer, principal accounting officer, or an equivalent officer.
 - (v) An affiliate of an applicant or licensee.

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- (vi) A director of an affiliate of an applicant or licensee.
- (vii) A managerial employee of an affiliate of an applicant or licensee who performs the function of principal executive officer, principal operations officer, principal accounting officer, or an equivalent officer.
- (x) "Licensed management company" means a management company that is licensed by the board under the act and these rules.
- (y) "Licensee" means a person that holds a fantasy contest operator license or management company license under the act and these rules. Licensee does not include a fantasy contest operator that is exempt from licensure pursuant to section 3(4) of the act, MCL 432.503.
- (z) "Management company license" means a license issued by the board to a person to manage the day-to-day fantasy contest operations of a fantasy contest operator.
- (aa) "Member" means a board member of the Michigan gaming control board appointed under the Michigan Gaming Control and Revenue Act, 1996 IL 1, MCL 432.201 to 432.226.
- (bb) "Official" means any individual who officiates an athletic event and is responsible for enforcing the rules of the athletic event, including, but not limited to, a referee, umpire, or judge.
- (cc) "Prohibited athletic event" means any of the following:
 - (i) Any event that is not a real-world professional, collegiate, or nationally recognized sports game, contest, or competition.
 - (ii) Any event that is or involves any of the following:
 - (A) A high school or youth sporting event.
 - (B) A randomized or historical event.
 - (C) A racing event involving animals.
 - (D) A game or contest ordinarily offered by a horse track or casino for money, credit, or any representative of value, including any races, games, or contests involving horses or that are played with cards or dice.
 - (E) A slot machine or other mechanical, electromechanical, or electronic device, equipment, or machine, including computers and other cashless wagering systems.
 - (F) Poker, blackjack, faro, monte, keno, bingo, fan tan, twenty one, seven and a half, Klondike, craps, chuck a luck, Chinese chuck a luck, Wheel of Fortune, Chemin de Fer, Baccarat, Pai Gow, Beat the Banker, Panguingui, roulette, or other banking or percentage games.
 - (G) Any other game or device authorized by the board under the Michigan Gaming Control and Revenue Act, 1996 IL 1, MCL 432.201 to 432.226.
 - (iii) Any event that does not involve the physical exertion and skill of the participating individual athletes.
 - (iv) Any event in which any participating individual athlete is not physically present at the location at which the event occurs.
 - (v) Any event in which the outcome of the event is not directly dependent on the performance of the participating individual athletes.
 - (vi) Other prohibited athletic events as determined by the board.
- (dd) "Prohibited person" means any of the following:
 - (i) An individual who is less than 18 years of age.
 - (ii) A self-restricted individual.
 - (iii) An individual the board has determined must be excluded from participation in fantasy contests under R 432.532c.
 - (iv) Except as otherwise provided in R 432.513a(9) and R 432.532b(12), a member, the executive director, a board employee, or an agent.
 - (v) Other prohibited persons as determined by the board.
- (ee) "Proposition selection" means a fantasy contest player choosing whether an identified instance or statistical achievement will occur, will be achieved, or will be surpassed.
- (ff) "Proxy server" means a computer server or other technology that allows a person to disguise the geolocation of his or her computer or other device when accessing a fantasy contest platform.
- (gg) "Publicly traded corporation" means any corporation or other legal entity regulated by the U.S. Securities and Exchange Commission under the securities exchange act of 1934, 15 USC 78a to 78qq, or securities act of 1933, 15 USC 77a to 77aa.
- (hh) "Representative" means an individual who acts on behalf of a fantasy contest operator, licensed management company, applicant, or affiliate.
- (ii) "Self-restricted individual" means an individual who is subject to an active self-restriction under R 432.532d.
- (jj) "Sports governing body" means an organization that prescribes final rules and enforces codes of conduct for an athletic event and the participants in the athletic event.

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- (kk) "Strong authentication" means a method that effectively provides higher security than a username and password alone.
- (ll) "Suspended account" means a fantasy contest player account that has been temporarily disabled from entering or participating in fantasy contests.
- (mm) "Targeted advertisement" means an advertisement disseminated by or on behalf of a fantasy contest operator or licensed management company, or a promotional offer made by or on behalf of a fantasy contest operator or licensed management company, which is directed to an individual on the basis of specific criteria, such as being a member or former member of a rewards club or a participant in social games. Targeted advertisement does not include any of the following:
- (i) Mass communication, including mailings or emails, made to an entire area or zip code or targeted list.
 - (ii) An advertisement that arrives in a packet of 5 or more non-gaming advertisements if the packet of advertisements is addressed to "resident," "occupant," or some similar wording and not to a specific individual.
 - (iii) Any "pop-up" advertisement that appears on an individual's computer or mobile device on the basis of his or her Internet Protocol (IP) Address.
- (nn) "Third-party provider" means a person, other than a licensed management company, that provides fantasy contest operators or licensed management companies goods or services that directly affect the conduct of fantasy contests under the act.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.512 Terms defined in act.

Rule 512. Terms defined in the act have the same meaning when used in these rules.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.513 Board duties, jurisdiction, and authority.

Rule 513. (1) To execute and administer the act for the purpose of licensing, regulating, and enforcing lawful fantasy contests, the board may do all of the following:

- (a) Determine its practices and internal policies or procedures.
- (b) Delegate to the executive director all powers and authority to act in the name of the board with respect to all reasonable, necessary, and appropriate actions to administer and carry out the administrative and executive functions of the board including, but not limited to, the power to do any of the following:
 - (i) Execute and enter into contracts on behalf of the board.
 - (ii) Hire and fire employees of the board and administer oaths.
 - (iii) Issue subpoenas for the attendance of witnesses and the production of documents.
 - (iv) Issue and renew licenses.
 - (v) Conduct investigations, inspections, and audits, share information with law enforcement agencies, conduct hearings, and settle alleged violations of the act and these rules.
 - (vi) Engage in other functions necessary to the proper administration and enforcement of the act and these rules.
 - (vii) Grant requests and waivers, answer inquiries, issue interpretations, and otherwise take any action that is reasonably requested by an applicant, licensed management company, or fantasy contest operator in furtherance of, and consistent with, the efficient administration and enforcement of the act and these rules, as determined to be necessary or appropriate by the executive director.
- (2) The board may set hiring standards for employees.
- (3) The board has general responsibility for the implementation of the act. The board's duties include, but are not limited to, all of the following:
 - (a) Deciding in a reasonable period of time all license applications.
 - (b) Investigating applicants for licenses. The board may grant licenses in accordance with the act and these rules.
 - (c) Supervising fantasy contests and fantasy contest operations authorized by the act.
 - (d) Investigating alleged violations of the act or these rules and taking appropriate disciplinary action against a fantasy contest operator, licensed management company, or any other person, or instituting appropriate legal action for enforcement, or both.
 - (e) Conducting investigative and contested case hearings, issuing subpoenas, and administering oaths and affirmations to the witnesses to exercise and discharge the powers and duties of the board under the act.
 - (f) Revoking or suspending licenses or taking any other action authorized in the act or these rules that the board considers necessary and in compliance with applicable laws of this state.
 - (g) Imposing fines against persons, fantasy contest operators, and licensed management companies for engaging in a fraudulent practice or behavior, for each violation of the act, these rules, or any resolution or order of the board, or for any other action that the board determines is a detriment or impediment to fantasy contests or fantasy contest operations.

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- (h) Taking any other action as may be reasonable or appropriate to enforce the act and these rules.
 - (4) The board may seek and shall receive the cooperation and assistance of other departments and agencies in conducting background investigations and in fulfilling its responsibilities under the act.
- History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.513a Member, executive director, board employee, or agent; conduct generally.

Rule 513a. (1) By January 31 of each year, each member, the executive director, and all employees of the board shall file 1 or more board disclosure forms. The board shall determine the contents of the form, but the form must include any information that is necessary to ensure the integrity of fantasy contests and the disclosure of all relevant financial information. The form may be combined with similar forms required by other acts or rules.

(2) If a member, the executive director, a board employee, or an agent negotiates for, or acquires by any means, any interest in a fantasy contest operator, licensed management company, applicant, or affiliate, he or she must immediately provide written notice of the details of the interest to the chairperson. The member, executive director, board employee, or agent must not act on behalf of the board with respect to that fantasy contest operator, licensed management company, applicant, or affiliate.

(3) A member, the executive director, a board employee, or an agent may enter into any negotiations for employment with a fantasy contest operator, licensed management company, applicant, or affiliate. The member, executive director, board employee, agent, fantasy contest operator, licensed management company, applicant, or affiliate must immediately notify the chairperson and the executive director once the invitation to negotiate has been extended. A potential employer asking if an individual would be interested in a position or explaining the nature of a position does not constitute negotiations for employment. Further, an individual completing an employment application does not constitute negotiations for employment. The member, executive director, board employee, or agent must not take any action on behalf of the board with respect to that fantasy contest operator, licensed management company, applicant, or affiliate while the negotiations are ongoing.

(4) All members, the executive director, board employees, agents, and contractors must, to the maximum extent possible, avoid situations, relationships, or associations that may represent or lead to an actual or perceived conflict of interest.

(5) A member, the executive director, a board employee, or an agent or their spouse may not accept any gift, gratuity, compensation, travel, lodging, or anything of value, directly or indirectly, from any fantasy contest operator, licensed management company, applicant, affiliate, or representative, unless the acceptance conforms to a written policy issued by the chairperson or his or her designee. The chairperson or his or her designee may exempt attendance at a reception and food and drink for immediate consumption from this policy. The policy must be publicly available and shared with all fantasy contest operators, licensed management companies, applicants, and affiliates.

(6) A fantasy contest operator, licensed management company, applicant, affiliate, or representative shall not, directly or indirectly, give or offer to give any gift, gratuity, compensation, travel, lodging, or things of value to any member, the executive director, a board employee, or an agent or their spouse that the member, executive director, board employee, or agent or their spouse is prohibited from accepting under subrule (5) of this rule.

(7) A fantasy contest operator, licensed management company, applicant, affiliate, or representative must not engage in ex parte communications with a member of the board. A member of the board must not engage in any ex parte communications with a fantasy contest operator, licensed management company, applicant, affiliate, or representative.

(8) Any member, fantasy contest operator, licensed management company, applicant, affiliate, or representative who receives any ex parte communication in violation of subrule (7) of this rule, or who is aware of an attempted communication in violation of subrule (7) of this rule, must immediately report details of the communication or attempted communication in writing to the chairperson.

(9) A member, the executive director, a board employee, or an agent must not have a fantasy contest player account or enter or participate in any fantasy contest conducted under the act unless either or both of the following apply:

(a) The member, executive director, board employee, or agent possesses a fantasy contest player account or enters or participates in a fantasy contest as part of the individual's surveillance, security, or other official duty authorized by the board.

(b) The member, executive director, board employee, or agent possesses a test account or enters or participates in a fantasy contest using a test account in accordance with R 432.532b(12).

(10) Violation of this rule by a fantasy contest operator, licensed management company, applicant, affiliate, or representative may result in denial of an application for licensure, revocation or suspension of a license, or other action by the board.

(11) Violation of this rule does not create a civil cause of action.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.514 Denial or non-renewal hearings.

Rule 514. (1) A person whose application for a license or a transfer of ownership has been denied, whose license has not been

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renewed, or who has been denied an approval from the board required in these rules may request a denial or non-renewal hearing. The hearing must be de novo.

(2) The person must submit an original denial or non-renewal hearing request, pleading, or other written document to the board, serve each party or attorney of record, and provide a proof of service on each party or attorney of record.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.514a Denial or non-renewal hearings; request for hearing.

Rule 514a. (1) A request for a denial or non-renewal hearing must meet all of the following requirements:

- (a) Be in writing.
 - (b) State the name, current address, and current telephone number of the petitioner.
 - (c) State in detail the reasons why, and the facts upon which the petitioner will rely to show that, the petitioner's application for a license should not have been denied, the license should have been renewed, the transfer of ownership should have been approved, or approval should have been granted.
 - (d) Be signed, verified, and dated. A petitioner must have the verification notarized and include a certification stating, "Under the penalty of perjury, the undersigned has examined this request for hearing and to the best of my knowledge and belief, it is true, complete, and correct."
- (2) A request for a denial or non-renewal hearing must be submitted within 21 days after service of the notice of denial, notice of non-renewal, or disapproval. A request for a denial or non-renewal hearing submitted by certified mail or overnight express mail is considered submitted in a timely manner if it is postmarked no later than 21 days after service of a notice of denial, notice of non-renewal, or disapproval.
- (3) A request for a denial or non-renewal hearing is considered granted unless denied.
- (4) A request for a denial or non-renewal hearing may be withdrawn by the petitioner. If the request for a denial or non-renewal hearing is withdrawn, then the initial denial, non-renewal, or disapproval becomes a final board order.
- (5) Unless the board denies a request for a denial or non-renewal hearing, the board shall submit the request for hearing to the appropriate state agency.
- (6) Default judgment or dismissal may result at any stage of the proceeding.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.514b Denial or non-renewal hearings; proceedings.

Rule 514b. (1) The burden of proof in a denial or non-renewal hearing is at all times on the petitioner. The petitioner has the affirmative responsibility of establishing, by clear and convincing evidence, any of the following:

- (a) The petitioner should have been awarded a license.
 - (b) The license should have been renewed.
 - (c) The transfer of ownership should have been approved.
 - (d) Approval should have been granted.
- (2) The denial or non-renewal hearing must be conducted in accordance with the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, except as otherwise provided in these rules or the act.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.514c Prohibition on ex parte communication.

Rule 514c. A party or the party's attorney must not communicate directly or indirectly with a hearing officer regarding any pending matter, except upon notice and opportunity for all parties to participate. A party that engages in ex parte communication with a hearing officer may be subject to sanctions and penalties.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.514d Denial or non-renewal hearings; sanctions and penalties.

Rule 514d. (1) The hearing officer in a denial or non-renewal hearing may recommend sanctions and penalties if the hearing officer finds that a party has failed to appear at a scheduled hearing, has acted in bad faith for the purpose of delay, or has otherwise abused the hearing process. Sanctions and penalties include, but are not limited to, a fine or default judgment or a directed finding on 1 or more issues.

(2) If a petitioner refuses to testify on his or her own behalf with respect to any question propounded to him or her, the hearing officer may infer that the testimony or answer would have been adverse to the case of the petitioner.

(3) If the petitioner or attorney of record fails to answer a subpoena or refuses to testify fully at the request of the board, the failure may be considered independent grounds for a finding that the petitioner should have been denied a license, renewal, transfer of ownership, or approval. The hearing officer may also infer from the failure to answer a subpoena or refusal to testify fully that the testimony would have been adverse to the petitioner.

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History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.514e Recording proceedings; transmittal of record and board action.

Rule 514e. (1) Oral proceedings involving contested issues must be recorded to ensure the preservation of the testimony. A party may request a transcript of the proceedings. The requesting party must pay for the transcript.

(2) Unless otherwise specified by the board, within 60 days after the conclusion of the hearing or the submission of post-hearing briefs or proposed findings of fact, the hearing officer shall issue, to the board and to the parties, written findings of fact, conclusions of law, and recommendations. Findings of fact must be based exclusively on testimony, evidence, and matters within the record. The findings of fact must be stated separately.

(3) Unless otherwise agreed to by the parties or as set by the hearing officer, the parties have 21 days after the service of the findings of fact, conclusions of law, and recommendations of the hearing officer to file objections.

(4) Unless otherwise agreed to by the parties or as set by the hearing officer, the parties may file a response to the objections within 21 days after service of the objections.

(5) After the time period for the parties to file objections and responses to those objections, the hearing officer must transmit the entire record to the board.

(6) Before issuing a final order, the board must consider the record as a whole.

(7) After considering the record as a whole, the board may take any of the following actions:

(a) Affirm the written recommendations, findings of fact, and conclusions of law submitted by the hearing officer as the final board order.

(b) Issue a final order modifying the written recommendations, findings of fact, and conclusions of law submitted by the hearing officer.

(c) Issue a final order rejecting the written recommendations, findings of fact, and conclusions of law submitted by the hearing officer.

(d) Issue an order remanding the matter, with instructions, to the hearing officer for further proceedings.

(8) The board must serve copies of its orders on the parties.

(9) A board order becomes effective upon service.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.515 Request for declaratory ruling; form; contents.

Rule 515. (1) A person that requests a declaratory ruling from the board as to the applicability to an actual set of facts of a statute, rule, resolution, or order administered, promulgated, or issued by the board, must do so in writing.

(2) The written request must contain the relevant and material facts along with a reference to the statute, rule, resolution, or order applicable.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.515a Declaratory ruling; notice of issuance; request for information or arguments; hearing.

Rule 515a. (1) Within 90 days after the receipt of a request for a declaratory ruling, the board shall issue a written notification by first-class mail to the petitioner and the petitioner's legal counsel, if any, stating whether or not a declaratory ruling will be issued.

(2) If the board decides to issue a declaratory ruling, the board may do any of the following:

(a) Request more information from the petitioner.

(b) Request information from other interested parties.

(c) Request information from experts outside the board.

(d) Request oral or written arguments from interested parties.

(e) Hold a hearing upon proper notice to all interested parties.

(f) Decline to issue a declaratory ruling.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.516 Reasons for investigation of, or disciplinary action against, a fantasy contest operator or licensed management company; disciplinary hearing procedure.

Rule 516. (1) The board may initiate an investigation of or a disciplinary action against, or both, a fantasy contest operator or licensed management company if the board has reason to believe that 1 or more of the following apply:

(a) The licensed fantasy contest operator or licensed management company is not maintaining suitability for licensure as provided by the act.

(b) The licensed fantasy contest operator or licensed management company is not complying with licensure conditions.

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(c) The fantasy contest operator or licensed management company is not complying with all laws, rules, orders, and resolutions.

(2) Before initiating disciplinary proceedings, the board must give notice and an opportunity to show compliance under section 92 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.292.

(3) A fantasy contest operator is responsible for the conduct of any licensed management company it uses to conduct fantasy contests under the act. A fantasy contest operator or licensed management company is responsible for the conduct of any third-party provider it uses to conduct fantasy contests under the act. A licensed management company is responsible for its conduct under the act and these rules. Any violation of the act or these rules by the fantasy contest operator in which the licensed management company participated in the action is considered a violation by both the fantasy contest operator and licensed management company, and the board may hold both, or either, accountable for the violation.

(4) The board may initiate a disciplinary proceeding by designating a member or the executive director to conduct a hearing or by initiating proceedings with the appropriate state agency under the contested case provisions of chapter 4 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.271 to 24.288, and the rules promulgated under that chapter.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.516a Disciplinary hearings; hearing officer sanctions and penalties.

Rule 516a. (1) A hearing officer in a disciplinary hearing may recommend sanctions and penalties if the hearing officer finds that a party has failed to appear for a scheduled hearing, has acted in bad faith for the purpose of delay, or has otherwise abused the hearing process.

(2) If a respondent fails to testify on the respondent's own behalf with respect to any question propounded to the respondent, the hearing officer may infer that the testimony or answer would have been adverse to the case of the respondent.

(3) If the respondent or attorney of record fails to answer a subpoena or refuses to testify fully at the request of the board, the failure may be considered independent grounds for a finding that the respondent should be disciplined. The hearing officer may also infer that the testimony would have been adverse to the respondent.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.516b Disciplinary hearings; actions available to the board.

Rule 516b. The board may take any of the following disciplinary actions against a fantasy contest operator or licensed management company:

(a) Suspend, revoke, restrict, or place conditions on the license of a licensed fantasy contest operator or licensed management company.

(b) Prohibit a fantasy contest operator from continuing to offer fantasy contests under the act.

(c) Require the removal of an employee of a fantasy contest operator or licensed management company.

(d) Require the removal of a third-party provider used by a fantasy contest operator or licensed management company.

(e) Impose a civil penalty of not more than \$20,000 for each violation of the act, these rules, an order, or a resolution.

(f) Any other action considered necessary by the board to ensure compliance with the act or these rules.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.517 Special proceedings.

Rule 517. (1) The board may without notice or hearing suspend a license or otherwise prohibit a fantasy contest operator from continuing to offer fantasy contests under the act if the board determines that the safety or health of persons or employees or the integrity of fantasy contests is jeopardized by continuing fantasy contest operations or that the action is necessary for the immediate preservation of the integrity of fantasy contests, public peace, health, safety, morals, good order, or general welfare.

(2) The suspension or prohibition may remain in effect until the board determines that the cause for the suspension or prohibition has been abated.

(3) Following a hearing, the board may revoke the license upon a determination that satisfactory progress toward abating the hazard has not been made.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.518 Waiver of requirements.

Rule 518. The board may, in writing, waive, restrict, or alter any requirement or procedure set forth in these rules, if the board determines any of the following:

(a) That the requirement or procedure is impractical or burdensome.

(b) That the waiver, restriction, or alteration is in the best interest of the public and fantasy contests.

(c) That the waiver, restriction, or alteration is not outside the technical requirements necessary to serve the purpose of the requirement or procedure.

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History: 2023 MR 20, Eff. Oct. 11, 2023.

PART 2. LICENSING

R 432.521 Required notification of anticipated or actual changes in key persons.

Rule 521. A licensee or applicant must notify the board within 5 business days of any change in a key person. If the change results in a new key person who was not previously found eligible and suitable as part of the relevant licensee's license or the relevant applicant's application, the new key person must file an application and disclosure forms, in the manner and form prescribed by the board, within 30 days of the change. If the board finds that the new key person is ineligible or unsuitable for licensure under the act and these rules, the person must not perform any duties or exercise any powers of the position that resulted in the person's classification as a key person.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.521a Notification by licensees, applicants, and affiliates required.

Rule 521a. (1) A licensee, applicant, or affiliate must notify the board, as soon as practicable after it becomes aware that, with regard to the licensee, applicant, or affiliate, any person has any of the following:

- (a) Beneficially acquired more than 5% of any class of the licensee's, applicant's, or affiliate's equity securities.
 - (b) Acquired voting rights with the power to vote 5% or more of the licensee's, applicant's, or affiliate's outstanding voting rights.
 - (c) The ability to control the licensee, applicant, or affiliate.
 - (d) The ability to elect 1 or more directors of the licensee, applicant, or affiliate.
- (2) To the extent known by the licensee, applicant, or affiliate, the required notification must include the name, business address, phone number, and other personal identification information for each person.
- (3) A licensee or applicant must report to the board the election or appointment of a director or officer of that licensee or applicant or an affiliate of that licensee or applicant that is actively and directly engaged in the administration or supervision of the applicant's or licensee's fantasy contest operations.
- (4) A licensee, applicant, and all other persons covered by this part must file any other document requested by the board to ensure compliance with the act or this part within 30 days after the board requests the document or at another time established by the board.
- (5) A publicly traded corporation is considered to have complied with this rule if it has complied with the reporting requirements in R 432.521c.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.521b Required notification of formation, dissolution, or transfer of subsidiaries.

Rule 521b. (1) A licensee, applicant, or affiliate must report, in writing, to the board, as soon as practicable, the formation or dissolution of, or any transfer of, a nonpublicly traded or publicly traded interest in the licensee, applicant, or affiliate.

- (2) A publicly traded corporation is considered to have complied with this rule if it has complied with the reporting requirements in R 432.521c.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.521c Publicly traded corporation reporting requirements.

Rule 521c. (1) A publicly traded corporation or other person that applies for or holds a license under the act and these rules and is a public reporting company under the securities exchange act of 1934, 15 USC 78a to 78qq, or the securities act of 1933, 15 USC 77a to 77aa, must submit a copy of all submissions required by the U.S. Securities and Exchange Commission to the board in a format prescribed by the board. The submissions are due within 14 days of the filing dates required by the U.S. Securities and Exchange Commission.

- (2) If a publicly traded corporation or other person that applies for or holds a license under the act and these rules receives any material document filed with the U.S. Securities and Exchange Commission by any other person relating to the publicly traded corporation, the person must file 1 copy of the document with the board within 14 days after receipt of the document.
- (3) A publicly traded corporation or other person that applies for or holds a license under the act and these rules must file a list of record holders of its voting securities with the board annually.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.521d Exemption for institutional investors.

Rule 521d. (1) An institutional investor who acquires beneficial ownership of a licensee or applicant must notify the board within 14 days after the institutional investor acquires the beneficial ownership or files form 13-D or 13-G with the U.S.

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Securities and Exchange Commission, or both. The institutional investor must provide additional information and may be subject to a finding of suitability, as required by the board.

(2) An institutional investor who acquires and holds for investment purposes only less than 25% interest in a licensee or applicant may, in a manner and form prescribed by the board, file with the board an exemption form to establish exemption from the eligibility and suitability requirements of the act and these rules.

(3) The licensee or applicant in whom the institutional investor acquires the interest must file an application for approval of the transfer pursuant to the requirements of R 432.521e, if applicable. The institutional investor must file either an exemption form, if the institutional investor holds the interest for investment purposes only, or application and disclosure forms as part of the relevant licensee's license or the relevant applicant's application, if the institutional investor does not hold the interest for investment purposes only.

(4) The board may require that any person, including an institutional investor, seeking approval to hold ownership interests subject to this part apply for a finding of suitability in accordance with this rule if the board deems the finding of suitability necessary to ensure compliance with the act and these rules. If the board denies a request for an institutional investor exemption, the institutional investor must, within 30 days, either divest itself of the interest or file application and disclosure forms as part of the relevant licensee's license or the relevant applicant's application.

(5) The following activities are considered to be consistent with holding equity securities for investment purposes only under this rule:

(a) Voting, directly or indirectly, through the delivery of a proxy furnished by the board of directors, on all matters voted on by the holders of the voting securities.

(b) Serving as a member of a committee of creditors or security holders formed in connection with a debt restructuring.

(c) Nominating a candidate for election or appointment to the board of directors in connection with a debt restructuring.

(d) Accepting appointment or election as a member of the board of directors in connection with a debt restructuring and serving in that capacity until the conclusion of the board member's term.

(e) Making financial and other inquiries of management of the type normally made by securities analysts for information purposes and not to cause a change in its management, policies, or operations.

(f) Other activities that the board determines to be consistent with the investment intent.

(6) If an institutional investor acquires 25% or more ownership interest of a licensee or applicant, the institutional investor must notify the board within 14 days after acquiring the ownership interest.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.521e Transfer of ownership interest; board approval required; exceptions.

Rule 521e. (1) An interest in a licensee may only be transferred in accordance with this part.

(2) Except as stated in subrules (4) and (5) of this rule, the following persons must provide notice to the board 30 days before the execution of a transfer:

(a) A person that intends to transfer or acquire greater than a 5% interest in a licensee.

(b) A person that, as a result of an acquisition, will acquire an interest totaling greater than 5% in a licensee.

(3) The board must determine whether the person acquiring the interest is eligible and suitable under the standards set forth in the act and these rules unless the board grants the person an institutional investor exemption under these rules. Once the board determines that the person acquiring the interest is eligible and suitable under the standards set forth in the act and these rules, the executive director may approve the transfer.

(4) A transfer of interest to an institutional investor that acquires or will have acquired, upon completion of the transfer, less than 25% of the equity securities of a licensee may occur without first receiving executive director approval if the equity securities are held for investment purposes only but is subject to other requirements of this part.

(5) A transfer of interest in a licensee may occur if the transfer is between persons the board has found eligible and suitable for licensure during the licensing period in which the transfer occurs. In those cases, approval of the transfer must be requested no later than 30 days after the transfer, and the executive director may decide the application.

(6) If approval of the transfer of interest is denied by the executive director or the person acquiring the interest is found unsuitable by the board, the transferee must divest itself of the interest within 30 days after the date of the order denying approval.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.521f Transfer of ownership interest; application.

Rule 521f. (1) A person desiring to acquire an ownership interest in a licensee must complete and submit application and disclosure forms, in the manner and form prescribed by the board.

(2) A person desiring to acquire an interest in a licensee must present evidence that the person desiring to acquire the interest is eligible and suitable under the standards and criteria for licensure set forth in the act and these rules.

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(3) A licensee that is attempting to transfer an ownership interest must submit any information or documentation considered necessary by the board to ensure compliance with the act and these rules.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.521g Transfer of ownership interest; investigative costs and fees.

Rule 521g. An investigation fee may be assessed to the extent that there are costs directly associated with the background investigation relating to the person desiring to acquire an interest in a licensee. Unless otherwise determined by the board, approval may be withheld until full payment of the direct background investigation fees.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.521h Transfer of ownership interest; denials.

Rule 521h. If an application for a transfer of interest is denied, a notice of denial must be issued.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.521i Review of information at licensee's or applicant's premises; costs to licensee or applicant.

Rule 521i. (1) The board may review, at the premises of the custodian of the information, any information that the act or these rules provide for from any of the following:

- (a) A licensee.
- (b) An applicant.
- (c) A key person.

(2) If information is reviewed at the premises of the custodian of the information, the licensee or applicant must, as soon as practicable, reimburse the board for all licensure investigation expenses incurred in performing the review at the premises of the custodian of the information, including travel, food, and lodging that exceed the amount of the relevant license fee.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.522 License classifications.

Rule 522. (1) The following licenses may be issued under the act and these rules:

- (a) Fantasy contest operator license.
- (b) Management company license.

(2) Except as otherwise provided in sections 3(2) to 3(4) of the act, MCL 432.503, a person must hold a fantasy contest operator license before offering fantasy contests in this state.

(3) A person retained by a fantasy contest operator to manage the day-to-day fantasy contest operations of the fantasy contest operator must hold a management company license. Unless otherwise determined by the board, an individual who is an employee of a fantasy contest operator does not require a management company license to manage the day-to-day fantasy contest operations of the fantasy contest operator by which the individual is employed.

(4) A person must hold a management company license before managing the day-to-day fantasy contest operations of a fantasy contest operator. Unless otherwise determined by the board, an individual who is an employee of a fantasy contest operator does not require a management company license to manage the day-to-day fantasy contest operations of the fantasy contest operator by which the individual is employed.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.523 Fees, fines, taxes, payments, and assessments.

Rule 523. (1) All fees, fines, taxes, payments, and assessments provided for under the act and these rules must be timely submitted to the board by a payment method acceptable to the board, which includes, but is not limited to, a certified check, cashier's check, money order made payable to "State of Michigan," or electronic transfer of funds.

(2) The following initial license fees must be submitted to the board, together with the required license application, by an applicant for an initial license under the act and these rules:

- (a) Fantasy contest operator initial license fee: \$10,000.00.
- (b) Management company initial license fee: \$5,000.00.

(3) The initial license fee shall be used by the board to conduct an appropriate background investigation of the applicant as prescribed by the board, the act, and these rules. An additional background investigation charge may be assessed to the extent the board's direct investigative costs exceed the applicant's initial license fee. Unless otherwise determined by the board, a license may not be issued until payment of the additional assessed charge for completion of the background investigation is received by the board.

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(4) A licensee may also be assessed the board's direct investigative costs arising from a background investigation for renewal of a license to the extent such costs exceed the annual license renewal fee. The board may deny a renewal application if the licensee does not pay the additional assessed costs by a date set by the board.

(5) The following annual license renewal fees must be submitted to the board by a licensee each year at the time the licensee applies to renew its license under the act and these rules:

(a) Fantasy contest operator annual license renewal fee: \$5,000.00

(b) Management company annual license renewal fee: \$5,000.00.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.524 Deposit of fees, fines, taxes, payments, and assessments.

Rule 524. Except as provided in section 14(4) of the act, MCL 432.514, all fees, fines, taxes, payments, and assessments imposed by this state under the act and these rules must be deposited into the fantasy contest fund created under section 16 of the act, MCL 432.516.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.525 Investigation process for applicants.

Rule 525. The board shall conduct a background investigation on an applicant. The board shall also use the information provided in the application and disclosure form or forms as a basis for a background investigation and to evaluate and determine the eligibility and suitability of the applicant to receive a fantasy contest operator license or management company license under the licensing standards and criteria provided in the act and these rules. A misrepresentation or omission in the application may be cause for the denial, suspension, restriction, or revocation of a fantasy contest operator license or management company license by the board.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.525a Persons required to be found eligible and suitable.

Rule 525a. (1) The board shall not issue or renew a fantasy contest operator license or management company license unless every person required by the act and these rules as part of the application for issuance or renewal of the license has first been determined by the board to be eligible and suitable in accordance with the relevant licensing standards set forth in the act and these rules.

(2) Unless otherwise prescribed by the board, the following persons are required to be found eligible and suitable as part of the application for the issuance or request for renewal of a fantasy contest operator license or management company license:

(a) A person that is required to apply for a fantasy contest operator license or management company license under the act and these rules.

(b) A person that is a key person.

(3) A person required to be found eligible and suitable as part of the application for issuance or renewal of a fantasy contest operator license or management company license must complete and file with the board an application and required disclosure forms in the manner and form prescribed by the board.

(4) A person that applies for or holds a fantasy contest operator license or management company license must ensure that all persons that are required by the act and these rules to establish their eligibility and suitability as part of the applicant's application for the issuance, or the licensee's maintenance or renewal, of the fantasy contest operator license or management company license have filed, with the board, all required applications, reports, and disclosure forms in the manner and form prescribed by the board.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.525b License issuance by the board; standards and criteria.

Rule 525b. (1) Except to the extent the board may require different or additional procedures, an applicant for a fantasy contest operator license or management company license is subject to all of the following before licensing:

(a) Application.

(b) Background investigation.

(c) Action and decision by the board on the application.

(2) A person that is required to hold a fantasy contest operator license or management company license under the act and these rules must, before issuance of a fantasy contest operator license or management company license, produce information, documentation, and assurances to establish all of the following by clear and convincing evidence:

(a) Its suitability as to character, reputation, integrity, business probity, and financial ability.

(b) Its willingness to be subject to the jurisdiction of the board.

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- (c) That the applicant has adequate capitalization and the financial ability and the means to develop, construct, operate, and maintain the applicant's fantasy contest operator or management company business in accordance with the act and these rules.
 - (d) That the applicant has adequate capitalization and the financial ability to responsibly pay its secured and unsecured debts in accordance with its financing agreements and other contractual obligations.
 - (e) That the applicant is in substantial compliance with any gaming-related or fantasy contest-related licensing requirements that are applicable to the applicant in this state or any other jurisdiction.
 - (f) That the applicant and all other persons required to be found eligible and suitable as part of the application are eligible and suitable for licensure under the licensing standards, criteria, and requirements.
 - (g) That the applicant, if the applicant is an individual, and all other individuals required to be found eligible and suitable as part of the application are not less than 18 years of age, unless otherwise approved by the board.
 - (h) That the applicant and all other persons required to be found eligible and suitable as part of the application have not been convicted of any criminal offense involving gaming, theft, dishonesty, or fraud in any jurisdiction. However, the board may waive this requirement if the conviction occurred more than 5 years before the applicant applies for a license and the board is convinced that the applicant does not pose a threat to the integrity of fantasy contests and the applicant otherwise meets the requirements of this rule.
 - (i) That the applicant and all other persons required to be found eligible and suitable as part of the application do not appear on the exclusion list of any jurisdiction.
 - (j) That the applicant and all other persons required to be found eligible and suitable as part of the application are in substantial compliance with all local, state, and federal laws.
 - (3) An applicant must designate at least 1 key employee as a condition for obtaining a license. An applicant is considered to have complied with this subrule if it has identified at least 1 key person who meets the definition of a key employee.
 - (4) Once licensed, a person must comply with the act and these rules. Failure to comply may result in disciplinary action.
- History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.525c Provisional licenses.

Rule 525c. (1) Upon written request of a person applying for a fantasy contest operator license or management company license, the executive director may issue a provisional license to the applicant and allow the applicant to conduct business for which a license is required under the act and these rules, if all of the following conditions are met:

- (a) A completed application, an initial license fee, and all required disclosure forms and other required written documentation and materials have been submitted by the applicant.
- (b) Preliminary review of the application and a criminal history check does not reveal that the applicant or the applicant's affiliates or key persons have been convicted of a felony or misdemeanor involving gambling, theft, dishonesty, or fraud or may otherwise be ineligible or unsuitable to allow for licensure under the act or these rules.
- (c) There is no other apparent deficiency in the application that may require denial of the application.
- (d) If the person is an applicant for a management company license, the applicant has a letter of intent to manage the day-to-day fantasy contest operations of a fantasy contest operator or the applicant shows good cause for being granted a provisional license.
- (2) A provisional license issued under this rule expires on the date provided by the board.
- (3) If a provisional license issued under this rule expires, or is suspended or revoked, the executive director will forward the applicant's application for a fantasy contest operator license or management company license to the board at the conclusion of the background investigation for action on the application.
- (4) The board may, at its discretion, waive any or all of the provisions listed in subrule (1) of this rule if the applicant is licensed by the board under the Michigan Gaming Control and Revenue Act, 1996 IL 1, MCL 432.201 to 432.226, the lawful internet gaming act, 2019 PA 152, MCL 432.301 to 432.322, or the lawful sports betting act, 2019 PA 149, MCL 432.401 to 432.419.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.526 Denials.

Rule 526. (1) If the board denies the application for a license, it will direct the executive director to issue a notice of denial.

- (2) An applicant that is served with a notice of denial under these rules may request a contested case hearing as set forth in these rules.
- (3) The notice of denial is a finding that the person is ineligible or unsuitable for licensure or is otherwise in violation of the licensing requirements of the act or these rules. When the board denies an application for a license, the person is prohibited from conducting business that would otherwise require licensure.

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(4) A person whose application for a license has been denied may not reapply for a period of 1 year from the date on which the board voted to deny the application unless otherwise approved by the board.

(5) A person whose application for a license was denied may seek leave of the board to reapply within the 1-year period by addressing the request to the board. The board may require the person to present an oral or written argument outlining why an exception should be made.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.527 Renewal of a license.

Rule 527. (1) A fantasy contest operator license or management company license when issued is valid for 1 year.

(2) A fantasy contest operator licensee or management company licensee shall renew its license every year after receiving its initial license if it intends to continue conducting business for which the license is required.

(3) To renew a license, a fantasy contest operator licensee or management company licensee must, at least 30 days before expiration of its license, submit the annual license renewal fee and application in the manner and form required by the board.

(4) If the board denies the application for renewal, it will direct the executive director to issue the licensee a notice of nonrenewal.

(5) A fantasy contest operator licensee or management company licensee who is served with a notice of nonrenewal under this rule may request a contested case hearing as set forth in these rules.

(6) The notice of nonrenewal is a finding that the fantasy contest operator licensee or management company licensee is ineligible or unsuitable for licensure or is otherwise in violation of the licensing requirements of the act or these rules. When the board denies an application for renewal, the person is prohibited from conducting business that would otherwise require licensure.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.528 Application explained; applicant to demonstrate eligibility and suitability.

Rule 528. (1) An application for a license under the act and these rules is a request by the applicant seeking a revocable privilege. A license must be granted by the board if the applicant meets the licensing requirements of the act and these rules.

(2) An applicant for a license under the act and these rules, at all times, has the burden of demonstrating to the board, by clear and convincing evidence, that the applicant is eligible and suitable to be granted and retain the license for which application is made under the applicable licensing standards and requirements of the act and these rules.

(3) A license issued by the board under the act and these rules is a revocable privilege granted by the board. A person that holds a license does not acquire, and must not be considered to have acquired, a vested property right or other right in the license.

(4) An applicant or licensee must accept any risk of adverse publicity, public notice, notoriety, embarrassment, criticism, financial loss, or other unfavorable or harmful consequences that may occur in connection with, or as a result of, the application and licensing process or the public disclosure of information submitted to the board with a license application or at the board's request under the act and these rules.

(5) An applicant or licensee may claim any privilege afforded by the constitution of the United States, federal law, or the laws of this state in refusing to answer questions or provide information requested by the board. However, a claim of privilege with respect to any testimony or evidence pertaining to the eligibility or suitability of an applicant or licensee to be granted or hold a license under the act and these rules may constitute cause for denial, suspension, revocation, or restriction of the license.

(6) An applicant and licensee have a continuing duty to do both of the following:

(a) Notify the board of a material change in the information submitted in the license application submitted by the applicant or licensee or a change in circumstance that may render the applicant or licensee ineligible or unsuitable to hold the license under the licensing standards and requirements of the act and these rules.

(b) Maintain the applicant's or licensee's eligibility and suitability to be issued and hold the license held or applied for under the act and these rules.

(7) A fantasy contest operator, an applicant, and a licensee have a continuing duty to do all of the following:

(a) Provide any information requested by the board relating to licensing or regulation.

(b) Cooperate with the board in investigations, inspections, audits, hearings, and enforcement and disciplinary actions.

(c) Allow the board access to its facilities relevant to fantasy contest operations under the act and these rules.

(d) Comply with all conditions, restrictions, requirements, orders, and rulings of the board in accordance with the act and these rules.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.528a Duty to disclose violations.

Rule 528a. A fantasy contest operator or licensed management company must immediately notify the board, in writing, if it

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becomes aware that a fantasy contest operator, licensed management company, or third-party provider involved in its fantasy contest operations under the act has acted contrary to the act or these rules.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.528b Contracts.

Rule 528b. A fantasy contest operator must maintain all contracts that relate to its Michigan fantasy contest operations for 3 years following their expiration. The board must be allowed access to any contract entered into by a fantasy contest operator upon demand. The fantasy contest operator may be required by the board to promptly submit copies of any contract upon request of the board.

History: 2023 MR 20, Eff. Oct. 11, 2023.

PART 3. CONDUCT OF FANTASY CONTESTS

R 432.531 Fantasy contests and athletic events.

Rule 531. (1) A fantasy contest operator or licensed management company may only offer or conduct a fantasy contest that meets all of the conditions established in section 2(d) of the act, MCL 432.502. A fantasy contest platform must be designed to prevent all of the following:

- (a) A fantasy contest player from submitting a fantasy contest team composed of the entire roster of a real-world sports team.
- (b) A fantasy contest player from submitting a fantasy contest team composed entirely of individual athletes who are members of the same real-world sports team.
- (c) A fantasy contest player from submitting a fantasy contest team composed of a single athlete.
- (2) A fantasy contest operator or licensed management company may only offer or conduct a fantasy contest that is based on an athletic event, as that term is defined in section 2 of the act, MCL 432.502. A fantasy contest operator or licensed management company must not offer or conduct a fantasy contest that is based, in whole or in part, on a prohibited athletic event.
- (3) Unless otherwise approved by the board, a fantasy contest operator or licensed management company may not offer or allow any of the following:
 - (a) Any means of fantasy contest team selection or assembly that does not involve the knowledge and skill of a fantasy contest player, including, but not limited to, all of the following:
 - (i) Auto draft functionality, except in the case of a fantasy contest in which a fantasy contest player is required to exert knowledge and skill to rank, prioritize, or queue athletes prior to the draft or to assemble 1 or more fantasy contest teams from his or her pool of drafted athletes.
 - (ii) A fantasy contest player choosing from pre-selected fantasy contest teams.
 - (iii) Any other means of fantasy contest team selection or assembly that does not involve the input or control of a fantasy contest player.
 - (b) Proposition selection or fantasy contests that have the effect of mimicking proposition selection.
 - (c) Any fantasy contests that involve, result in, or have the effect of mimicking betting on sports.
 - (d) Any fantasy contest in which any statistical results of the performance of any individual athletes that determine the outcome of the fantasy contest have been partially or completely determined and are publicly known at the time any entry is accepted.
 - (e) Any fantasy contests prohibited by the board or by state or federal law.
- (4) A fantasy contest operator or licensed management company shall only offer fantasy contests for which all of the following apply:
 - (a) All underlying athletic events can be effectively supervised by a sports governing body and are subject to integrity safeguards.
 - (b) The statistical results of the performance of the individual athletes that are aggregated to determine the outcome of the fantasy contest meet all of the following:
 - (i) Can be documented and verified.
 - (ii) Can be generated by a reliable and independent process.
 - (iii) Are not affected by any fantasy contests or fantasy contest entries.
 - (iv) Are complete, accurate, reliable, timely, and available.
 - (c) The fantasy contest and all underlying athletic events are conducted in conformity with all applicable laws.
- (5) The board reserves the right to do any of the following to protect the integrity of fantasy contests or for any other reason the board considers appropriate:
 - (a) Prohibit, limit, restrict, or condition the conduct of any fantasy contest.

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- (b) Prohibit, limit, restrict, or condition the conduct of fantasy contests based on a particular athletic event or type of athletic event.
- (c) Order cancellation of fantasy contest entries and require the refund of the related entry fees.
- (6) A fantasy contest operator or licensed management company must maintain a master list of all fantasy contests it offers fantasy contest players. The master list must contain information sufficient to verify compliance with the definitions of athletic event and fantasy contest under section 2 of the act, MCL 432.502. The fantasy contest operator or licensed management company must provide the master list to the board on request.
- (7) If it is determined that a fantasy contest operator or licensed management company offered or offers a fantasy contest that is prohibited by these rules or an applicable state or federal law, the fantasy contest operator or licensed management company must do either of the following:
 - (a) If none of the underlying athletic events have commenced, the fantasy contest operator or licensed management company must immediately cancel all fantasy contest entries and refund all related entry fees. The fantasy contest operator or licensed management company must promptly notify the board after cancelling the fantasy contest entries and returning the entry fees.
 - (b) If any of the underlying athletic events are in progress or have been completed, the fantasy contest operator or licensed management company must immediately notify the board and submit proposed corrective action for board review and approval. The proposed corrective action must include, but is not limited to, an explanation of how the fantasy contest operator or licensed management company proposes to address fantasy contest entries and entry fees.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.532 Conduct of fantasy contests.

Rule 532. (1) Available fantasy contests must be clearly displayed on the fantasy contest operator's or licensed management company's fantasy contest platform. A fantasy contest operator or licensed management company shall not accept fantasy contest entries for a fantasy contest unless the fantasy contest is clearly displayed on the fantasy contest operator's or licensed management company's fantasy contest platform. For fantasy contests that are open only to certain fantasy contest players, a fantasy contest operator or licensed management company may display the fantasy contests only to fantasy contest players to which the fantasy contests are open.

- (2) A fantasy contest operator or licensed management company shall not offer a fantasy contest that is designed, in whole or in part, to ensure that any specific fantasy contest player or players will win a prize or award, unless the fantasy contest or the prize or award, or both, is offered in connection with a promotion conducted in accordance with these rules.
- (3) A fantasy contest operator or licensed management company must establish the maximum number of entries a single fantasy contest player may enter in each fantasy contest, subject to both of the following:
 - (a) The maximum number of entries for a given fantasy contest must be the same for all fantasy contest players.
 - (b) A fantasy contest operator or licensed management company must clearly and conspicuously notify a fantasy contest player of the maximum number of entries for a fantasy contest before the fantasy contest player pays an entry fee or otherwise enters or participates in the fantasy contest.
- (4) Unless otherwise directed by the board, there is no prescribed limitation as to any of the following:
 - (a) The minimum or maximum entry fee a fantasy contest operator or licensed management company may charge for a fantasy contest.
 - (b) Subject to subrule (3) of this rule, the minimum or maximum number of entries a fantasy contest operator or licensed management company may allow a single fantasy contest player to enter in a fantasy contest.
 - (c) The minimum or maximum number of aggregate entries a fantasy contest operator or licensed management company may allow all participating fantasy contest players to enter in a fantasy contest.
 - (d) The minimum or maximum prize or award a fantasy contest operator or licensed management company may pay to a single winning fantasy contest player or all winning fantasy contest players in a fantasy contest.
- (5) Subrule (4) of this rule does not preclude a fantasy contest operator or licensed management company from establishing its own relevant minimums or maximums for reasons considered necessary or appropriate by the fantasy contest operator or licensed management company or as otherwise required by the act and these rules.
- (6) Unless otherwise approved by the board, a fantasy contest platform must provide to a fantasy contest player for review and confirmation all fantasy contest entry information, including, but not limited to, fantasy contest team selections, before a fantasy contest entry is accepted.
- (7) On acceptance of a fantasy contest entry, an electronic record of the fantasy contest entry must be provided to or made available to the fantasy contest player. Unless otherwise approved by the board, the electronic record must contain the following minimum information:
 - (a) Unique identification number or other identifier of the fantasy contest.
 - (b) The date and time the fantasy contest entry was entered.

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- (c) The date and time the fantasy contest will begin.
 - (d) The date and time the fantasy contest is expected to be settled or a general statement explaining that the fantasy contest will be settled following the completion of all athletic events on which the fantasy contest is based.
 - (e) Identification of the individual athletes selected by the fantasy contest player to form the fantasy contest team.
 - (f) Identification of the athletic event or athletic events from which the statistical results of the performance of each individual athlete will be obtained for purposes of determining the fantasy contest outcome.
 - (g) Any special condition or conditions applying to the fantasy contest entry.
 - (h) Entry fee paid, including any promotional or bonus credits, if applicable.
 - (i) Prize or award amounts offered to winning fantasy contest players.
 - (8) Except as otherwise provided in these rules or applicable state or federal law, a fantasy contest operator or licensed management company must pay winning fantasy contest players following the completion of the athletic events on which the fantasy contest was based and determination of the fantasy contest outcome.
 - (9) A fantasy contest operator or licensed management company may only cancel an accepted fantasy contest entry if any of the following apply:
 - (a) If the cancellation is required under these rules, including, but not limited to, R 432.532h.
 - (b) If the fantasy contest operator or licensed management company determines a particular fantasy contest entry or an entire fantasy contest must be cancelled due to suspicious behavior or a concern regarding the integrity of the fantasy contest identified in accordance with R 432.534a.
 - (c) If the cancellation is provided for in and executed in accordance with the fantasy contest operator's or licensed management company's fantasy contest rules or terms adopted pursuant to R 432.536.
 - (d) If the cancellation is necessary to resolve a fantasy contest platform, fantasy contest entry, or fantasy contest error or malfunction.
 - (e) If the fantasy contest operator or licensed management company requests and receives prior written approval of the board to cancel the fantasy contest entry.
 - (10) A fantasy contest operator or licensed management company must retain records of each fantasy contest it conducts for a minimum of 3 years and must provide the records to the board on request.
- History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.532a Beginning players and highly experienced players.

Rule 532a. (1) A licensed management company must classify a fantasy contest player as a highly experienced player if the fantasy contest player has done at least 1 of the following:

- (a) Entered more than 1,000 fantasy contests offered by the licensed management company.
 - (b) Won more than three prizes each valued at \$1,000.00 or more from the licensed management company.
 - (2) Once a fantasy contest player is classified as a highly experienced player by a fantasy contest operator or licensed management company, the fantasy contest player must remain classified as a highly experienced player.
 - (3) A fantasy contest operator or licensed management company must identify each highly experienced player by a symbol attached to the highly experienced player's username. The symbol must be clear and conspicuous to other fantasy contest players.
 - (4) A fantasy contest operator or licensed management company must do all of the following:
 - (a) Offer some fantasy contests that are open only to beginning players.
 - (b) Prohibit a fantasy contest player who is not a beginning player from entering a fantasy contest open only to beginning players as determined at the time of entry.
 - (c) Offer some fantasy contests that are open only to fantasy contest players other than highly experienced players.
 - (d) Prohibit a highly experienced player from entering a fantasy contest open only to fantasy contest players other than highly experienced players as determined at the time of entry.
 - (5) A fantasy contest operator or licensed management company must adopt introductory procedures for beginning players that must meet the following minimum conditions:
 - (a) The introductory procedures must be clearly and conspicuously available to a beginning player.
 - (b) The introductory procedures must include, but are not limited to, the following information:
 - (i) Information explaining how fantasy contests are played.
 - (ii) Information on how to identify highly experienced players.
 - (c) The introductory procedures must provide information on how to participate in fantasy contests that are open only to beginning players as a learning experience.
- History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.532b Persons restricted from entering or participating in fantasy contests.

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Rule 532b. (1) The following individuals are prohibited from entering or participating in any fantasy contest that is based, in whole or in part, on any athletic event in which the individual participates or with which the individual is otherwise affiliated, or any athletic event overseen by the sports governing body that oversees the athletic events in which the individual participates or with which the individual is otherwise affiliated:

- (a) An athlete.
- (b) A coach.
- (c) A manager.
- (d) An official.
- (e) An individual who has the authority or ability to influence the performance of an athlete in an athletic event.
- (f) An individual with access to non-public, exclusive information related to an athlete or athletic event.
- (2) An employee of a sports governing body or any of its member teams, or a person that holds a 5% or greater ownership interest in a sports governing body or any of its member teams, is prohibited from entering or participating in any fantasy contest that is based, in whole or in part, on an athletic event overseen by the sports governing body or in which any of its member teams participates.
- (3) Except as otherwise provided in subrules (11) and (12) of this rule, a fantasy contest operator, its owners, directors, officers, and employees, and any relative of any of these individuals living in the same household, is prohibited from entering or participating in a fantasy contest offered by the fantasy contest operator or a licensed management company that manages the day-to-day operations of the fantasy contest operator.
- (4) Except as otherwise provided in subrules (11) and (12) of this rule, a licensed management company, its owners, directors, officers, and employees, and any relative of any of these individuals living in the same household, is prohibited from entering or participating in a fantasy contest offered by the licensed management company or a fantasy contest operator for which the licensed management company manages day-to-day operations.
- (5) Except as otherwise provided in R 432.513a(9) and subrule (12) of this rule, a member, the executive director, a board employee, or an agent is prohibited from establishing a fantasy contest player account and from entering or participating in a fantasy contest.
- (6) A fantasy contest player is prohibited from allowing another person to access or use his or her fantasy contest player account and from submitting a fantasy contest entry on behalf of another person.
- (7) An individual whose fantasy contest player account is in suspended mode under R 432.548 is prohibited from entering or participating in a fantasy contest.
- (8) An individual who is less than 18 years of age is prohibited from establishing a fantasy contest player account and from entering or participating in a fantasy contest.
- (9) Except as otherwise directed by the board, a person that is determined by the board to be a prohibited person under R 432.511(dd)(v) is prohibited from establishing a fantasy contest player account and from entering or participating in a fantasy contest.
- (10) A person is prohibited from entering or participating in a fantasy contest in any manner that violates applicable state, tribal, or federal law.
- (11) A fantasy contest operator or licensed management company may offer fantasy contests that are open only to persons described in subrules (3) and (4) of this rule. Except as otherwise provided in subrule (12) of this rule, a person described in subrules (3) and (4) of this rule may only enter or participate in a fantasy contest that is open only to such persons. A person that is not a person described in subrules (3) and (4) of this rule is prohibited from entering or participating in a fantasy contest that is open only to persons described in subrules (3) and (4) of this rule.
- (12) A person described in subrules (3) to (5) of this rule may enter or participate in a fantasy contest using a test account established by a fantasy contest operator or licensed management company to test the components or operation of a fantasy contest platform. Test account activity must not affect the outcome of any fantasy contest entered or participated in by fantasy contest players, the issuance of prizes or awards to fantasy contest players, or the computation of any fantasy contest adjusted revenues. Procedures for establishing and using test accounts must be addressed in the fantasy contest operator's or licensed management company's procedures and internal controls.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.532c Exclusion of individuals.

Rule 532c. (1) A fantasy contest operator or licensed management company must implement commercially reasonable procedures and internal controls to exclude from entry or participation in fantasy contests any individual the board determines must be excluded to protect the integrity of fantasy contests under the act and these rules.

- (2) An individual excluded under this rule is prohibited from establishing a fantasy contest player account and from entering or participating in fantasy contests.

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(3) If the board determines an individual must be excluded under this rule, the board shall notify the individual. The notification must include the basis for the exclusion and explain that the individual is prohibited from establishing a fantasy contest player account and from entering or participating in fantasy contests offered under the act and these rules.

(4) An individual excluded under this rule may request a hearing as set forth in part 1 of these rules to contest their exclusion from fantasy contests. It is the excluded individual's responsibility to prove by clear and convincing evidence why he or she should not be excluded.

(5) Exclusion under this rule is permanent unless the board decides to rescind the exclusion. An exclusion shall only be rescinded if the board determines that the individual no longer poses a threat to the integrity of fantasy contests under the act and these rules.

(6) The board shall provide each fantasy contest operator and licensed management company with information the board considers necessary to carry out the purposes of this rule. Fantasy contest operators and licensed management companies may only use the information to exclude individuals as required under this rule. Use of the information for any other purpose may result in disciplinary action by the board against the fantasy contest operator or licensed management company or a civil fine. Nothing in this subrule is intended to preclude the disclosure of the information pursuant to subpoena or other legal process.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.532d Fantasy contest self-restriction program.

Rule 532d. (1) A fantasy contest operator or licensed management company must establish and operate a self-restriction program as prescribed in the act and these rules and as directed by the board.

(2) A fantasy contest operator or licensed management company must make its self-restriction program clearly and conspicuously available on its fantasy contest platform.

(3) A fantasy contest operator's or licensed management company's self-restriction program must include a means to allow an individual to self-restrict his or her ability to enter or participate in fantasy contests offered by the fantasy contest operator or licensed management company, subject to all of the following conditions:

(a) The means to enable self-restriction must be made available by at least 1 of the following, at a minimum:

(i) Website or fantasy contest platform.

(ii) Telephone.

(iii) Online chat.

(b) An individual must be allowed to select the length of time the self-restriction will be in effect, subject to both of the following conditions:

(i) The time periods offered to or that may be selected or identified by an individual must include, at a minimum, 1 year and 5 years. A fantasy contest operator or licensed management company may offer or allow an individual to select or identify additional time periods that may include, but are not limited to, time periods of less than 1 year and lifetime self-restriction.

(ii) A self-restriction must end and must cease to be effective on the expiration of the time period selected or identified by an individual unless the individual extends or renews the self-restriction or enables a new self-restriction.

(c) Once enabled, a self-restriction must be irrevocable. A fantasy contest operator or licensed management company may allow an individual to increase the length of a self-restriction but must not allow an individual to decrease the length of or otherwise cancel a self-restriction.

(d) An individual enabling a self-restriction must agree to release all of the following from any harm, monetary or otherwise, that may arise as a consequence of the self-restriction:

(i) This state.

(ii) The board and its employees and agents.

(iii) The fantasy contest operator or licensed management company, as applicable, and its officers, directors, employees, and agents.

(e) A fantasy contest operator or licensed management company must provide to an individual, before the individual enables a self-restriction, a full explanation of the self-restriction, which must include, but is not limited to, all of the following information:

(i) The duties of the individual with respect to the self-restriction.

(ii) The duties of the fantasy contest operator or licensed management company with respect to the self-restriction.

(iii) Information explaining that the individual may not collect any prizes or awards or recover any losses resulting from entry or participation in fantasy contests during the period the self-restriction is in effect.

(iv) Information explaining that any fantasy contest entries pending at the time of the self-restriction will be cancelled and the corresponding entry fees will be refunded to the individual.

(v) A full and clear explanation of all activities the fantasy contest operator or licensed management company will restrict or prohibit the individual from engaging in during the period the self-restriction is in effect, whether in this state or any other jurisdiction, subject to all of the following conditions:

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- (A) During the period the self-restriction is in effect, the fantasy contest operator or licensed management company must prohibit the self-restricted individual from establishing a fantasy contest player account under the act and these rules and from entering or participating in a fantasy contest offered by the fantasy contest operator or licensed management company under the act and these rules.
- (B) During the period the self-restriction is in effect, the fantasy contest operator or licensed management company may elect to restrict or prohibit the self-restricted individual from engaging in activities other than those described in subparagraph (A) of this paragraph, provided the restrictions or prohibitions are implemented only as instructed or agreed to by the self-restricted individual. This may include, but need not be limited to, restrictions or prohibitions on participation in fantasy contests conducted under the laws of another jurisdiction and restrictions or prohibitions on participating in gaming-related or other activities conducted in this state or any other jurisdiction.
- (C) All restrictions and prohibitions implemented under this paragraph must end and must cease to be effective on expiration of the time period selected or identified by the self-restricted individual under subdivision (b) of this subrule unless the individual extends or renews the self-restriction or enables a new self-restriction.
- (f) A completed request for a self-restriction, once received and approved by a fantasy contest operator or licensed management company, must take effect immediately or at the time that was clearly indicated to the individual requesting the self-restriction. A fantasy contest operator or licensed management company must ensure the self-restriction is correctly implemented at the time it takes effect.
- (4) During the period a self-restriction is in effect under subrule (3) of this rule, a self-restricted individual is prohibited from establishing a fantasy contest player account and from entering or participating in a fantasy contest offered by a fantasy contest operator or licensed management company.
- (5) A fantasy contest operator or licensed management company may offer additional notifications or self-imposed limits, or both, to fantasy contest players, which may include, but are not limited to, any of the following:
- (a) Deposit limits or notifications.
 - (b) Fantasy contest entry volume limits or notifications.
 - (c) Fantasy contest entry fee limits or notifications.
 - (d) Loss limits or notifications.
 - (e) Time-based limits or notifications.
 - (f) Temporary suspension of an individual's fantasy contest player account, during which time the individual must be prevented from making a deposit and entering or otherwise participating in fantasy contests offered by the fantasy contest operator or licensed management company.
 - (g) Any other limits or notifications the fantasy contest operator or licensed management company considers appropriate.
- (6) If additional notifications or self-imposed limits, or both, are offered by a fantasy contest operator or licensed management company under subrule (5) of this rule, the fantasy contest operator or licensed management company must do all of the following:
- (a) Provide fantasy contest players with an easy and obvious method to request a notification or self-imposed limit.
 - (b) Ensure any self-imposed limits do not override any more restrictive limits imposed by the fantasy contest operator or licensed management company.
 - (c) Prevent a fantasy contest player from removing or reducing the severity of a notification or self-imposed limit with less than 24 hours' notice.
 - (d) Provide to a fantasy contest player, before he or she enables a notification or self-imposed limit, a full explanation of the notification or self-imposed limit.
 - (e) Adopt commercially reasonable procedures and internal controls to implement and enforce all notifications and self-imposed limits.
- (7) A fantasy contest operator or licensed management company must include on its website or fantasy contest platform a responsible gaming page that is readily accessible to each fantasy contest player throughout a fantasy contest player session. The responsible gaming page must contain, but is not limited to, all of the following:
- (a) Information on playing responsibly and how to ask for assistance for compulsive gaming behavior.
 - (b) Educational information from a reputable mental health or addiction services organization based in the United States on identifying, monitoring, and managing compulsive gaming behavior.
 - (c) Information regarding resources related to compulsive gaming behavior, including, but not limited to, both of the following:
 - (i) At least 1 of the following compulsive gaming helplines:
 - (A) The Michigan Gambling Disorder Helpline administered by the Michigan department of health and human services or its successor.
 - (B) The National Problem Gambling Helpline operated by the National Council on Problem Gambling.

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- (C) Any other compulsive gaming helpline operated by a reputable organization based in the United States that is free of charge to fantasy contest players.
- (ii) A direct link to at least 1 of the following:
- (A) The Michigan gaming control board compulsive/problem gambling website, <https://www.michigan.gov/mgcb/0,4620,7-351-79256-231582--,00.html>.
- (B) The Michigan department of health and human services problem gambling website, https://www.michigan.gov/mdhhs/0,5885,7-339-71550_2941_74002---,00.html.
- (C) Any other reputable organization based in the United States that is dedicated to helping people with compulsive gaming behavior.
- (d) A clear statement of the fantasy contest operator's or licensed management company's policy and commitment to responsible gaming.
- (e) Any other responsible gaming information or measures required by the board.
- (8) A fantasy contest operator's or licensed management company's self-restriction program must be designed to safeguard the confidentiality of an individual's personal identifiable information.
- (9) A fantasy contest operator or licensed management company must make reasonable efforts to prevent the direction of targeted advertisements to a self-restricted individual. A fantasy contest operator or licensed management company is considered to have complied with this subrule if both of the following occur:
- (a) The fantasy contest operator or licensed management company removes the self-restricted individual from all targeted advertisements disseminated by or on behalf of the fantasy contest operator or licensed management company.
- (b) The self-restricted individual does not receive targeted advertisements more than 30 days after the individual enabled the self-restriction.
- (10) A fantasy contest operator or licensed management company may disclose the names and other identifying information of self-restricted individuals to a third party involved in disseminating advertisements on behalf of the fantasy contest operator or licensed management company for the purpose of allowing the third party to remove the self-restricted individuals from a targeted advertisement or other advertisement.
- (11) A third party that obtains the names or other identifying information, or both, of self-restricted individuals from a fantasy contest operator or licensed management company is allowed to use the information only to exclude the self-restricted individuals from targeted advertisements or other advertisements disseminated on behalf of the fantasy contest operator or licensed management company. The third party to whom the information is disclosed must not distribute or disclose the information to the public or any other person. Disclosure may result in a fine or other action available to the board.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.532e Scripts.

Rule 532e. (1) A fantasy contest player is prohibited from using any script other than an authorized script to create fantasy contest entries or enter or participate in fantasy contests.

- (2) A fantasy contest operator or licensed management company must not allow and must use commercially reasonable efforts to monitor for and prevent the use of any scripts other than authorized scripts.
- (3) An authorized script must be clearly and conspicuously published and made readily available to all fantasy contest players on the fantasy contest operator's or licensed management company's fantasy contest platform.
- (4) A fantasy contest operator or licensed management company may elect not to provide authorized scripts and may prohibit all scripts.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.532f Proxy servers.

Rule 532f. (1) A fantasy contest player is prohibited from using a proxy server or any other software or technology to misrepresent his or her identity or location in order to enter or participate in fantasy contests.

- (2) A fantasy contest operator or licensed management company must not allow and must use commercially reasonable efforts to monitor for and prevent the use of proxy servers and other software and technology used by a fantasy contest player to misrepresent his or her identity or location.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.532g Protected information.

Rule 532g. (1) A fantasy contest operator or licensed management company must adopt commercially reasonable procedures and internal controls to prevent its owners, directors, officers, employees, agents, contractors, and third-party providers from disclosing any protected information to any third parties unless the protected information is made publicly available.

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(2) A fantasy contest player is prohibited from entering or participating in any fantasy contest using any protected information that is not publicly available and was obtained in violation of subrule (1) of this rule. This subrule does not apply to a fantasy contest conducted in accordance with R 432.532b(11). If a fantasy contest operator or licensed management company conducts fantasy contests under R 432.532b(11), the fantasy contest operator or licensed management company must adopt commercially reasonable procedures and internal controls to prevent the disclosure or misuse of any material nonpublic information obtained through entry or participation in the fantasy contests.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.532h Duty of fantasy contest operators and licensed management companies.

Rule 532h. (1) A fantasy contest operator or licensed management company must adopt commercially reasonable procedures and internal controls to prevent a person from establishing a fantasy contest player account if the person is prohibited from establishing a fantasy contest player account under R 432.532a to R 432.532g, subject to both of the following:

(a) If an individual has a fantasy contest player account at the time of exclusion under R 432.532c, the fantasy contest player account and funds in the account must be addressed as follows:

(i) The fantasy contest player account must be suspended, closed, or otherwise restricted so that no further deposits can be made and no further fantasy contest entries can be submitted until such time as the exclusion is no longer in effect.

(ii) Any funds remaining in the fantasy contest player account must be returned to the individual or seized as directed by the board.

(b) If an individual has a fantasy contest player account at the time of self-restriction under R 432.532d, the fantasy contest player account and funds in the account must be addressed as follows:

(i) The fantasy contest player account must be suspended, closed, or otherwise restricted so that no further deposits can be made and no further fantasy contest entries can be submitted until such time as the self-restriction is no longer in effect.

(ii) The individual must be allowed to withdraw all funds in the fantasy contest player account, except as otherwise provided in these rules or any other applicable state or federal law.

(2) A fantasy contest operator or licensed management company must adopt commercially reasonable procedures and internal controls to prevent a person from entering or participating in any fantasy contest the person is prohibited from entering or participating in under R 432.532a to R 432.532g, or from entering or participating in a fantasy contest in any other manner in violation of R 432.532a to R 432.532g, subject to both of the following:

(a) If an individual previously submitted fantasy contest entries that are pending at the time of exclusion under R 432.532c, the fantasy contest entries must be cancelled. The corresponding entry fees must be refunded to the individual or seized as directed by the board.

(b) If an individual previously submitted fantasy contest entries that are pending at the time of self-restriction under R 432.532d, the fantasy contest entries must be cancelled and the corresponding entry fees must be refunded to the individual.

(3) A fantasy contest operator or licensed management company must take the following action regarding any person that knowingly establishes a fantasy contest player account or enters or participates in a fantasy contest in any manner in violation of R 432.532a to R 432.532g:

(a) Except as otherwise provided in subdivision (b) of this subrule, the fantasy contest operator or licensed management company must do all of the following, as applicable:

(i) Suspend the person's fantasy contest player account for a period considered appropriate by the fantasy contest operator or licensed management company.

(ii) Cancel any fantasy contest entries submitted by the person for any fantasy contest the person is prohibited from entering or participating in or that were submitted in any other manner in violation of R 432.532a to R 432.532g. The corresponding entry fees must be seized by the fantasy contest operator or licensed management company.

(iii) Seize from the person any prizes or awards obtained from entering or participating in fantasy contests the person is prohibited from entering or participating in or that were obtained from entering or participating in fantasy contests in any other manner in violation of R 432.532a to R 432.532g.

(b) If a fantasy contest operator or licensed management company detects or is notified that a prohibited person established or used a fantasy contest player account or entered or participated in a fantasy contest in violation of these rules, the fantasy contest operator or licensed management company must do all of the following:

(i) Suspend and immediately prohibit access to the fantasy contest player account established by the prohibited person or used by the prohibited person to submit any fantasy contest entry or entries or participate in any fantasy contest. Any funds remaining in the fantasy contest player account must be seized by the fantasy contest operator or licensed management company.

(ii) Cancel any fantasy contest entries that were submitted by the prohibited person and are pending at the time the fantasy contest operator or licensed management company detects or is notified that the person is a prohibited person. The corresponding entry fees must be seized by the fantasy contest operator or licensed management company.

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- (iii) Seize from the prohibited person any prizes or awards obtained from entering or participating in fantasy contests in violation of these rules.
- (iv) Maintain records related to the incident and all action taken under this subdivision. The fantasy contest operator or licensed management company must provide a written notice to the board, by the fifteenth day of each month, summarizing all incidents and action taken under this subdivision during the previous month.
- (c) The action may include any other action considered appropriate by the fantasy contest operator or licensed management company or directed by the board, which may include, but is not limited to, temporarily or permanently restricting the person's ability to enter or participate in fantasy contests offered by the fantasy contest operator or licensed management company.
- (4) The procedures and internal controls of a fantasy contest operator or licensed management company must contain procedures for both of the following:
 - (a) The maintenance of sufficient information about any fantasy contest player's or other person's activity, such that if a fantasy contest player or other person is discovered to be using a fantasy contest player account or entering or participating in fantasy contests in a fraudulent manner or in any other manner in violation of these rules, the fantasy contest operator or licensed management company and the board have all necessary information to take appropriate action.
 - (b) The processing of any prizes, awards, entry fees, and other amounts seized from a person under this rule.
- (5) For purposes of this rule, a fantasy contest entry is considered pending if the outcome of the fantasy contest in which the fantasy contest entry was entered has not yet been determined.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.533 Advertisements.

Rule 533. (1) Any advertisements disseminated by or on behalf of a fantasy contest operator or licensed management company must satisfy all of the following:

- (a) Be based on fact.
- (b) Accurately depict any representations made concerning entry or participation in fantasy contests.
- (c) Include information on playing responsibly and seeking assistance for compulsive gaming behavior or direct individuals to a reputable source for this information. If an advertisement is not of sufficient size or duration to reasonably allow for inclusion of this information, the advertisement must refer to a website or fantasy contest platform that does prominently include this information.
- (d) Clearly and conspicuously state all material or limiting rules, terms, or conditions or provide a reference to the fantasy contest operator's or licensed management company's fantasy contest website or fantasy contest platform where all material or limiting rules, terms, or conditions may be found. The referenced material must be publicly available and must state all rules, terms, or conditions clearly and conspicuously.
- (2) Any advertisements disseminated by or on behalf of a fantasy contest operator or licensed management company must not do any of the following:
 - (a) Employ false, deceptive, or misleading advertising techniques.
 - (b) Contain false, deceptive, or misleading information.
 - (c) Include or involve targeted advertisements directed to either of the following:
 - (i) Self-restricted individuals.
 - (ii) Individuals who are less than 18 years of age.
 - (d) Portray entry or participation in fantasy contests by anyone who is less than 18 years of age.
 - (e) Prominently depict anyone who is less than 18 years of age, except for an athlete in an athletic event who may be less than 18 years of age.
 - (f) Depict or imply the endorsement of any high school or youth sporting league, event, team, or athlete.
 - (g) Be disseminated in any publication or through any other medium whose target demographic is exclusively or primarily individuals who are less than 18 years of age.
 - (h) Depict any fantasy contests that do not comply with the act and these rules.
- (3) If the board determines that any advertisement disseminated by or on behalf of a fantasy contest operator or licensed management company violates this rule or could adversely impact the public or the integrity of fantasy contests, the board may direct the fantasy contest operator or licensed management company in writing to discontinue use of the advertisement in this state and may take any other action available to the board. On receipt of a written notice from the board directing discontinuance of an advertisement, the fantasy contest operator or licensed management company must discontinue use of the advertisement in this state as expeditiously as possible.
- (4) A fantasy contest operator or licensed management company must retain a copy of each advertisement for at least 3 years from the date of the last use of the advertisement and must retain records to identify where and how the advertisement

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was communicated, published, or otherwise disseminated. The fantasy contest operator or licensed management company must provide the advertisement copies and records to the board on request.

(5) A fantasy contest operator or licensed management company must not use an affiliate marketer that promotes or markets, or both, any of the following to individuals in this state:

(a) Illegal fantasy contest sites that are not licensed, approved, or otherwise lawfully allowed to accept fantasy contest entries from customers located in this state or another state.

(b) Illegal online gaming sites including, but not limited to, illegal internet gaming sites, illegal internet sports betting sites, and illegal advance deposit wagering sites. An illegal online gaming site is an online gaming site that is not licensed, approved, or otherwise lawfully allowed to accept internet wagers, internet sports betting wagers, or advance deposit wagers, as applicable, from customers located in this state or another state.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.534 Bank secrecy act compliance.

Rule 534. (1) A fantasy contest operator or licensed management company must comply with all provisions of 31 USC 5311 to 5336, commonly referred to as the bank secrecy act, that are applicable to the fantasy contest operator's or licensed management company's fantasy contest operations.

(2) A fantasy contest operator or licensed management company must maintain, for a minimum of 3 years, records related to its compliance with all provisions of 31 USC 5311 to 5336 that are applicable to the fantasy contest operator's or licensed management company's fantasy contest operations. The fantasy contest operator or licensed management company must provide the records to the board and any appropriate law enforcement agencies on request consistent with the authorization prescribed in provisions of 31 USC 5311 to 5336 and related regulations that are applicable to the fantasy contest operator's or licensed management company's fantasy contest operations.

(3) A fantasy contest operator or licensed management company must provide a written notice to the board as soon as the fantasy contest operator or licensed management company becomes aware of a compliance review that is conducted by the Internal Revenue Service under 31 USC 5311 to 5336 and involves or impacts the fantasy contest operator's or licensed management company's fantasy contest operations. The fantasy contest operator or licensed management company must provide a copy of the compliance review report or the equivalent to the board within 10 days of the receipt of the report by the fantasy contest operator or licensed management company.

(4) This rule applies to a fantasy contest operator or licensed management company only to the extent to which any provisions of 31 USC 5311 to 5336 apply to the fantasy contest operator's or licensed management company's fantasy contest operations.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.534a Integrity monitoring and suspicious behavior.

Rule 534a. (1) A fantasy contest operator or licensed management company must employ personnel responsible for ensuring the proper operation and integrity of fantasy contests and reviewing and addressing all reports of suspicious behavior including, but not limited to, all of the following:

(a) Any person entering or participating in a fantasy contest who is engaging in or attempting to engage in, or who is reasonably suspected of, cheating, theft, embezzlement, collusion, use of funds derived from illegal activity, money laundering, or any other illegal activities.

(b) Any person that is reasonably suspected of misrepresenting their identity or using false identification to establish or attempt to establish a fantasy contest player account.

(c) Suspected criminal activity related to any aspect of fantasy contests.

(d) Any unusual or suspicious fantasy contest activity or patterns that indicate a concern regarding the integrity of a fantasy contest or fantasy contest platform. This includes, but is not limited to, unusual or suspicious fantasy contest activity or patterns that cannot be explained and are indicative of any of the following:

(i) Match-fixing.

(ii) The manipulation of an athletic event.

(iii) Misuse of inside information.

(iv) A potential breach of a sports governing body's internal rules or code of conduct pertaining to fantasy contests.

(v) Any other conduct that corrupts the outcome of an athletic event.

(e) Any other conduct that corrupts the outcome of a fantasy contest.

(f) Any activity or fantasy contests that violate any applicable state or federal law.

(2) A licensed management company must promptly notify any affected fantasy contest operators for which it manages day-to-day fantasy contest operations of any suspicious behavior or issues impacting the integrity of fantasy contests.

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(3) If the board receives information regarding the integrity of athletic events on which fantasy contests are based, the board may, to the extent allowed or provided for in the act and these rules, share the information with a fantasy contest operator, licensed management company, sports governing body, sports team, law enforcement entity, regulatory agency, or other person the board considers appropriate.

(4) A fantasy contest operator or licensed management company must maintain the confidentiality of information provided by a sports governing body to the fantasy contest operator or licensed management company related to suspicious behavior or the integrity of an athletic event, unless disclosure is required by the board, any applicable law, or a lawful order of a court.

(5) A fantasy contest operator or licensed management company must maintain records demonstrating its compliance with this rule, including all reports of suspicious behavior and any supporting documentation, for not less than 3 years and must provide the records to the board on request.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.535 Fantasy contest player complaints.

Rule 535. (1) A fantasy contest operator or licensed management company must include on its fantasy contest platform a clear mechanism to advise fantasy contest players of their right to make a complaint against the fantasy contest operator, licensed management company, or another fantasy contest player, including information explaining how complaints can be filed and how complaints are resolved.

(2) A fantasy contest operator or licensed management company must attempt to resolve all complaints with the fantasy contest player.

(3) A fantasy contest operator or licensed management company must investigate each complaint and provide a response to the fantasy contest player within 10 calendar days of receipt of the complaint.

(4) The complaint and the fantasy contest operator's or licensed management company's response must be made in writing, which may include, but is not limited to, mail, email, and logged internet chat.

(5) A fantasy contest operator or licensed management company must maintain records related to fantasy contest player complaints for a minimum of 3 years and must provide the records to the board on request.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.535a Fantasy contest player funds.

Rule 535a. (1) A fantasy contest operator or licensed management company must do 1 of the following:

(a) Segregate deposits in fantasy contest player accounts and other fantasy contest player funds from operational money of the fantasy contest operator or licensed management company. The segregated funds must be maintained in a United States bank account.

(b) Maintain a reserve that meets all of the following conditions:

(i) The reserve must be in 1 of the following forms:

(A) Cash or cash equivalents maintained in a United States bank account segregated from the fantasy contest operator's or licensed management company's operational funds.

(B) An irrevocable letter of credit.

(C) A bond.

(D) Any combination of the allowable forms described in subparagraph (A) to (C) of this paragraph.

(ii) The aggregate amount of the reserve must exceed the total dollar value of deposits in fantasy contest player accounts and other fantasy contest player funds.

(iii) The reserve must not be used for operational activities of the fantasy contest operator or licensed management company.

(2) Unless otherwise approved by the board, the segregated funds or reserve required under subrule (1) of this rule must be maintained by or otherwise under the control of the fantasy contest operator or licensed management company or an independent special purpose entity established by the fantasy contest operator or licensed management company or an affiliate of the fantasy contest operator or licensed management company to hold the funds.

(3) A fantasy contest operator or licensed management company must ensure that fantasy contest player funds are shielded from creditors other than fantasy contest players for whose benefit and protection the segregation or reserve required under subrule (1) of this rule is established.

(4) Funds held in fantasy contest player accounts must not be automatically transferred by a fantasy contest operator or licensed management company. A fantasy contest operator or licensed management company must not require a fantasy contest player to transfer funds from his or her fantasy contest player account in order to circumvent this rule.

(5) A fantasy contest operator or licensed management company must have access to all fantasy contest player account and transaction data to ensure the amount of its segregated funds or reserve is sufficient.

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(6) The board may audit a fantasy contest operator's or licensed management company's segregated funds or reserve at any time and may direct a fantasy contest operator or licensed management company to take any action necessary to ensure the purposes of this rule are achieved, including, but not limited to, requiring the fantasy contest operator or licensed management company to modify the form of its reserve or increase the amount of its segregated funds or reserve.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.535b Negative fantasy contest player account balance prohibited.

Rule 535b. A fantasy contest platform must employ a mechanism that can detect and prevent any fantasy contest entries or withdrawals initiated by a fantasy contest player that would result in a negative balance of the fantasy contest player account.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.536 Fantasy contest rules or terms.

Rule 536. (1) A fantasy contest operator or licensed management company must establish clear and conspicuous rules or terms for each fantasy contest it offers. The rules or terms must address all of the following, at a minimum:

- (a) Unique identification number or other identifier of the fantasy contest.
 - (b) Entry fee amount.
 - (c) Rules and terms regarding fantasy contest team selection, including, but not limited to, all of the following:
 - (i) The athletic events on which the fantasy contest is based and from which a fantasy contest player may select individual athletes.
 - (ii) The number of athletes a fantasy contest player must select to form the fantasy contest team.
 - (iii) Any requirements or restrictions regarding the type, position, or other characteristics of the athletes a fantasy contest player must select.
 - (iv) Any other information a fantasy contest player may need to assemble a fantasy contest team.
 - (d) An explanation of how winning outcomes reflecting the relative knowledge and skill of fantasy contest players are determined, including, but not limited to, all of the following:
 - (i) A description of the statistical results of the performance of multiple individual athletes that will determine the outcome of the fantasy contest.
 - (ii) An explanation of how the statistical results will be aggregated.
 - (iii) An explanation of how the statistical results correspond with the actual performance of the athletes in the athletic events in which they will participate.
 - (e) Prize or award amounts, which must be made known to fantasy contest players in advance of the fantasy contest, and a description of the process for calculating and paying prizes or awards, including non-cash or non-cash equivalent prizes or awards. Prizes or awards stipulated in the rules or terms must be available and must be demonstrated on request of the board.
 - (f) The maximum number of entries each fantasy contest player may submit as required under R 432.532(3).
 - (g) Any other restrictions regarding the minimum or maximum number of fantasy contest entries that may be submitted by a single fantasy contest player or all fantasy contest players in the fantasy contest.
 - (h) The date and time the fantasy contest will begin.
 - (i) The date and time the fantasy contest is expected to be settled or a general statement explaining that the fantasy contest will be settled following the completion of all athletic events on which the fantasy contest is based.
 - (j) An explanation of when the fantasy contest locks and when no further fantasy contest entries, substitutions, or modifications can be made.
 - (k) What is to occur when any athletic event or component of an athletic event on which the fantasy contest is based is canceled, rescheduled, suspended, or shortened.
 - (l) A description of the process for handling incorrectly posted fantasy contests or fantasy contest results.
 - (m) A policy by which the fantasy contest operator or licensed management company can cancel a fantasy contest due to an obvious error in the setup or parameters of the fantasy contest, which must include a definition and procedures for obvious errors.
 - (n) How entry fees will be returned to fantasy contest players in the event a fantasy contest is cancelled after entry fees have been paid and what is to occur if any entry fees cannot be returned to a fantasy contest player.
 - (o) A description of persons who are prohibited or restricted from entering or participating in the fantasy contest in accordance with the act and these rules.
 - (p) Any other rules or terms required by the board.
- (2) The rules or terms for each fantasy contest must be clearly and conspicuously displayed on the fantasy contest operator's or licensed management company's fantasy contest platform in a manner that enables a fantasy contest player to read the rules or terms for a fantasy contest before the fantasy contest player pays an entry fee or otherwise enters or commences participation in the fantasy contest.

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(3) A fantasy contest operator or licensed management company must enforce and comply with the rules or terms applicable to each fantasy contest.

(4) A fantasy contest operator or licensed management company must not alter the rules or terms established for a fantasy contest after any fantasy contest player has entered or commenced participation in the fantasy contest.

(5) A fantasy contest operator or licensed management company must maintain copies of the rules or terms applicable to each fantasy contest for a minimum of 3 years following completion of the fantasy contest. The fantasy contest operator or licensed management company must provide the rules or terms to the board on request.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.537 Tournaments, bonuses, and promotions.

Rule 537. (1) A fantasy contest operator or licensed management company may conduct a fantasy contest tournament subject to applicable provisions of the act and these rules. A fantasy contest operator or licensed management company must maintain a record of each fantasy contest tournament it offers that addresses, at a minimum, all of the following:

(a) Athletic events on which the fantasy contest tournament is based.

(b) Rules concerning tournament play and participation.

(c) Entry fee amount or amounts per participant.

(d) Prizes or awards.

(e) Methodology for determining the winner or winners.

(2) A fantasy contest operator or licensed management company may offer bonuses and promotions related to fantasy contests, subject to all of the following:

(a) A fantasy contest operator or licensed management company must maintain records of all bonus and promotional offers for a minimum of 3 years and must provide the records to the board on request.

(b) All bonus and promotional offers must be stated in clear and unambiguous terms and must be accessible by a fantasy contest player at both of the following times:

(i) Before the offer is accepted.

(ii) After the offer is accepted and before completion.

(c) Bonus and promotional offer terms and the record of all offers must include, but are not limited to, all of the following:

(i) The date and time the offer is active and expires.

(ii) Fantasy contest player eligibility requirements, including any limitations on participation.

(iii) Any restriction on withdrawals of funds.

(iv) Entry fee requirements and limitations by fantasy contest type.

(v) The order in which funds are used for entry fees.

(vi) Eligible fantasy contests.

(vii) Rules regarding cancellation.

(d) Once a fantasy contest player has met the terms of a bonus or promotional offer, a fantasy contest operator or licensed management company must not limit prizes or awards earned while participating in the offer.

(e) A bonus or promotion must not include or involve targeted advertisements directed to either of the following:

(i) Self-restricted individuals.

(ii) Individuals who are less than 18 years of age.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.538 Kiosks, places of public accommodation, and private clubs.

Rule 538. A fantasy contest operator allowed under section 8(2) of the act, MCL 432.508, to offer fantasy contests on, at, or from a kiosk or machine, a place of public accommodation, or a facility owned, operated, or occupied by a private club, association, or similar membership-based organization must meet all standards and requirements for the fantasy contests as prescribed by the board.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.539 Geolocation.

Rule 539. (1) In order to determine the location of a fantasy contest player for purposes of identifying in-state participants and calculating the in-state percentage, a fantasy contest operator or licensed management company must utilize a geolocation system to reasonably detect and accurately pinpoint the physical location of a fantasy contest player each time a fantasy contest operator or licensed management company collects an entry fee from the fantasy contest player or otherwise allows a fantasy contest player to enter a fantasy contest.

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(2) In order to prevent the unauthorized use of a fantasy contest player account, the geolocation system must be equipped to monitor for and block attempts to enter or participate in fantasy contests by any single account from geographically inconsistent locations.

(3) A fantasy contest operator or licensed management company may use a third party to provide the geolocation system.

(4) Unless otherwise directed by the board, all geolocation systems must meet technical specifications and requirements that are generally accepted in the fantasy contest industry in the United States.

History: 2023 MR 20, Eff. Oct. 11, 2023.

PART 4. FANTASY CONTEST PLAYER ACCOUNTS

R 432.541 Single account in use for fantasy contests

Rule 541. (1) A fantasy contest operator or licensed management company shall limit each fantasy contest player to 1 fantasy contest player account and username. Each fantasy contest player account must meet all of the following requirements:

(a) Be non-transferable.

(b) Be unique to the fantasy contest player who establishes the fantasy contest player account.

(2) A fantasy contest operator or licensed management company must implement commercially reasonable procedures and internal controls intended to accomplish both of the following:

(a) Prevent an individual from establishing more than 1 username or more than 1 fantasy contest player account, whether directly or by use of another person as a proxy.

(b) Terminate all excess accounts of any individual who establishes or seeks to establish more than 1 username or more than 1 fantasy contest player account, whether directly or by use of another person as a proxy.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.541a Age and identity verification.

Rule 541a. (1) A fantasy contest operator or licensed management company must verify an individual's age and identity before allowing that individual to create a fantasy contest player account and do either of the following, whichever occurs first:

(a) Make a deposit.

(b) Enter or participate in a fantasy contest.

(2) Age and identity verification must be performed using either of the following methods:

(a) Reliable forms of personal identification specified in the fantasy contest operator's or licensed management company's procedures and internal controls.

(b) Other methodology for remote multi-source authentication, which may include third-party and governmental databases.

(3) Third-party service providers may be used for age and identity verification of an individual attempting to create a fantasy contest player account and make a deposit or enter or participate in a fantasy contest.

(4) A fantasy contest operator or licensed management company must record both of the following:

(a) The date of age and identity verification.

(b) The method and process used to verify the individual's age and identity. The fantasy contest operator or licensed management company must maintain sufficient records to demonstrate that age and identity verification was performed in accordance with applicable requirements of the act and these rules.

(5) A fantasy contest operator or licensed management company must periodically re-verify a fantasy contest player's identity upon reasonable suspicion that the fantasy contest player's identity has been compromised.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.541b Data security of age and identity verification information.

Rule 541b. Details of the age and identity verification process must be maintained by the fantasy contest operator or licensed management company in a secure manner consistent with security standards generally accepted in the fantasy contest industry in the United States.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.541c Fantasy contest player account classification.

Rule 541c. Unless otherwise determined by the board, both of the following apply to the classification of fantasy contest player accounts:

(a) An account that can be used only to conduct games or activities other than fantasy contests, as that term is defined in section 2 of the act, MCL 432.502, is not considered a fantasy contest player account and is not subject to requirements of the act and these rules related to fantasy contest player accounts, except as otherwise determined by the board. This may include,

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but is not limited to, an account that can be used only to conduct games or activities that are similar to fantasy contests but that lack an entry fee.

(b) A fantasy contest operator or licensed management company may elect to delay classification of an account as a fantasy contest player account until such time as the individual account holder requests to make his or her first deposit or attempts to enter or participate in his or her first fantasy contest, whichever occurs first, subject to all of the following conditions:

(i) The point at which the account is classified as a fantasy contest player account is considered the point at which the fantasy contest player account is established or created for purposes of the act and these rules.

(ii) The fantasy contest operator or licensed management company must adopt commercially reasonable procedures and internal controls to ensure that all applicable requirements of the act and these rules are met before allowing the individual to make his or her first deposit or enter or participate in his or her first fantasy contest, whichever occurs first. This includes, but is not limited to, commercially reasonable procedures and internal controls designed to ensure all of the following:

(A) A person that is prohibited from establishing a fantasy contest player account under the act and these rules is prevented from establishing a fantasy contest player account, from making a deposit, and from entering or participating in a fantasy contest. This includes, but is not limited to, a person prohibited from establishing a fantasy contest player account under R 432.532a to R 432.532g.

(B) A person is prevented from entering or participating in any fantasy contest the person is prohibited from entering or participating in under the act and these rules, including, but not limited to, R 432.532a to R 432.532g.

(C) An individual is limited to a single, non-transferrable, and unique fantasy contest player account in accordance with R 432.541.

(D) An individual's age and identity are verified in accordance with R 432.541a before the individual is allowed to create a fantasy contest player account.

(E) An individual agrees to the terms and conditions established under R 432.542 before establishing a fantasy contest player account.

(F) Compliance with all requirements of R 432.544.

(G) A fantasy contest player is prevented from transferring funds from his or her fantasy contest player account to an account that is not classified as a fantasy contest player account under this subrule, whether the account is held by the fantasy contest player or another individual.

(iii) An account must be classified as a fantasy contest player account and must meet applicable requirements of the act and these rules before it can be used to enter or participate in any tournament, bonus, or promotion involving fantasy contests.

(iv) Once an account is classified as a fantasy contest player account, it must remain classified as a fantasy contest player account.

(v) The fantasy contest operator or licensed management company must meet any other conditions considered appropriate by the board.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.542 Terms and conditions for fantasy contest player accounts.

Rule 542. (1) All terms and conditions for fantasy contest player accounts must be included in the procedures and internal controls of the fantasy contest operator or licensed management company and must address all aspects of fantasy contests including, but not limited to, all of the following:

(a) Name of the party or parties with whom the individual is entering into a contractual relationship, including any fantasy contest operator or licensed management company.

(b) Individual's consent to have the fantasy contest operator or licensed management company confirm the individual's age and identity.

(c) Rules and obligations applicable to the fantasy contest player, including, but not limited to, all of the following:

(i) Prohibition from allowing any other individual to access or use his or her fantasy contest player account.

(ii) Prohibition from submitting a fantasy contest entry on behalf of any other person.

(iii) Consent to the jurisdiction of this state to resolve any disputes arising out of fantasy contest activity conducted under the act and these rules.

(iv) Prohibition against the use of scripts other than authorized scripts.

(v) Prohibition against the use of proxy servers or any other software or technology to misrepresent his or her identity or location in order to enter or participate in fantasy contests.

(vi) Prohibition against establishing or seeking to establish more than 1 username or more than 1 fantasy contest player account, whether directly or by use of another person as a proxy, including notice that all excess accounts of an individual who violates this condition will be terminated.

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- (d) Full explanation of all service and other transaction-related charges imposed upon a fantasy contest player related to fantasy contests.
 - (e) Availability of a fantasy contest player account statement and a fantasy contest player's playing history.
 - (f) Privacy policies, including information access.
 - (g) Legal age policy, including a statement that fantasy contest players are prohibited from facilitating an individual under the age of 18 to enter or participate in fantasy contests.
 - (h) Full explanation of all rules applicable to dormant fantasy contest player accounts.
 - (i) Fantasy contest player's right to irrevocably restrict his or her ability to enter or participate in fantasy contests and to select the length of time the restriction will be in effect in accordance with R 432.532d.
 - (j) Fantasy contest player's right to enable any other notifications or self-imposed limits available under the fantasy contest operator's or licensed management company's self-restriction program operated pursuant to R 432.532d, if applicable.
 - (k) Fantasy contest player's right to suspend his or her fantasy contest player account for a period of no less than 72 hours.
 - (l) Actions that will be taken if a fantasy contest player becomes disconnected from the fantasy contest platform during fantasy contest play.
 - (m) Notice that a malfunction voids all erroneous or incorrect prizes and awards.
 - (n) Estimated time period for withdrawal of funds from a fantasy contest player account.
 - (2) If the fantasy contest player account terms and conditions are changed, the fantasy contest operator or licensed management company shall require the fantasy contest player to acknowledge acceptance of the change. Unless otherwise authorized by the board, the fantasy contest player's acknowledgement must be date and time stamped.
- History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.543 Fantasy contest player protections.

Rule 543. A fantasy contest operator or licensed management company must provide a fantasy contest player protection page that must be readily accessible to each fantasy contest player. The fantasy contest player protection page must be accessible to a fantasy contest player throughout a fantasy contest player session. The fantasy contest player protection page must contain, at a minimum, all of the following:

- (a) Method for changing or retrieving a password or other access security feature and the ability to choose strong authentication login protection.
- (b) Method for filing a complaint with the fantasy contest operator or licensed management company in accordance with R 432.535.
- (c) Method for obtaining a copy of the fantasy contest terms and conditions agreed to when establishing a fantasy contest player account.
- (d) Method for the fantasy contest player to obtain his or her account history and playing history.
- (e) Notification that underage entry or participation in fantasy contests is prohibited and that anyone who facilitates an individual under the age of 18 to enter or participate in a fantasy contest will be subject to action in accordance with R 432.532h.
- (f) Notification that the fantasy contest player is responsible for configuring the auto-lock feature of his or her computer or other device to protect the computer or other device from unauthorized use.
- (g) Notification that a fantasy contest player is prohibited from allowing any other person to access or use his or her fantasy contest player account.
- (h) Notification that a fantasy contest player is prohibited from submitting a fantasy contest entry on behalf of any other person.
- (i) Information about the fantasy contest operator's or licensed management company's self-restriction program operated pursuant to R 432.532d, including, but not limited to, the following:
 - (i) Information about potential risks associated with excessive entry or participation in fantasy contests and where to seek assistance for compulsive gaming behavior.
 - (ii) The method for a fantasy contests player or other individual to irrevocably restrict his or her ability to enter or participate in fantasy contests and to select the length of time the restriction will be in effect.
 - (iii) Information about any other notifications or self-imposed limits available under the fantasy contest operator's or licensed management company's self-restriction program, if applicable, including information on how to invoke those notifications or self-imposed limits.
- (j) Mechanisms in place for a fantasy contest player to detect unauthorized use of his or her fantasy contest player account, such as the fantasy contest player reviewing credit card statements against known deposits.
- (k) Other fantasy contest player protections prescribed by the board.

History: 2023 MR 20, Eff. Oct. 11, 2023.

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R 432.544 Fantasy contest player account requirements.

Rule 544. To establish a fantasy contest player account, a fantasy contest operator or licensed management company must do all of the following:

- (a) Create an electronic fantasy contest player file that must include, but is not limited to, all of the following:
 - (i) The fantasy contest player's legal name.
 - (ii) The fantasy contest player's date of birth.
 - (iii) The fantasy contest player's fantasy contest account number or username.
 - (iv) The fantasy contest player's residential address. A post office box is not acceptable.
 - (v) The fantasy contest player's email address.
 - (vi) The method and process used to verify the fantasy contest player's age and identity, including sufficient records to demonstrate that age and identity verification was performed in accordance with applicable requirements of the act and these rules.
 - (vii) The date of verification of the fantasy contest player's age and identity.
- (b) Encrypt all of the following information maintained electronically by the fantasy contest operator or licensed management company:
 - (i) If collected and maintained, any portion of the fantasy contest player's Social Security number or equivalent identification number for a noncitizen fantasy contest player, such as a passport or taxpayer identification number.
 - (ii) The fantasy contest player's password or other access security feature.
 - (iii) The fantasy contest player's personal or financial information.
- (c) Verify the fantasy contest player's age and identity in accordance with R 432.541a.
- (d) Require the fantasy contest player to establish a password or other access security feature and advise the fantasy contest player to utilize strong authentication login protection.
- (e) Record the fantasy contest player's acceptance of the terms and conditions for the fantasy contest player account adopted under R 432.542. Unless otherwise authorized by the board, the fantasy contest player's acceptance must be date and time stamped.
- (f) Record the fantasy contest player's certification that the information provided to the fantasy contest operator or licensed management company is accurate.
- (g) Record the fantasy contest player's acknowledgment that the legal age to enter or participate in a fantasy contest is 18, that he or she is prohibited from allowing any other person to access or use his or her fantasy contest player account, and that he or she is prohibited from submitting a fantasy contest entry on behalf of any other person.
- (h) Notify the fantasy contest player of the establishment of the fantasy contest player account via electronic mail.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.544a Fantasy contest player account funding.

Rule 544a. A fantasy contest player's fantasy contest player account may be funded through the use of any of the following:

- (a) A fantasy contest player's credit or debit card.
- (b) A fantasy contest player's deposit of cash or cash equivalents at a physical location at which a fantasy contest operator or licensed management company accepts deposits directly or at which a third-party payment processor accepts deposits on behalf of a fantasy contest operator or licensed management company. Procedures governing transactions conducted at the physical location must be addressed in the fantasy contest operator's or licensed management company's procedures and internal controls.
- (c) A fantasy contest player's reloadable prepaid card that is verified as being issued to the fantasy contest player and is non-transferable.
- (d) Promotional credit.
- (e) Prizes or awards.
- (f) Adjustments made by the fantasy contest operator or licensed management company with documented notification to the fantasy contest player.
- (g) Automated clearing house (ACH) deposit, provided that the fantasy contest operator or licensed management company has implemented security measures and procedures and internal controls to prevent ACH fraud regarding failed ACH deposits.
- (h) Wire transfer.
- (i) A fantasy contest operator's or licensed management company's issuance of credit to a fantasy contest player. Procedures for the issuance of credit must be addressed in the fantasy contest operator's or licensed management company's procedures and internal controls.
- (j) Any other means approved by the board.

History: 2023 MR 20, Eff. Oct. 11, 2023.

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R 432.544b Failed ACH deposits.

Rule 544b. A fantasy contest operator or licensed management company must implement commercially reasonable procedures and internal controls to address failed ACH deposits, subject to both of the following conditions:

- (a) A failed ACH deposit attempt is not considered fraudulent if the fantasy contest player has successfully deposited funds via an ACH transfer on a previous occasion with no outstanding chargebacks.
- (b) A fantasy contest operator or licensed management company must investigate any failed ACH deposit the fantasy contest operator or licensed management company considers potentially fraudulent. If a failed ACH deposit is deemed fraudulent, the fantasy contest operator or licensed management company must immediately suspend the fantasy contest player account in accordance with R 432.548.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.544c Transfer of funds prohibited.

Rule 544c. A fantasy contest operator or licensed management company must not allow a fantasy contest player to transfer funds from his or her fantasy contest player account to any other fantasy contest player account or other wagering account belonging to another fantasy contest player or individual.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.544d Fantasy contest player account withdrawal.

Rule 544d. (1) A fantasy contest player must be allowed to withdraw the funds maintained in his or her fantasy contest player account, whether the account is open or closed, except as otherwise provided in these rules or any applicable state or federal law.

- (2) A fantasy contest operator or licensed management company must honor the fantasy contest player's request to withdraw funds within 10 business days after the request, unless the conditions set forth in subrule (3) of this rule are met.

(3) The fantasy contest operator or licensed management company may decline to honor a fantasy contest player's request to withdraw funds only if the fantasy contest operator or licensed management company believes in good faith that the fantasy contest player engaged in either fraudulent conduct or other conduct that would put the fantasy contest operator or licensed management company in violation of the act and these rules or any other applicable state or federal law. In such cases, the fantasy contest operator or licensed management company must do all of the following:

- (a) Provide notice to the fantasy contest player of the nature of the investigation of the fantasy contest player account.
- (b) Conduct its investigation in a reasonable and expedient fashion, providing the fantasy contest player additional written notice of the status of the investigation every tenth business day starting from the day the original notice was provided to the fantasy contest player.
- (4) For purposes of this rule, a request for withdrawal is considered honored if it is processed by the fantasy contest operator or licensed management company notwithstanding a delay by a payment processor, credit card issuer, or the custodian of a financial account.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.544e Fantasy contest player account review requirements.

Rule 544e. All adjustments to fantasy contest player accounts for amounts of \$500.00 or less must be periodically reviewed by supervisory personnel as set forth in the fantasy contest operator's or licensed management company's procedures and internal controls. All other adjustments must be authorized by supervisory personnel before being entered.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.545 Fantasy contest player account and playing history.

Rule 545. (1) A fantasy contest operator or licensed management company shall provide a fantasy contest player access to the fantasy contest player's playing history that must include, but is not limited to, a summary of entry fees expended, fantasy contests played, previous lineups, and prizes awarded.

- (2) A fantasy contest platform must provide an account statement with fantasy contest player account details to a fantasy contest player on demand, which must include detailed account activity for at least 6 months. In addition, a fantasy contest platform must, upon request, be capable of providing a summary statement of fantasy contest player account activity for at least the past 2 years.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.546 Fantasy contest player account closure.

Rule 546. A fantasy contest operator or licensed management company must provide a conspicuous and readily accessible method for a fantasy contest player to close his or her fantasy contest player account through the account management page or

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a similar page or through the fantasy contest operator's or licensed management company's customer support team. Any balance remaining in a fantasy contest player account closed by a fantasy contest player must be refunded pursuant to the fantasy contest operator's or licensed management company's procedures and internal controls.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.547 Fantasy contest player dormant accounts.

Rule 547. A fantasy contest operator or licensed management company shall consider a fantasy contest player account to be dormant if the fantasy contest player has not logged into the fantasy contest player account for at least 3 years. A dormant fantasy contest player account must be closed by the fantasy contest operator or licensed management company. Any balance remaining in a dormant fantasy contest player account must be refunded or escheated in accordance with the fantasy contest operator's or licensed management company's procedures and internal controls.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.548 Suspension and restoration of fantasy contest player accounts.

Rule 548. (1) A fantasy contest operator or licensed management company must employ a mechanism that places a fantasy contest player account in a suspended mode under any of the following conditions:

- (a) When requested by the fantasy contest player for a specified period of time, which must not be less than 72 hours.
 - (b) When required by the board.
 - (c) Upon a determination that a fantasy contest player is a prohibited person.
 - (d) If the fantasy contest player has committed a violation of the act or these rules.
 - (e) When initiated by a fantasy contest operator or licensed management company that has evidence that indicates any of the following:
 - (i) Illegal or fraudulent activity.
 - (ii) A negative fantasy contest player account balance.
 - (iii) A violation of the fantasy contest player account terms and conditions on the fantasy contest player account.
- (2) When a fantasy contest player account is in a suspended mode, the fantasy contest platform must do all of the following:
- (a) Prevent the fantasy contest player from entering or participating in fantasy contests or paying any entry fee.
 - (b) Prevent the fantasy contest player from depositing funds unless the account is suspended due to having a negative fantasy contest player account balance but only to the extent the fantasy contest player account balance is brought back to zero dollars.
 - (c) Prevent the fantasy contest player from withdrawing funds from his or her suspended account, unless the suspended mode was initiated by the fantasy contest player.
 - (d) Prevent the fantasy contest player from making changes to his or her fantasy contest player account.
 - (e) Prevent the removal of the fantasy contest player account from the fantasy contest platform.
 - (f) Prominently display to the fantasy contest player that the fantasy contest player account is in a suspended mode, the restrictions placed on the fantasy contest player account, and any further course of action needed to remove the suspended mode.
- (3) A suspended account may be restored for any of the following reasons:
- (a) Upon expiration of the time period established by the fantasy contest player.
 - (b) If authorized by the board.
 - (c) When the fantasy contest player is no longer a prohibited person.
 - (d) When the fantasy contest operator or licensed management company has lifted the suspended status.

History: 2023 MR 20, Eff. Oct. 11, 2023.

PART 5. PROCEDURES AND INTERNAL CONTROLS; AUDIT

R 432.551 Fantasy contest operator and licensed management company procedures and internal controls.

Rule 551. (1) A fantasy contest operator and any licensed management company that manages day-to-day fantasy contest operations of the fantasy contest operator must submit to, and receive approval from, the board commercially reasonable procedures and internal controls intended to accomplish all of the following:

- (a) Ensure compliance with R 432.532h, including, but not limited to, procedures designed to do both of the following:
 - (i) Prevent a person from establishing a fantasy contest player account if the person is prohibited from establishing a fantasy contest player account under R 432.532a to R 432.532g.

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- (ii) Prevent a person from entering or participating in any fantasy contest the person is prohibited from entering or participating in under R 432.532a to R 432.532g, or from entering or participating in a fantasy contest in any other manner in violation of R 432.532a to R 432.532g.
- (b) Prevent the owners, directors, officers, employees, agents, contractors, and third-party providers of the fantasy contest operator or licensed management company from sharing protected information with third parties unless the protected information is otherwise made publicly available in accordance with R 432.532g. The procedures must include the means by which a fantasy contest operator or licensed management company shall provide notice to a fantasy contest player related to the sharing of protected information that includes the fantasy contest player's personal identifiable information.
- (c) Establish the maximum number of entries a single fantasy contest player may enter in each fantasy contest and take reasonable steps to prevent fantasy contest players from submitting more than the allowable number of entries in accordance with R 432.532(3).
- (d) Ensure compliance with R 432.532a addressing beginning and highly experienced players including, but not limited to, procedures to do all of the following:
 - (i) Identify each highly experienced player by a symbol attached to the highly experienced player's username.
 - (ii) Offer some fantasy contests that are open only to beginning players.
- (iii) Offer some fantasy contests that are open only to players other than highly experienced players.
- (e) Ensure compliance with R 432.535a addressing fantasy contest player funds.
- (f) Ensure compliance with the applicable state and federal requirements and these rules to protect the privacy and online security of a fantasy contest player and the fantasy contest player's account, including procedures to prevent any withdrawal from the fantasy contest player's account that is not authorized by the fantasy contest player.
- (g) Ensure the security of personal identifiable information and financial information of a fantasy contest player, funds in a fantasy contest player account, and other information as required by the board. The procedures must include the means by which a fantasy contest operator or licensed management company will provide notice to a fantasy contest player related to the sharing of personal identifiable information.
- (h) Identify and report fraud, unusual activity, and suspicious conduct and ensure compliance with R 432.534a.
- (i) Ensure compliance with all provisions of 31 USC 5311 to 5336, commonly referred to as the bank secrecy act, that are applicable to the fantasy contest operator's or licensed management company's fantasy contest operations as required under R 432.534.
- (j) Ensure access to the fantasy contest platform and assets are properly restricted from unauthorized access.
- (k) Ensure promotional funds for fantasy contests are properly authorized and approved.
- (l) Ensure tournaments, bonuses, and promotions are conducted in accordance with R 432.537.
- (m) Ensure all advertisements are conducted in accordance with the act and these rules, including R 432.533.
- (n) Ensure compliance with all requirements of the act and these rules related to fantasy contest player accounts including, but not limited to, all of the following:
 - (i) Procedures for the creation, suspension, and closing of fantasy contest player accounts.
 - (ii) Procedures for the handling of dormant accounts.
 - (iii) Procedures to ensure the fantasy contest operator or licensed management company completes, within 10 business days of the fantasy contest player's request, all of the following:
 - (A) Deposit of cash or cash equivalent prizes or awards into the fantasy contest player account.
 - (B) Fund withdrawal request from a fantasy contest player account in accordance with R 432.544d.
 - (C) Closing of a fantasy contest player account.
 - (iv) Procedures to ensure compliance with all other fantasy contest player account requirements contained in parts 3 and 4 of these rules.
- (o) Ensure the security, operation, and maintenance of a fantasy contest platform and other equipment used to conduct fantasy contests.
- (p) Ensure that the fantasy contest platform meets or exceeds current standards generally accepted in the fantasy contest industry in the United States and fantasy contest platform requirements contained in these rules.
- (q) Ensure the geolocation system functions in accordance with R 432.539.
- (r) Detect and prevent the misuse of proxy servers and ensure compliance with R 432.532f.
- (s) Ensure the proper recording of fantasy contest adjusted revenues and payment of taxes required under the act.
- (t) Ensure the accurate recordation of all fantasy contest transactions and reconciliation of account balances including fantasy contest adjusted revenues and fantasy contest player account balances.
- (u) Ensure unclaimed funds are processed in accordance with the uniform unclaimed property act, 1995 PA 29, MCL 567.221 to MCL 567.265.
- (v) Ensure security incidents and fantasy contest platform failure incidents are timely identified, responded to, and corrected. The following must be performed on each incident:

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- (i) Analysis and cause of the incident.
- (ii) Containment.
- (iii) Planning and implementation of corrective action to prevent recurrence.
- (iv) Recovery from and correction of the incident in a careful and controlled manner.
- (v) Communication with those affected by or involved with recovery from the incident.
- (vi) Reporting of the incident and corrective action to the board as follows:
 - (A) Any incident involving a breach of privacy or confidentiality or malicious intrusion of a fantasy contest platform, website, device, or other equipment used to conduct fantasy contests must be promptly reported to the board.
 - (B) Incidents other than those described in subparagraph (A) of this paragraph must be reported as directed by the board. This includes, but is not limited to, any failure, malfunction, or loss of service of a fantasy contest platform.
 - (w) Establish and operate a self-restriction program in accordance with R 432.532d.
 - (x) Ensure compliance with R 432.532 addressing the conduct of fantasy contests.
 - (y) Provide fantasy contest players with fantasy contest rules or terms in accordance with R 432.536.
 - (z) Identify authorized scripts, detect and prevent unauthorized scripts, and ensure compliance with R 432.532e.
 - (aa) Ensure that all third-party audits required under the act and these rules, including those required under R 432.554 and R 432.554a, are completed in accordance with the act and these rules.
 - (bb) Ensure all fantasy contest player complaints, including complaints that a violation of the act or these rules has occurred, are received, investigated, and responded to by the fantasy contest operator or licensed management company in a timely manner in accordance with R 432.535.
 - (cc) Ensure that monitoring, identification, investigation, correction, and reporting to the board is performed for any violations of the procedures and internal controls adopted pursuant to the act and these rules.
 - (dd) Ensure procedures are adopted, implemented, and maintained for establishing and using test accounts.
 - (ee) Otherwise ensure the integrity of fantasy contests.
- (2) To the extent a third party is involved in or provides any of the procedures and internal controls required in these rules, the fantasy contest operator's or licensed management company's procedures and internal controls must document the roles and responsibilities of the third party and must include procedures to evaluate the adequacy of and monitor compliance with the third party's procedures and internal controls.
- (3) A fantasy contest operator or licensed management company shall comply with the procedures and internal controls that are submitted to the board under these rules and are approved by the board or otherwise allowed to be implemented in accordance with these rules. If a fantasy contest operator or licensed management company fails to comply with any provision of its procedures and internal controls, the board may initiate a disciplinary action.
- (4) Unless otherwise determined by the board, all of the following provisions apply to technical adjustments and amendments to the procedures and internal controls:
 - (a) A fantasy contest operator or licensed management company must notify the board in advance of making any technical adjustment to its procedures and internal controls. The technical adjustment may be implemented immediately if it is not material and the procedures and internal controls continue to meet or exceed standards required by the act and these rules. If at any time the board determines that the technical adjustment is material, the fantasy contest operator or licensed management company must do either of the following:
 - (i) Submit the material technical adjustment to the board in accordance with subdivision (b) of this subrule. The fantasy contest operator or licensed management company must not implement the material technical adjustment until it is approved by the board under subdivision (b) of this subrule or allowed to be implemented under subdivision (c) of this subrule. If the material technical adjustment was previously implemented, the material technical adjustment may remain in effect during the pendency of the submission unless otherwise directed by the board.
 - (ii) Withdraw the material technical adjustment. If the material technical adjustment was previously implemented, the fantasy contest operator or licensed management company has 15 days to cease implementation.
 - (b) Except as otherwise provided in subdivision (c) of this subrule, all material technical adjustments and amendments to the procedures and internal controls must be submitted to and approved by the board, in writing, prior to implementation.
 - (c) If within 15 days, the board has not approved, denied, or otherwise provided written notice regarding a material technical adjustment or amendment to the procedures and internal controls, a fantasy contest operator or licensed management company may implement the material technical adjustment or amendment, as submitted, with the board retaining its authority to require further amendment, approval, or denial.
 - (d) If the board requests additional information, clarification, or revision of a proposed technical adjustment or amendment to the procedures and internal controls and the fantasy contest operator or licensed management company fails to satisfy the request within 30 days, the board may consider the proposed technical adjustment or amendment withdrawn. If the technical adjustment or amendment was previously implemented under subdivision (a) or (c) of this subrule at the time it is considered withdrawn, the fantasy contest operator or licensed management company has 15 days to cease implementation of

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the technical adjustment or amendment. If the fantasy contest operator or licensed management company subsequently wants to implement or seek board approval of the proposed technical adjustment or amendment, the fantasy contest operator or licensed management company must resubmit the notification or request.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.552 Emergency procedures.

Rule 552. (1) In the event of an emergency, a fantasy contest operator or licensed management company may temporarily amend its procedures and internal controls. The board must be notified that an emergency exists before temporarily amending the procedures and internal controls.

(2) A fantasy contest operator or licensed management company must submit the temporary emergency amendment of the procedures and internal controls to the board within 3 days of the amendment. The submission must include the detailed emergency procedures that were or will be implemented and the time period the emergency procedures were or will be temporarily in place. Any concerns the board has with the submission must be addressed by the fantasy contest operator or licensed management company.

(3) As soon as the circumstances necessitating the emergency amendment to the procedures and internal controls abate, the fantasy contest operator or licensed management company must resume compliance with the procedures and internal controls that were approved by the board or otherwise allowed to be implemented in accordance with these rules.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.553 Failure to comply with requirements.

Rule 553. If the board determines that the fantasy contest operator's or licensed management company's procedures and internal controls do not comply with the requirements of these rules or require improvement, then the board shall notify the fantasy contest operator or licensed management company in writing. Within 30 days after receiving the notification or as otherwise directed by the board, the fantasy contest operator or licensed management company must amend its written procedures and internal controls accordingly and must submit, for board approval, a copy of the written procedures and internal controls, as amended, and a description of any other remedial measure taken.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.554 Independent financial audit.

Rule 554. (1) By July 1 of each year, a fantasy contest operator and any licensed management company that manages day-to-day fantasy contest operations of the fantasy contest operator must contract with an independent certified public accountant to perform an independent audit, in accordance with generally accepted accounting principles, of the financial condition of the fantasy contest operator's and licensed management company's total operations for the previous fiscal year and assess the fantasy contest operator's and licensed management company's compliance with R 432.535a and section 14 of the act, MCL 432.514.

(2) A fantasy contest operator and any licensed management company that manages day-to-day fantasy contest operations of the fantasy contest operator must submit an audit engagement letter to the board at least 30 days before the commencement of the audit. The audit engagement letter must meet all of the following conditions, at a minimum:

(a) The scope of the audit must include, at a minimum, each area required under subrule (1) of this rule.

(b) The audit must be performed in accordance with generally accepted auditing standards or their equivalent as approved by the board.

(c) The audit must assess the fair presentation of fantasy contest adjusted revenues and payment of all required taxes and fees required under the act and these rules.

(d) The audit report must contain an opinion of the independent certified public accountant as to its fair presentation in accordance with generally accepted accounting principles.

(e) The audit must meet any other conditions considered appropriate by the board.

(3) A fantasy contest operator and any licensed management company that manages day-to-day fantasy contest operations of the fantasy contest operator must submit the audit results under this rule to the board not later than 180 days after the end of the fiscal year to which the audit results apply.

(4) A fantasy contest operator and any licensed management company that manages day-to-day fantasy contest operations of the fantasy contest operator is responsible for the cost of the audit.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.554a Independent compliance audit.

Rule 554a. (1) Each year, a fantasy contest operator and any licensed management company that manages day-to-day fantasy contest operations of the fantasy contest operator must contract with an independent testing laboratory or another professional

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service provider authorized by the board to assess the fantasy contest operator's and licensed management company's compliance with part 3 and part 4 of these rules, except for R 432.535a, and verify the integrity of the fantasy contest platform used by the fantasy contest operator and licensed management company to operate fantasy contests.

(2) A fantasy contest operator and any licensed management company that manages day-to-day fantasy contest operations of the fantasy contest operator must submit an audit engagement letter to the board at least 30 days before the commencement of the audit. The audit engagement letter must meet all of the following conditions, at a minimum:

- (a) The scope of the audit must include, at a minimum, each area required under subrule (1) of this rule.
- (b) The audit must be performed in accordance with attestation standards established by the American Institute of Certified Public Accountants or their equivalent as approved by the board.
- (c) The audit report must include a listing of all instances of non-compliance and an overall assessment of the integrity of the fantasy contest platform used to operate fantasy contests.
- (d) The audit must meet any other conditions considered appropriate by the board.

(3) A fantasy contest operator and any licensed management company that manages day-to-day fantasy contest operations of the fantasy contest operator must submit the audit results under this rule to the board by March 31 of each year.

(4) A fantasy contest operator and any licensed management company that manages day-to-day fantasy contest operations of the fantasy contest operator is responsible for the cost of the audit.

History: 2023 MR 20, Eff. Oct. 11, 2023.

R 432.555 Recordkeeping and retention.

Rule 555. (1) A fantasy contest operator or licensed management company must keep and maintain accurate, complete, and legible records of any books, records, or documents pertaining to, prepared in, or generated by the fantasy contest operator or licensed management company, including, but not limited to, all of the following:

- (a) Forms.
 - (b) Reports.
 - (c) Accounting records.
 - (d) Ledgers.
 - (e) Subsidiary records.
 - (f) Computer generated data.
 - (g) Internal audit records.
 - (h) Correspondence.
 - (i) Personnel records.
 - (j) Records of all transactions related to fantasy contest operations.
 - (k) Records required by the act, these rules, and the fantasy contest operator's or licensed management company's procedures and internal controls.
 - (l) Records supporting the calculation of fantasy contest adjusted revenues and the related taxes.
 - (m) Other records deemed necessary by the board.
- (2) A fantasy contest operator or licensed management company must provide access to fantasy contest platform related data as deemed necessary by the board and in a manner approved by the board.
- (3) A fantasy contest operator or licensed management company shall retain and maintain in a place secure from theft, loss, or destruction all of the records required to be maintained under the act and these rules for at least 3 years after the date of the record's creation.
- (4) A fantasy contest operator or licensed management company must make the records available to the board, upon request, within the timeframe requested by the board.
- (5) A fantasy contest operator or licensed management company shall organize all records under the act and these rules in a manner that enables the fantasy contest operator or licensed management company to provide the board with the records on request.

History: 2023 MR 20, Eff. Oct. 11, 2023.

DEPARTMENT OF TREASURY

MICHIGAN GAMING CONTROL BOARD

INTERNET GAMING RULES

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DEPARTMENT OF TREASURY

MICHIGAN GAMING CONTROL BOARD

INTERNET SPORTS BETTING RULES

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R 432.737
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R 432.737a
Source: 2020 AACS.

R 432.738
Source: 2020 AACS.

R 432.739
Source: 2020 AACS.

R 432.739a
Source: 2020 AACS.

PART 4. AUTHORIZED PARTICIPANT WAGERS

R 432.741
Source: 2020 AACS.

R 432.742
Source: 2020 AACS.

R 432.743
Source: 2020 AACS.

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R 432.744
Source: 2020 AACS.

R 432.745
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R 432.746
Source: 2020 AACS.

R 432.746a
Source: 2020 AACS.

R 432.747
Source: 2020 AACS.

R 432.748
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R 432.749
Source: 2020 AACS.

PART 5. INTERNET SPORTS BETTING ACCOUNTS

R 432.751
Source: 2020 AACS.

R 432.751a
Source: 2020 AACS.

R 432.751b
Source: 2020 AACS.

R 432.751c
Source: 2020 AACS.

R 432.752
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R 432.754
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R 432.755
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R 432.755a
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R 432.755b
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R 432.755c
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R 432.755d
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R 432.755e
Source: 2020 AACS.

R 432.756
Source: 2020 AACS.

R 432.757
Source: 2020 AACS.

R 432.758
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R 432.759
Source: 2020 AACS.

PART 6. AUDIT AND INTERNAL CONTROLS

R 432.761
Source: 2020 AACS.

R 432.762
Source: 2020 AACS.

R 432.763
Source: 2020 AACS.

R 432.763a
Source: 2020 AACS.

R 432.763b
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R 432.763c
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R 432.764
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R 432.765
Source: 2020 AACS.

R 432.765a
Source: 2020 AACS.

R 432.765b
Source: 2020 AACS.

R 432.766
Source: 2020 AACS.

R 432.767
Source: 2020 AACS.

R 432.768
Source: 2020 AACS.

PART 7. RESPONSIBLE GAMING; PROHBITED PERSON

R 432.771
Source: 2020 AACS.

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R 432.772
Source: 2020 AACS.

R 432.773
Source: 2020 AACS.

R 432.774
Source: 2020 AACS.

R 432.775
Source: 2020 AACS.

R 432.776
Source: 2020 AACS.

DEPARTMENT OF STATE

BUREAU OF ELECTIONS

CASINO INTEREST REGISTRATION

R 432.1001
Source: 1998-2000 AACS.

R 432.1002
Source: 1998-2000 AACS.

R 432.1003
Source: 1998-2000 AACS.

DEPARTMENT OF TREASURY

MICHIGAN GAMING CONTROL BOARD

CASINO GAMING

PART 1. DEFINITIONS

R 432.1101
Source: 2019 AACS.

R 432.1102
Source: 2019 AACS.

R 432.1103
Source: 2019 AACS.

R 432.1104
Source: 2019 AACS.

R 432.1105
Source: 2019 AACS.

R 432.1106
Source: 2019 AACS.

R 432.1107

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Source: 2019 AACS.

R 432.1108

Source: 2019 AACS.

R 432.1109

Source: 1998-2000 AACS.

PART 2. GENERAL PROVISIONS

R 432.1201

Source: 1998-2000 AACS.

R 432.1202

Source: 1998-2000 AACS.

R 432.1203

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R 432.1204

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Source: 1998-2000 AACS.

R 432.1218

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R 432.1231

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R 432.1232

Source: 1998-2000 AACS.

PART 3. LICENSES

R 432.1301

Source: 1998-2000 AACS.

R 432.1302

Source: 2019 AACS.

R 432.1303

Source: 2019 AACS.

R 432.1304

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Source: 2019 AACCS.

R 432.1305

Source: 1998-2000 AACCS.

R 432.1306

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R 432.1324
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R 432.1339
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R 432.1340
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R 432.1341
Source: 2019 AACS.

PART 4. PUBLIC OFFERING OF DEBT OR EQUITY FOR MICHIGAN CASINOS

R 432.1401
Source: 2008 AACS.

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R 432.1402
Source: 2019 AACS.

R 432.1403
Source: 2008 AACS.

R 432.1404
Source: 2008 AACS.

R 432.1405
Source: 2019 AACS.

R 432.1406
Source: 2019 AACS.

R 432.1407
Source: 2008 AACS.

PART 5. TRANSFER OF OWNERSHIP

R 432.1501
Source: 2019 AACS.

R 432.1502
Source: 1998-2000 AACS.

R 432.1503
Source: 1998-2000 AACS.

R 432.1504
Source: 2019 AACS.

R 432.1505
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R 432.1506
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R 432.1507
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R 432.1508
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R 432.1509
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R 432.1510
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R 432.1511
Source: 2019 AACS.

PART 6. EXCLUSION OF PERSONS

R 432.1601
Source: 1998-2000 AACS.

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R 432.1602
Source: 1998-2000 AACS.

R 432.1603
Source: 1998-2000 AACS.

R 432.1604
Source: 1998-2000 AACS.

R 432.1605
Source: 1998-2000 AACS.

PART 7. DENIAL AND EXCLUSION HEARINGS

R 432.1701
Source: 2019 AACS.

R 432.1702
Source: 2019 AACS.

R 432.1703
Source: 1998-2000 AACS.

R 432.1704
Source: 2019 AACS.

R 432.1705
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R 432.1706
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R 432.1707 C
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R 432.1712
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R 432.1713
Source: 2019 AACS.

R 432.1714
Source: 2008 AACS.

R 432.1715
Source: 2019 AACS.

PART 8. CONDUCT OF GAMING/GAMING EQUIPMENT

R 432.1801
Source: 1998-2000 AACS.

R 432.1802
Source: 1998-2000 AACS.

R 432.1803
Source: 2019 AACS.

R 432.1804
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- R 432.1820**
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- R 432.1821**
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- R 432.1822**
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- R 432.1838**
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R 432.1839
Source: 2019 AACS.

R 432.1840
Source: 2019 AACS.

R 432.1841
Source: 2019 AACS.

R 432.1842
Source: 2019 AACS.

R 432.1843
Source: 2019 AACS.

PART 9. INTERNAL CONTROL PROCEDURES

R 432.1901
Source: 1998-2000 AACS.

R 432.1902
Source: 1998-2000 AACS.

R 432.1903
Source: 2019 AACS.

R 432.1904
Source: 2019 AACS.

R 432.1905
Source: 2019 AACS.

R 432.1906
Source: 1998-2000 AACS.

R 432.1907
Source: 2008 AACS.

PART 10. SECURITY AND SURVEILLANCE

R 432.11001
Source: 2019 AACS.

R 432.11002
Source: 2019 AACS.

R 432.11003
Source: 2019 AACS.

R 432.11004
Source: 2019 AACS.

R 432.11005
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R 432.11006
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R 432.11007
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R 432.11008
Source: 2019 AACS.

R 432.11009
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R 432.11010
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R 432.11011
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R 432.11012
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R 432.11013
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R 432.11014
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R 432.11015
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R 432.11016
Source: 2019 AACS.

R 432.11017
Source: 2019 AACS.

R 432.11018
Source: 2019 AACS.

PART 11. SEIZURE, FORFEITURE AND DISCIPLINARY HEARINGS

R 432.11101
Source: 1998-2000 AACS.

R 432.11102
Source: 1998-2000 AACS.

R 432.11103
Source: 1998-2000 AACS.

R 432.11104
Source: 1998-2000 AACS.

R 432.11105
Source: 1998-2000 AACS.

R 432.11106
Source: 1998-2000 AACS.

R 432.11107
Source: 1998-2000 AACS.

R 432.11108

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Source: 1998-2000 AACs.

R 432.11109

Source: 1998-2000 AACs.

PART 12. ACCOUNTING RECORDS AND PROCEDURES

R 432.11201

Source: 1998-2000 AACs.

R 432.11202

Source: 2019 AACs.

R 432.11203

Source: 2019 AACs.

R 432.11204

Source: 1998-2000 AACs.

R 432.11205

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R 432.11206

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R 432.11207

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R 432.11208

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R 432.11209

Source: 1998-2000 AACs.

PART 13. CREDIT

R 432.11301

Source: 1998-2000 AACs.

R 432.11302

Source: 1998-2000 AACs.

R 432.11303

Source: 1998-2000 AACs.

R 432.11304

Source: 2019 AACs.

R 432.11305

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R 432.11306

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R 432.11307

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R 432.11308

Source: 2019 AACs.

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R 432.11309
Source: 2019 AACS.

R 432.11310
Source: 1998-2000 AACS.

R 432.11311
Source: 1998-2000 AACS.

R 432.11312
Source: 1998-2000 AACS.

PART 14. MOVEMENT OF GAMING EQUIPMENT

R 432.11401
Source: 2019 AACS.

R 432.11402
Source: 2019 AACS.

R 432.11403
Source: 1998-2000 AACS.

R 432.11404
Source: 2019 AACS.

R 432.11405
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R 432.11406
Source: 1998-2000 AACS.

PART 15. DISPUTE PROCEDURES

R 432.11501
Source: 2019 AACS.

R 432.11502
Source: 2019 AACS.

R 432.11503
Source: 2019 AACS.

PART 16. DISASSOCIATED PERSONS

R 432.11601
Source: 2019 AACS.

R 432.11602
Source: 2019 AACS.

DEPARTMENT OF TREASURY

COMMISSIONER OF THE BUREAU OF STATE LOTTERY

CHARITABLE GAMING

R 432.21101

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Source: 2014 AACs.

R 432.21102

Source: 2014 AACs.

R 432.21103

Source: 1998-2000 AACs.

R 432.21104

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R 432.21105

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R 432.21106

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R 432.21107

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R 432.21108

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R 432.21109

Source: 2014 AACs.

R 432.21110

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R 432.21111

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R 432.21112

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R 432.21113

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R 432.21199

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R 432.21201

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R 432.21202

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R 432.21206

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R 432.21207

Source: 1998-2000 AACS.

R 432.21208

Source: 2014 AACS.

PART 3. BINGO

R 432.21301

Source: 2021 AACS.

R 432.21302

Source: 1998-2000 AACS.

R 432.21303

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Source: 2021 AACS.

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R 432.21336

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Source: 2007 AACs.

R 432.21401

Source: 2014 AACs.

R 432.21401a

Source: 2014 AACs.

R 432.21402

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R 432.21901
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R 432.21911
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R 432.22001
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R 432.22002

Annual Administrative Code Supplement
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Source: 1998-2000 AACS.

R 432.22003

Source: 2003 AACS.

R 432.22004

Source: 2021 AACS.

R 432.22005

Source: 2007 AACS.

R 432.22006

Source: 2007 AACS.

R 432.22007

Source: 2021 AACS.

R 432.22008

Source: 2003 AACS.

**SPECIAL LICENSES FOR SALE OF ALCOHOLIC LIQUOR
AT RETAIL FOR CONSUMPTION ON PREMISES**

R 436.571

Source: 1998-2000 AACS.

R 436.572

Source: 1998-2000 AACS.

R 436.573

Source: 1998-2000 AACS.

R 436.574

Source: 1998-2000 AACS.

R 436.575

Source: 1998-2000 AACS.

R 436.578

Source: 1998-2000 AACS.

R 436.580

Source: 1998-2000 AACS.

R 436.581

Source: 1998-2000 AACS.

R 436.582

Source: 1998-2000 AACS.

GENERAL RULES

R 436.1001

Source: 2016 AACS.

R 436.1003

Source: 2016 AACS.

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- R 436.1005**
Source: 2011 AACS.
- R 436.1007**
Source: 1980 AACS.
- R 436.1009**
Source: 2011 AACS.
- R 436.1011**
Source: 2016 AACS.
- R 436.1012**
Source: 2016 AACS.
- R 436.1013**
Source: 1980 AACS.
- R 436.1015**
Source: 2016 AACS.
- R 436.1017**
Source: 2011 AACS.
- R 436.1019**
Source: 1980 AACS.
- R 436.1021**
Source: 1980 AACS.
- R 436.1023**
Source: 2016 AACS.
- R 436.1025**
Source: 2016 AACS.
- R 436.1027**
Source: 2016 AACS.
- R 436.1129**
Source: 2005 AACS.
- R 436.1031**
Source: 1980 AACS.
- R 436.1033**
Source: 2011 AACS.
- R 436.1035**
Source: 2016 AACS.
- R 436.1037**
Source: 2003 AACS.
- R 436.1039**
Source: 2016 AACS.

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R 436.1041
Source: 2016 AACS.

R 436.1043
Source: 2016 AACS.

R 436.1045
Source: 2016 AACS.

R 436.1047
Source: 2016 AACS.

R 436.1048
Source: 2016 AACS.

R 436.1049
Source: 2003 AACS.

R 436.1050
Source: 2016 AACS.

R 436.1051
Source: 2016 AACS.

R 436.1053
Source: 2016 AACS.

R 436.1055
Source: 1980 AACS.

R 436.1057
Source: 2004 AACS.

R 436.1059
Source: 2016 AACS.

R 436.1060
Source: 2003 AACS.

R 436.1061
Source: 1980 AACS.

R 436.1062
Source: 2016 AACS.

R 436.1063
Source: 1980 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

LIQUOR CONTROL COMMISSION

LICENSING QUALIFICATIONS

R 436.1101

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Source: 1997 AACs.

R 436.1103

Source: 1979 AC.

R 436.1105

Source: 2004 AACs.

R 436.1107

Source: 2010 AACs.

R 436.1109

Source: 2004 AACs.

R 436.1110

Source: 2004 AACs.

R 436.1111

Source: 1979 AC.

R 436.1113

Source: 1998-2000 AACs.

R 436.1115

Source: 1998-2000 AACs.

R 436.1117

Source: 2017 AACs.

R 436.1119

Source: 1987 AACs.

R 436.1121

Source: 1998-2000 AACs.

R 436.1123

Source: 2004 AACs.

R 436.1125

Source: 1985 AACs.

R 436.1127

Source: 1979 AC.

R 436.1129

Source: 2004 AACs.

R 436.1131

Source: 1998-2000 AACs.

R 436.1133

Source: 2018 AACs.

R 436.1135

Source: 2004 AACs.

R 436.1137

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Source: 1979 AC.

R 436.1139

Source: 1979 AC.

R 436.1141

Source: 1979 AC.

R 436.1142

Source: 1990 AACS.

R 436.1143

Source: 2004 AACS.

R 436.1145

Source: 1979 AC.

R 436.1147

Source: 1979 AC.

R 436.1149

Source: 2004 AACS.

R 436.1151

Source: 1997 AACS.

SPECIAL PERMITS FOR HOSPITALS AND INSTITUTIONS

R 436.1251

Source: 1981 AACS.

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ADVERTISING

R 436.1301

Source: 1997 AACS.

R 436.1303

Source: 1979 AC.

R 436.1305

Source: 1979 AC.

R 436.1307

Source: 1979 AC.

R 436.1309

Source: 1989 AACS.

R 436.1311

Source: 2016 AACS.

R 436.1313

Annual Administrative Code Supplement
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Source: 1998-2000 AACS.

R 436.1315

Source: 1989 AACS.

R 436.1317

Source: 1992 AACS.

R 436.1319

Source: 2020 AACS.

R 436.1321

Source: 2014 AACS.

R 436.1323

Source: 1979 AC.

R 436.1325

Source: 1979 AC.

R 436.1327

Source: 1997 AACS.

R 436.1329

Source: 1994 AACS.

R 436.1331

Source: 1979 AC.

R 436.1333

Source: 1998-2000 AACS.

R 436.1335

Source: 2013 AACS.

R 436.1337

Source: 1997 AACS.

R 436.1339

Source: 1979 AC.

ON-PREMISES LICENSES

R 436.1401

Source: 1980 AACS.

R 436.1403

Source: 1980 AACS.

R 436.1405

Source: 1998-2000 AACS.

R 436.1407

Source: 1998-2000 AACS.

R 436.1409

Source: 2009 AACS.

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R 436.1411
Source: 2009 AACS.

R 436.1413
Source: 1980 AACS.

R 436.1415
Source: 1980 AACS.

R 436.1417
Source: 1980 AACS.

R 436.1419
Source: 1998-2000 AACS.

R 436.1421
Source: 1980 AACS.

R 436.1423
Source: 1980 AACS.

R 436.1425
Source: 2012 AACS.

R 436.1427
Source: 1980 AACS.

R 436.1429
Source: 1998-2000 AACS.

R 436.1431
Source: 1980 AACS.

R 436.1433
Source: 1980 AACS.

R 436.1435
Source: 1998-2000 AACS.

R 436.1437
Source: 1998-2000 AACS.

R 436.1438
Source: 1985 AACS.

OFF-PREMISES LICENSES

R 436.1501
Source: 1980 AACS.

R 436.1503
Source: 1981 AACS.

R 436.1505
Source: 2003 AACS.

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- R 436.1507**
Source: 1980 AACS.
- R 436.1509**
Source: 1998-2000 AACS.
- R 436.1511**
Source: 1998-2000 AACS.
- R 436.1513**
Source: 1980 AACS.
- R 436.1515**
Source: 1980 AACS.
- R 436.1517**
Source: 1980 AACS.
- R 436.1519**
Source: 1980 AACS.
- R 436.1521**
Source: 1980 AACS.
- R 436.1523**
Source: 1998-2000 AACS.
- R 436.1525**
Source: 1980 AACS.
- R 436.1527**
Source: 2001 AACS.
- R 436.1529**
Source: 1980 AACS.
- R 436.1531**
Source: 1998-2000 AACS.
- R 436.1533**
Source: 2010 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

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BEER

- R 436.1601**
Source: 2017 AACS.
- R 436.1603**
Source: 1997 AACS.
- R 436.1605**
Source: 2017 AACS.
- R 436.1607**
Source: 2017 AACS.

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- R 436.1609**
Source: 2017 AACS.
- R 436.1611**
Source: 2017 AACS.
- R 436.1613**
Source: 2017 AACS.
- R 436.1615**
Source: 2017 AACS.
- R 436.1617**
Source: 2017 AACS.
- R 436.1621**
Source: 2017 AACS.
- R 436.1623**
Source: 1997 AACS.
- R 436.1625**
Source: 2022 AACS.
- R 436.1627**
Source: 1979 AC.
- R 436.1629**
Source: 2010 AACS.
- R 436.1631**
Source: 2017 AACS.
- R 436.1632**
Source: 1989 AACS.
- R 436.1633**
Source: 1979 AC.
- R 436.1635**
Source: 1989 AACS.
- R 436.1641**
Source: 2017 AACS.
- R 436.1643**
Source: 1997 AACS.
- R 436.1645**
Source: 1979 AC.
- R 436.1651**
Source: 1998-2000 AACS.
- R 436.1659**
Source: 1979 AC.

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WINES

R 436.1701
Source: 2017 AACS.

R 436.1702
Source: 2017 AACS.

R 436.1703
Source: 2017 AACS.

R 436.1704
Source: 2017 AACS.

R 436.1705
Source: 2017 AACS.

R 436.1707
Source: 1979 AC.

R 436.1708
Source: 2017 AACS.

R 436.1711
Source: 1979 AC.

R 436.1712
Source: 2017 AACS.

R 436.1714
Source: 1998-2000 AACS.

R 436.1716
Source: 1979 AC.

R 436.1717
Source: 1998-2000 AACS.

R 436.1719
Source: 2017 AACS.

R 436.1720
Source: 2017 AACS.

R 436.1721
Source: 1979 AC.

R 436.1722
Source: 1980 AACS.

R 436.1723
Source: 1997 AACS.

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R 436.1723a
Source: 1989 AACS.

R 436.1724
Source: 1979 AC.

R 436.1725
Source: 2017 AACS.

R 436.1726
Source: 2022 AACS.

R 436.1727
Source: 1979 AC.

R 436.1728
Source: 1979 AC.

R 436.1731
Source: 1998-2000 AACS.

R 436.1735
Source: 2017 AACS.

R 436.1749
Source: 1979 AC.

SPIRITS

R 436.1801
Source: 1979 AC.

R 436.1802
Source: 1998-2000 AACS.

R 436.1803
Source: 1979 AC.

R 436.1805
Source: 1979 AC.

R 436.1807
Source: 1979 AC.

R 436.1809
Source: 1979 AC.

R 436.1811
Source: 1979 AC.

R 436.1813
Source: 1979 AC.

R 436.1815
Source: 1979 AC.

R 436.1817
Source: 1979 AC.

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R 436.1819
Source: 1979 AC.

R 436.1821
Source: 1979 AC.

R 436.1823
Source: 1979 AC.

R 436.1825
Source: 2011 AACS.

R 436.1827
Source: 1998-2000 AACS.

R 436.1829
Source: 2011 AACS.

VENDOR REPRESENTATIVE AND SALESMEN

R 436.1851
Source: 1997 AACS.

R 436.1853
Source: 1998-2000 AACS.

R 436.1855
Source: 1979 AC.

R 436.1857
Source: 1979 AC.

R 436.1859
Source: 1998-2000 AACS.

R 436.1861
Source: 1985 AACS.

R 436.1863
Source: 1979 AC.

R 436.1865
Source: 2010 AACS.

R 436.1869
Source: 1979 AC.

HEARING AND APPEAL PRACTICE

R 436.1901
Source: 2004 AACS.

R 436.1903
Source: 1979 AC.

R 436.1905

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Source: 2004 AACs.

R 436.1907

Source: 2004 AACs.

R 436.1909

Source: 1988 AACs.

R 436.1910

Source: 2004 AACs.

R 436.1911

Source: 2004 AACs.

R 436.1913

Source: 2004 AACs.

R 436.1915

Source: 2004 AACs.

R 436.1917

Source: 2004 AACs.

R 436.1919

Source: 1979 AC.

R 436.1921

Source: 2004 AACs.

R 436.1923

Source: 2004 AACs.

R 436.1925

Source: 2004 AACs.

R 436.1927

Source: 1979 AC.

R 436.1929

Source: 1979 AC.

R 436.1931

Source: 2004 AACs.

R 436.1933

Source: 1979 AC.

R 436.1935

Source: 1979 AC.

R 436.1951

Source: 2003 AACs.

R 436.1953

Source: 2003 AACs.

R 436.1955

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Source: 2003 AACs.

R 436.1957

Source: 1979 AC.

R 436.1959

Source: 2003 AACs.

R 436.1961

Source: 1979 AC.

R 436.1963

Source: 2003 AACs.

DECLARATORY RULINGS

R 436.1971

Source: 1979 AC.

R 436.1973

Source: 1979 AC.

R 436.1975

Source: 1979 AC.

FINANCIAL RESPONSIBILITY

R 436.2001

Source: 2003 AACs.

R 436.2003

Source: 1988 AACs.

R 436.2005

Source: 1988 AACs.

R 436.2007

Source: 1988 AACs.

R 436.2009

Source: 1988 AACs.

R 436.2011

Source: 2003 AACs.

R 436.2013

Source: 1988 AACs.

R 436.2015

Source: 2003 AACs.

R 436.2017

Source: 2003 AACs.

R 436.2019

Source: 1988 AACs.

R 436.2021

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Source: 1988 AACS.

DEPARTMENT OF STATE
BUREAU OF DRIVER AND VEHICLE RECORDS
EXPEDITING REGULAR SEARCH PROCESS

R 440.1

Source: 2002 AACS.

R 440.2

Source: 2002 AACS.

R 440.3

Source: 2002 AACS.

R 440.4

Source: 2002 AACS.

R 440.5

Source: 2002 AACS.

R 440.6

Source: 2002 AACS.

DEPARTMENT OF STATE
OFFICE OF BUSINESS AND INTERNAL SERVICES
UNIFORM COMMERCIAL CODE FILING OFFICE

PART 1. GENERAL PROVISIONS

R 440.101

Source: 2002 AACS.

R 440.102 Definitions.

Rule 102. (1) As used in these rules:

- (a) “Amendment” as described in section 9512 of the UCC, MCL 440.9512, includes—assignments, continuations, and terminations.
- (b) “Assignment” means an amendment that purports to reflect an assignment of all or a part of a secured party's power to authorize an amendment to a financing statement.
- (c) “File number” means the unique identification number assigned to an initial financing statement by the filing officer to identify the initial financing statement and permanently associate the initial financing statement with all financing statements related to it in the UCC information management system. The filing number bears no relation to the time of filing and is not an indicator of priority.
- (d) “Filing office” and “filing officer” mean the UCC section of the office of secretary of state or its successor.
- (e) “Individual” means a human being, or a decedent in the case of a debtor that is the decedent’s estate.
- (f) “Information statement” means a record that indicates, under section 9518 of the UCC, MCL 440.9518, that a financing statement is inaccurate or wrongfully filed.
- (g) “Initial financing statement” means a financing statement containing the information required by section 9502 of the UCC, MCL 440.9502, which, when filed, creates the initial record in the UCC information management system.
- (h) “Remitter” means a person that tenders a financing statement to the filing officer for filing, whether the person is a filer or an agent of a filer responsible for tendering the record for filing. Remitter does not include a person responsible merely for the delivery of the financing statement to the filing office, such as the postal service or a courier service, but does include a service provider who acts as a filer’s representative in the filing process.

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- (i) "UCC" means the uniform commercial code, 1962 PA 174, MCL 440.1101 to 440.9994.
 - (j) "UCC information management system" means the information management system used by the filing officer to store, index, and retrieve information relating to financing statements.
 - (k) "Unique identification number" or "identification number" means a number that includes the year of filing expressed as the first 4 digits of a unique number assigned to the financing statement by the filing office and a 1-digit verification number, referred to as a check digit, assigned by the filing office, but mathematically derived from other numbers in the unique number.
- (2) A word or term defined in the UCC has the same meaning when used in these rules.
History: 2002 AACs; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.103 Financing statement delivery.

Rule 103. Financing statements may be tendered for filing at the office as follows:

- (a) By courier delivery at the filing office's street address.
 - (b) By postal service delivery to the filing office's mailing address.
 - (c) By electronic transmission to the filing office in a manner prescribed by the filing officer using a standard approved by the international association of commercial administrators and adopted by the filing office.
 - (d) By direct online or web page data entry transmission to the filing office in a manner prescribed by the filing officer.
 - (e) By email delivery to the filing office's email address.
- History: 2002 AACs; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.104 Search request delivery.

Rule 104. UCC search requests may be delivered to the filing office by any of the means by which financing statements may be delivered to the filing office.

History: 2002 AACs; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.105 Rescinded.

History: 2002 AACs; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.106 Methods of payment.

Rule 106. Filing fees and fees for public records services may be paid by the following methods:

- (a) Cash.
- (b) Checks. Personal checks, cashier's checks, and money orders must be made payable to the "State of Michigan".
- (c) Billing account.
- (d) The filing office shall accept payment via electronic funds transfer under national automated clearing house association (NACHA) rules from remitters that have entered into appropriate NACHA-approved arrangements for the transfers and that authorize the relevant transfer pursuant to such arrangements and rules.
- (e) Debit and credit card. The filing office shall accept payment via Visa, Mastercard, Discover, and American Express credit and debit cards.

History: 2002 AACs; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.107

Source: 2002 AACs.

PART 2. ACCEPTANCE AND REFUSAL OF DOCUMENTS

R 440.201 Duty to file.

Rule 201. If there is no ground to refuse acceptance of the document under sections 9516(2) or 9520(5) of the UCC, MCL 440.9516 and 440.9520, then a financing statement is filed on its receipt by the filing officer with the filing fee and the filing officer shall promptly assign a file number to the financing statement and index it in the information management system.

History: 2002 AACs; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.202 Rescinded.

History: 2002 AACs; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.203 Grounds not warranting refusal.

R 203. (1) The only grounds for the filing officer's refusal to accept a financing statement for filing are enumerated in sections

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9516(2) and 9520(5) of the UCC, MCL 440.9516 and 440.9520.

(2) The following are examples of defects that do not constitute grounds for refusal to accept a document:

- (a) The financing statement contains or appears to contain a misspelling or other apparently erroneous information.
 - (b) The financing statement appears to identify a debtor incorrectly.
 - (c) The financing statement appears to identify a secured party or a secured party of record incorrectly.
 - (d) The financing statement contains additional or extraneous information of any kind.
 - (e) The financing statement does not contain all the information required by article 9 of the UCC, MCL 440.9101 to 440.9994, if the document contains the information required in section 9516(2) of the UCC, MCL 440.9516.
 - (f) The financing statement incorrectly identifies collateral, contains an illegible or unintelligible description of collateral, or does not appear to contain a description of collateral.
 - (g) The document is accompanied by money in excess of the full filing fee.
- (3) The examples enumerated in subrule (2) of this rule are not a comprehensive enumeration of defects outside the scope of grounds for refusal to accept a financing statement for filing.

History: 2002 AACS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.204 Procedure on refusal.

R 204. If the filing officer finds grounds under sections 9516(2) or 9520(5) of the UCC, MCL 440.9516 and 440.9520, to refuse acceptance of a financing statement, the filing officer shall return the document, if written, to the remitter and refund the filing fee on request. The filing officer shall send a notice that contains the date and time the document would have been filed had it been accepted for filing, unless the date and time are stamped on the document, and a brief description of the reason for refusal to accept the document under sections 9516(2) or 9520(5) of the UCC, MCL 440.9516 and 440.9520. The notice must be sent to a secured party or the remitter, as provided in R 440.402(3), not later than the second business day after the filing office receives the document. The refund may be delivered with the notice or under separate cover.

History: 2002 AACS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.205

Source: 2002 AACS.

R 440.206

Source: 2002 AACS.

R 440.207 Refusal errors.

Rule 207. If a secured party or a remitter demonstrates to the satisfaction of the filing officer that a financing statement that was refused for filing should not have been refused under sections 9516(2) or 9520(5) of the UCC, MCL 440.9516 and 440.9520, the filing officer shall file the financing statement as provided in these rules, reflecting a filing date and time when filing should have occurred. The filing officer shall also file a filing officer statement stating that the effective date and time of filing is the date and time the financing statement was originally tendered for filing, and set forth the date and time.

History: 2002 AACS; 2023 MR 22, Eff. Nov. 16, 2023.

PART 3. UCC INFORMATION MANAGEMENT SYSTEM

R 440.301

Source: 2002 AACS.

R 440.302 Names of individuals.

Rule 302. The following provisions apply to the name of an individual who, or whose estate, is a debtor or a secured party on a financing statement:

- (a) Separate data entry fields are established for first personal name, additional name or names or initial or initials, and surnames of individuals. The filing officer assumes no responsibility for the accurate designation of the names, but shall accurately enter the data in accordance with the filer's designations, as required by R 440.407(2)(b).
- (b) Titles and prefixes, such as "doctor," "reverend," "Mr.," and "Ms.," should not be provided by filers in financing statements. However, as provided in R 440.407, if a financing statement is submitted with designated name fields, the data must be entered in the UCC information management system exactly as it appears.
- (c) Titles and suffixes or indications of status, such as "M.D." and "esquire," are not part of an individual's name and should not be provided by filers in financing statements. However, as provided in R 440.407, if a financing statement is submitted

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with designated name fields, the data must be entered in the UCC information management system exactly as it appears.

(d) Suffixes that indicate which individual is being named, such as "senior," "junior," "I," "II," and "III," are appropriate and must be entered exactly as it appears into the UCC information management system in a field designated for name suffixes.

(e) Name fields for individuals in the UCC information management system are fixed in length. Although filers shall continue to provide full names of individuals on their financing statements, a name that exceeds the fixed length of a name field is entered as presented to the filing officer, up to the maximum length of the field. The maximum lengths of name fields are as follows:

- (i) First personal name: 50 characters.
- (ii) Additional name or names or initial or initials: 50 characters.
- (iii) Surname: 50 characters.
- (iv) Suffix: 2 characters.

History: 2002 AACS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.303 Names of organizations.

Rule 303. Both of the following provisions apply to the name of an organization that is a debtor or a secured party on a financing statement:

- (a) A single field is used to store an organization name.
- (b) The organization name field in the UCC information management system is fixed in length. The maximum length is 255 characters. Although filers shall continue to provide full names of organizations on their financing statements, a name that exceeds the fixed length is entered as presented to the filing officer, up to the maximum length of the field.

History: 2002 AACS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440. 304

Source: 2002 AACS.

R 440. 305

Source: 2002 AACS.

R 440. 306

Source: 2002 AACS.

R 440. 307

Source: 2002 AACS.

R 440. 308

Source: 2002 AACS.

R 440. 309

Source: 2002 AACS.

R 440. 310

Source: 2002 AACS.

R 440.311 Information statement.

Rule 311. On the filing of an information statement, the status of the parties and the status of the financing statement is as follows:

- (a) The filing of an information statement has no effect on the status of any party to the financing statement.
- (b) The filing of an information statement has no effect on the status of the financing statement.

History: 2002 AACS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.312 Procedure on lapse.

Rule 312. (1) If there is no timely filing of a continuation with respect to a financing statement, the financing statement lapses on its lapse date, but remains active in the UCC information management system until the first anniversary of its lapse date.

(2) On the first anniversary of the lapse date of a financing statement, the financing statement is inactive in the UCC information management system and the financing statement is no longer available to a searcher.

History: 2002 AACS; 2023 MR 22, Eff. Nov. 16, 2023.

PART 4. FILING AND DATA ENTRY PROCEDURES

R 440.401

Source: 2002 AACCS.

R 440.402 Document indexing.

Rule 402. (1) The date and time of filing are noted on the document and permanently associated with the record maintained for a financing statement in the UCC information management system at the earliest possible time.

(2) The filing office determines whether grounds exist to refuse the document under sections 9516(2) or 9520(5) of the UCC, MCL 440.9516 and 440.9520. If there is no ground for refusal of the document, then all the following provisions apply:

(a) The document is filed and a unique identification number and the filing date are stamped on the document or otherwise permanently associated with the record maintained for a financing statement in the UCC information management system.

(b) An acknowledgment of filing is prepared as provided in R 440.205 and delivered as provided in subrule (3) of this rule.

(c) The sequence of the identification number is not an indication of the order in which the document was received. If there is a ground for refusal of the document, then notification of refusal to accept the document is prepared as provided in R 440.204 and delivered as provided in subrule (3) of this rule.

(3) Acknowledgment of filing or notice of refusal of a financing statement that includes the information required by R 440.204 or R 440.205 tendered by any means is given by delivering the notice or acknowledgment to the secured party, or the first secured party if there are more than 1 named on the financing statement, by first-class mail, or, if the remitter requests, by first-class mail to the remitter, or by overnight courier to the remitter if the remitter provides a prepaid waybill or access to the remitter's account with the courier.

History: 2002 AACCS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.403 Filing date and time.

Rule 403. (1) Except as provided in subrule (2) of this rule, the filing date and time of a financing statement received with the proper filing fee is determined in the following manner:

(a) Notwithstanding the time of delivery, for a financing statement delivered to the filing office as provided in R 440.103 (a) or (b) or (e) during regular business hours, the earlier of the date and time delivery is receipted or the next close of business following delivery.

(b) For a financing statement transmitted to the filing office as provided in R 440.103(c) the date and time the filing office determines that all required elements of the transmission have been received in the required format.

(c) For a financing statement transmitted to the filing office as provided in R 440.103(d), the date and time the financing statement was accepted for filing by the filing office's direct online entry system.

(2) Except as provided in subrule (1)(b) and (c) of this rule, the filing date and time of a financing statement received after regular business hours or on a day the filing office is not open for business is the earlier of the date and time delivery is receipted by the filing office on the next day the office is open for business or the close of business on the next day the filing office is open for business.

(3) The filing officer may perform any duty relating to a financing statement on the filing date or on a date after the filing date.

History: 2002 AACCS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.404

Source: 2002 AACCS.

R 440.405

Source: 2002 AACCS.

R 440.406 Errors other than filing office errors.

Rule 406. An error by a filer is the responsibility of the filer. A filer can correct an error by filing an amendment. A person under whose name a record is indexed can disclose an error by filing an information statement.

History: 2002 AACCS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.407 Data entry of names; designated fields.

Rule 407. (1) A financing statement must designate whether a name is a name of an individual or an organization and, if an individual, must also designate the first personal name, additional name or names or initial or initials, and surname and any

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suffix.

(2) Both of the following provisions apply to the data entry of names into the UCC information management system:

- (a) Organization names are entered in the field designated for an organization name exactly as set forth in the financing statement, even if it appears that multiple names are set forth in the document or if it appears that the name of an individual has been included in the field designated for an organization name.
- (b) Individual names are entered into the first personal name, additional name or names or initial or initials, and surname and suffix fields exactly as set forth on the financing statement.

History: 2002 AACS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.408 Data entry of names; no designated fields.

Rule 408. (1) If an initial financing statement or an amendment that adds a debtor to a financing statement fails to specify whether the debtor is an individual or an organization and is accepted for filing in error, then all the following provisions apply:

(a) If not set forth in a field designated for individual names, a name is treated as an organization name if it contains words or abbreviations that indicate status, such as any of the following and similar words or abbreviations in foreign languages:

- (i) Association.
- (ii) Church.
- (iii) College.
- (iv) Company.
- (v) Co.
- (vi) Corp.
- (vii) Corporation.
- (viii) Inc.
- (ix) Limited.
- (x) Ltd.
- (xi) Club.
- (xii) Foundation.
- (xiii) Fund.
- (xiv) L.L.C.
- (xv) Limited liability company.
- (xvi) Institute.
- (xvii) Society.
- (xviii) Union.
- (xix) Syndicate.
- (xx) GmBH.
- (xxi) S.A. de C.V.
- (xxii) Limited partnership.
- (xxiii) L.P.
- (xxiv) Limited liability partnership.
- (xxv) L.L.P.
- (xxvi) Trust.
- (xxvii) Business trust.
- (xxviii) Co-op.
- (xxix) Cooperative.

(xxx) Other designations established by statutes to indicate a statutory organization. In cases where organization or individual status is not designated by the filer and is not clear, the filing officer shall enter the name in the organization field.

(b) A name is entered as the name of an individual and not the name of an organization if the name is followed by a title substantially similar to 1 of the following titles or the equivalent of 1 of the following titles in a foreign language:

- (i) Proprietor.
- (ii) Sole proprietor.
- (iii) Proprietorship.
- (iv) Sole proprietorship.
- (v) Partner.
- (vi) General partner.
- (vii) President.
- (viii) Vice president.

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- (ix) Secretary.
- (x) Treasurer.
- (xi) M.D.
- (xii) O.D.
- (xiii) D.D.S.
- (xiv) Attorney at law.
- (xv) Esq.
- (xvi) Accountant.
- (xvii) CPA.

(c) If it is apparent that the name of an individual and the name of an organization are stated on a single line and not in a designated individual name field, the name of the individual and the name of the organization must be entered as 1 debtor.

(2) If an initial financing statement or an amendment that adds a debtor to a financing statement fails to designate the last name of an individual debtor and is accepted for filing in error, or if only the last name of an individual debtor is designated in an initial financing statement or an amendment that adds a debtor to a financing statement, then all the following provisions apply:

- (a) An initial in the first position of the name is treated as a first name.
- (b) An initial and a name to which the initial apparently corresponds, as indicated by parentheses or similar punctuation, is entered into 1 name field only.
- (c) A 1-word name is entered as a last name.
- (d) A nickname, as indicated by parentheses or similar punctuation, is entered in the name field together with the name preceding the nickname, or if none, then as the first name.

History: 2002 AACS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.409

Source: 2002 AACS.

R 440.410

Source: 2002 AACS.

R 440.411

Source: 2002 AACS.

R 440.412 Information statement record.

Rule 412. (1) A record is created for an information statement that bears the identification number for the information statement and the date and time of filing.

(2) The record of the information statement is associated with the record of the related initial financing statement in a manner that causes the information statement to be retrievable each time a record of the financing statement is retrieved.

History: 2002 AACS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.413 Rescinded.

History: 2002 AACS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.414

Source: 2002 AACS.

R 440.415

Source: 2002 AACS.

R 440.416

Source: 2002 AACS.

PART 5. SEARCH REQUESTS AND REPORTS

R 440.501

Source: 2002 AACS.

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R 440.502 Search requests; contents and processing.

Rule 502. (1) A search request must be accompanied by the appropriate fee, payable by a method described in R 440.106, and must contain all the following information:

- (a) The full correct name of a debtor or the name variant desired to be searched.
 - (b) Specify whether the debtor is an individual or an organization.
 - (c) The name and address of the person the search report is sent to.
- (2) A search request must be processed using the name in the exact form it is submitted.

(3) For purposes of this rule, both of the following provisions apply:

- (a) The full name of an individual must consist of a first personal name, a middle name or initial, and a surname followed by any suffix that may apply to the name.
- (b) The full name of an organization must consist of the name of the organization as stated on the articles of incorporation or other organic documents in the state or country of organization or the name variant desired to be searched.

History: 2002 AACCS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.503 Requests for expediting; identification; method; certification date.

Rule 503. (1) A request for expediting must be identified by the requestor.

(2) A request for expediting must state whether the requestor desires current certification. Current certification is certification to the end of the business day preceding the day of the request.

(3) If the requestor does not expressly request current certification, the certification date is the date under R 440.507.

History: 2002 AACCS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.504 Request for expediting; payment; account.

Rule 504. A request for expediting made by any means provided in R 440.103 must be accompanied by a check, in the correct amount, for the statutory fee, or the requestor shall have a billing account with the filing office and authorize the filing office to make a charge to the account for the search.

History: 2002 AACCS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.505 Rescinded.

History: 2002 AACCS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.506

Source: 2002 AACCS.

R 440.508 Limited or modified search requests.

Rule 508. (1) A person requesting a UCC search may limit or modify the search by requesting either or both of the following:

- (a) That copies of documents referred to in the report be included with the report.
- (b) To limit the scope of the search and copies by reference to any 1 or more of the following:
 - (i) The initial financing statement identification number.
 - (ii) The city of the debtor.
 - (iii) A range of dates between 2 specified dates.

(2) A report created by the filing officer in response to a request that a UCC search be limited under this rule must contain the following statement: "A search request limited under R 440.508(1) may not reveal all filings against the debtor searched. The searcher bears the risk of relying on the limited search."

History: 2002 AACCS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.509 Rescinded.

History: 2002 AACCS; 2023 MR 22, Eff. Nov. 16, 2023.

R 440.510

Source: 2002 AACCS.

SIZE CLASSIFICATION RULES

R 445.1

Source: 1979 AC.

R 445.3

Source: 1979 AC.

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DEPARTMENT OF ATTORNEY GENERAL

CONSUMER PROTECTION AND CHARITABLE TRUSTS DIVISION

FRANCHISES

R 445.101
Source: 1979 AC.

R 445.201
Source: 1979 AC.

R 445.202
Source: 1979 AC.

R 445.203
Source: 1979 AC.

R 445.204
Source: 1979 AC.

R 445.205
Source: 1979 AC.

R 445.206
Source: 1979 AC.

R 445.207
Source: 1979 AC.

R 445.208
Source: 1979 AC.

R 445.209
Source: 1979 AC.

R 445.210
Source: 1979 AC.

R 445.211
Source: 1979 AC.

R 445.301
Source: 1979 AC.

R 445.302
Source: 1979 AC.

R 445.303
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R 445.304
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R 445.305
Source: 1979 AC.

R 445.401
Source: 1979 AC.

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R 445.402
Source: 1979 AC.

R 445.403
Source: 1979 AC.

R 445.404
Source: 1979 AC.

R 445.405
Source: 1979 AC.

R 445.501
Source: 1979 AC.

R 445.502
Source: 1979 AC.

R 445.503
Source: 1979 AC.

R 445.504
Source: 1979 AC.

R 445.505
Source: 1979 AC.

R 445.506
Source: 1979 AC.

R 445.507
Source: 1979 AC.

R 445.508
Source: 1979 AC.

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Source: 1979 AC.

R 445.510
Source: 1979 AC.

R 445.511
Source: 1979 AC.

R 445.512
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R 445.513
Source: 1979 AC.

R 445.514
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R 445.601
Source: 1979 AC.

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R 445.602
Source: 1979 AC.

R 445.603
Source: 1979 AC.

R 445.604
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R 445.605
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R 445.606
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R 445.607
Source: 1979 AC.

R 445.608
Source: 1979 AC.

R 445.701
Source: 1979 AC.

R 445.702
Source: 1979 AC.

R 445.703
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R 445.704
Source: 1979 AC.

R 445.705
Source: 1979 AC.

R 445.706
Source: 1979 AC.

R 445.707
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R 445.708
Source: 1979 AC.

R 445.709
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R 445.710
Source: 1979 AC.

R 445.801
Source: 1979 AC.

R 445.802
Source: 1979 AC.

R 445.803

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Source: 1979 AC.

R 445.804

Source: 1979 AC.

R 445.901

Source: 1979 AC.

FINANCIAL INSTITUTIONS BUREAU

MORTGAGE AND HOME IMPROVEMENT LENDING PRACTICES

R 445.1001

Source: 1995 AACS.

R 445.1002

Source: 1995 AACS.

R 445.1003

Source: 1997 AACS.

R 445.1004

Source: 1995 AACS.

R 445.1005

Source: 1995 AACS.

R 445.1006

Source: 1997 AACS.

R 445.1007

Source: 1997 AACS.

R 445.1008

Source: 1997 AACS.

R 445.1009

Source: 1997 AACS.

R 445.1010

Source: 1997 AACS.

R 445.1011

Source: 1995 AACS.

R 445.1012

Source: 1997 AACS.

R 445.1013

Source: 1997 AACS.

R 445.1014

Source: 1997 AACS.

R 445.1015

Source: 1997 AACS.

R 445.1016

Source: 1997 AACS.

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R 445.1017
Source: 1997 AACS.

R 445.1018
Source: 1997 AACS.

R 445.1019
Source: 1997 AACS.

R 445.1020
Source: 1997 AACS.

R 445.1021
Source: 1997 AACS.

R 445.1022
Source: 1995 AACS.

R 445.1023
Source: 1997 AACS.

R 445.1024
Source: 1995 AACS.

R 445.1025
Source: 1997 AACS.

R 445.1026
Source: 1997 AACS.

R 445.1027
Source: 1997 AACS.

R 445.1028
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R 445.1029
Source: 1997 AACS.

R 445.1030
Source: 1995 AACS.

R 445.1031
Source: 1997 AACS.

R 445.1032
Source: 1997 AACS.

R 445.1033
Source: 1997 AACS.

R 445.1034
Source: 1997 AACS.

R 445.1035
Source: 1995 AACS.

R 445.1036
Source: 1995 AACS.

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R 445.1037
Source: 1995 AACS.

R 445.1038
Source: 1997 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
MANUFACTURING DEVELOPMENT GROUP
EMPLOYEE-OWNED CORPORATION REVOLVING LOAN FUND

R 450.801
Source: 1987 AACS.

R 450.802
Source: 1987 AACS.

R 450.803
Source: 1987 AACS.

R 450.804
Source: 1987 AACS.

R 450.805
Source: 1987 AACS.

R 450.806
Source: 1987 AACS.

R 450.807
Source: 1987 AACS.

R 450.808
Source: 1987 AACS.

R 450.809
Source: 1987 AACS.

R 450.810
Source: 1987 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPORATIONS, SECURITIES, AND COMMERCIAL LICENSING BUREAU
SECURITIES

PART 1. DEFINITIONS

R 451.1.1
Source: 2019 AACS.

R 451.1.2
Source: 2019 AACS.

PART 2. EXEMPTIONS FROM REGISTRATION OF SECURITIES

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R 451.2.1
Source: 2019 AACS.

R 451.2.2
Source: 2019 AACS.

R 451.2.3
Source: 2019 AACS.

R 451.2.4
Source: 2019 AACS.

R 451.2.5
Source: 2019 AACS.

PART 3. REGISTRATION OF SECURITIES AND NOTICE FILINGS OF FEDERAL COVERED SECURITIES

R 451.3.1
Source: 2019 AACS.

R 451.3.2
Source: 2019 AACS.

R 451.3.3
Source: 2019 AACS.

R 451.3.4
Source: 2019 AACS.

R 451.3.5
Source: 2019 AACS.

R 451.3.6
Source: 2019 AACS.

R 451.3.7
Source: 2019 AACS.

**PART 4. BROKER-DEALERS, AGENTS, INVESTMENT ADVISERS, INVESTMENT ADVISER
REPRESENTATIVES, AND FEDERAL COVERED INVESTMENT ADVISERS**

R 451.4.1
Source: 2019 AACS.

R 451.4.2
Source: 2019 AACS.

R 451.4.3
Source: 2019 AACS.

R 451.4.4
Source: 2019 AACS.

R 451.4.5
Source: 2019 AACS.

R 451.4.6
Source: 2019 AACS.

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R 451.4.7
Source: 2019 AACS.

R 451.4.8
Source: 2019 AACS.

R 451.4.9
Source: 2019 AACS.

R 451.4.10
Source: 2019 AACS.

R 451.4.11
Source: 2019 AACS.

R 451.4.12
Source: 2019 AACS.

R 451.4.13
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R 451.4.14
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R 451.4.15
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R 451.4.16
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R 451.4.17
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R 451.4.18
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R 451.4.19
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R 451.4.20
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R 451.4.21
Source: 2022 AACS.

R 451.4.22
Source: 2019 AACS.

R 451.4.23
Source: 2019 AACS.

R 451.4.24
Source: 2019 AACS.

R 451.4.25
Source: 2019 AACS.

R 451.4.26
Source: 2019 AACS.

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R 451.4.27
Source: 2019 AACS.

R 451.4.28
Source: 2019 AACS.

R 451.4.29
Source: 2022 AACS.

PART 6. ADMINISTRATION AND JUDICIAL REVIEW

R 451.6.1
Source: 2019 AACS.

R 451.6.2
Source: 2019 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

CORPORATIONS, SECURITIES, AND COMMERCIAL LICENSING BUREAU

SECURITIES

PART 2. REGISTRATION OF BROKER-DEALERS, AGENTS AND INVESTMENT ADVISERS

R 451.601.1
Source: 2014 AACS.

R 451.601.2
Source: 2014 AACS.

R 451.601.3
Source: 2014 AACS.

R 451.601.4
Source: 2014 AACS.

R 451.602.1
Source: 2019 AACS.

R 451.602.2
Source: 2019 AACS.

R 451.602.3
Source: 2019 AACS.

R 451.602.4
Source: 2019 AACS.

R 451.602.5
Source: 1997 AACS.

R 451.602.5a
Source: 1997 AACS.

R 451.602.6
Source: 2019 AACS.

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R 451.602.7
Source: 2019 AACS.

R 451.602.8
Source: 2019 AACS.

R 451.602.9
Source: 1997 AACS.

R 451.602.10
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R 451.602.11
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R 451.602.12
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R 451.602.13
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R 451.602.14
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R 451.603.1
Source: 2019 AACS.

R 451.603.2
Source: 2019 AACS.

R 451.603.4
Source: 2014 AACS.

R 451.603.5
Source: 2019 AACS.

R 451.604.1
Source: 2019 AACS.

R 451.604.2
Source: 2019 AACS.

R 451.604.3
Source: 2019 AACS.

R 451.604.4
Source: 1997 AACS.

R 451.605.1
Source: 1997 AACS.

R 451.605.2
Source: 2014 AACS.

PART 3. REGISTRATION OF SECURITIES

R 451.702.1

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Source: 2014 AACCS.

R 451.703.1

Source: 2014 AACCS.

R 451.703.2

Source: 2014 AACCS.

R 451.704.1

Source: 2019 AACCS.

R 451.704.2

Source: 2019 AACCS.

R 451.705.1

Source: 2014 AACCS.

R 451.705.2

Source: 1983 AACCS.

R 451.705.3

Source: 2014 AACCS.

R 451.705.4

Source: 2019 AACCS.

R 451.705.5

Source: 1997 AACCS.

R 451.705.6

Source: 2019 AACCS.

R 451.705.7

Source: 2014 AACCS.

R 451.706.1

Source: 2019 AACCS.

R 451.706.2

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R 451.706.3

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R 451.706.4

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R 451.706.5

Source: 1997 AACCS.

R 451.706.6

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R 451.706.7

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R 451.706.8

Source: 2019 AACCS.

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R 451.706.9
Source: 1997 AACS.

R 451.706.10
Source: 1997 AACS.

R 451.706.11
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R 451.706.12
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R 451.706.13
Source: 1997 AACS.

R 451.706.14
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R 451.706.15
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R 451.706.16
Source: 1997 AACS.

R 451.706.17
Source: 1997 AACS.

R 451.706.18
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R 451.706.19
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R 451.706.20
Source: 1997 AACS.

R 451.706.23
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R 451.706.24
Source: 1997 AACS.

R 451.706.25
Source: 2014 AACS.

R 451.706.26
Source: 2019 AACS.

PART 4. GENERAL PROVISIONS

R 451.801.1
Source: 2014 AACS.

R 451.801.2
Source: 2014 AACS.

R 451.801.3
Source: 2019 AACS.

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R 451.801.4
Source: 2019 AACCS.

R 451.801.5
Source: 1997 AACCS.

R 451.802.1
Source: 1997 AACCS.

R 451.802.2
Source: 2019 AACCS.

R 451.802.3
Source: 1997 AACCS.

R 451.803.1
Source: 1997 AACCS.

R 451.803.2
Source: 2014 AACCS.

R 451.803.3
Source: 2019 AACCS.

R 451.803.4
Source: 2014 AACCS.

R 451.803.5
Source: 2019 AACCS.

R 451.803.6
Source: 1984 AACCS.

R 451.803.7
Source: AACCS 2014.

R 451.803.8
Source: 2019 AACCS.

R 451.803.9
Source: 2014 AACCS.

R 451.803.10
Source: 2019 AACCS.

R 451.803.11
Source: 2019 AACCS.

R 451.812.1
Source: 2014 AACCS.

R 451.812.2
Source: 2014 AACCS.

R 451.813.1
Source: 1991 AACCS.

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R 451.814.1
Source: 2014 AACS.

R 451.817.1
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R 451.818.1
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DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

DEBT MANAGEMENT

R 451.1221
Source: 2020 AACS.

R 451.1222
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R 451.1223
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R 451.1224
Source: 1997 AACS.

R 451.1225
Source: 2020 AACS.

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Source: 2020 AACS.

R 451.1228
Source: 2020 AACS.

R 451.1229
Source: 2020 AACS.

R 451.1230
Source: 1979 AC.

R 451.1231
Source: 2020 AACS.

R 451.1232
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R 451.1233
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R 451.1234
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R 451.1235
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R 451.1236
Source: 2020 AACS.

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R 451.1238
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R 451.1239
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R 451.1240
Source: 2020 AACS.

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Source: 2020 AACS.

R 451.1242
Source: 2020 AACS.

R 451.1243
Source: 2020 AACS.

R 451.1244
Source: 2020 AACS.

R 451.1245
Source: 2020 AACS.

R 451.1246
Source: 1979 AC.

STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

HEARINGS

R 451.1901
Source: 2006 AACS.

R 451.1902
Source: 2006 AACS.

R 451.1903
Source: 2006 AACS.

R 451.1904
Source: 2006 AACS.

R 451.1905
Source: 2006 AACS.

R 451.1906
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R 451.1907
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R 451.1908
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DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PROCEDURAL RULES

PART 1. GENERAL PROVISIONS

R 451.2101
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R 451.2102
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R 451.2103
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PART 2. BUREAU ORGANIZATION

R 451.2201
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R 451.2202
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R 451.2203
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PART 3. INTERPRETATIVE OPINIONS AND DECLARATORY RULINGS

R 451.2301
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R 451.2302
Source: 2020 AACS.

R 451.2303
Source: 2001 AACS.

R 451.2304
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PART 4. OPPORTUNITY TO SHOW COMPLIANCE

R 451.2401
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R 451.2402
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PART 5. COMMENCEMENT OF PROCEEDINGS AND CONTESTED CASES

R 451.2501

Source: 2020 AACS.

R 451.2502

Source: 2020 AACS.

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Source: 2020 AACS.

PART 6. PLEADINGS, MOTION PRACTICE, AND INTERVENTION

R 451.2601

Source: 2020 AACS.

R 451.2602

Source: 2020 AACS.

R 451.2603

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R 451.2604
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PART 7. JOINT AND CONSOLIDATED PROCEEDINGS

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PART 9. PREHEARING CONFERENCES

R 451.2901
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PART 13. PRESIDING OFFICER

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PART 14. MISCONDUCT BY ATTORNEYS, AUTHORIZED REPRESENTATIVES, AND PARTIES

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PART 15. PUBLIC HEARINGS

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Source: 1983 AACS.

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PART 14. MISCONDUCT BY ATTORNEYS, AUTHORIZED REPRESENTATIVES, AND PARTIES

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PART 15. PUBLIC HEARINGS

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DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
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Source: 2015 AACS.

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Source: 2015 AACS.

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Source: 2006 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

MISS DIG UNDERGROUND FACILITY DAMAGE PREVENTION AND SAFETY

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Source: 2016 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

CONSUMER STANDARDS AND BILLING PRACTICES

FOR ELECTRIC AND NATURAL GAS SERVICE

R 460.101
Source: 2017 AACS.

R 460.101a
Source: 2017 AACS.

R 460.102 Definitions; A to F.

Rule 2. As used in these rules:

(a) "Actual meter reading" means a natural gas or electric meter reading that is based on the customer's actual energy use during the period reported and that complies with 1 of the following:

(i) Performed by a utility representative.

(ii) Performed by the customer and communicated to the company by mail, telephone, fax, on a secure company website, or other reasonable means.

(iii) Transmitted to the utility from the meter through a secure communication channel; or by an automated or remote meter

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reading device.

- (b) "Aggregate data" means any customer account information from which all identifying information has been removed so that the individual data or information of a customer cannot be associated with that customer without extraordinary effort.
- (c) "Answer" means that a utility representative, voice response unit, or automated operator system is ready to render assistance or ready to accept information necessary to process the call.
- (d) "Applicant" means an emancipated minor, an individual 18 years of age or older, or a business entity requesting utility electric or natural gas service in the name of that individual or entity.
- (e) "Billing error" means an undercharge or overcharge that is caused by any of the following:
 - (i) An incorrect actual meter reading by a company representative.
 - (ii) An incorrect remote meter reading.
 - (iii) An incorrect meter constant or pressure factor.
 - (iv) An incorrect calculation of the applicable rate.
 - (v) A meter switched by the utility or a utility representative.
 - (vi) An incorrect application of the rate schedule.
 - (vii) Failure to provide a monthly bill to the customer at the end of a billing cycle except as provided in these rules or other relevant tariffs.
 - (viii) Another similar act or omission by the utility in determining the amount of a customer's bill. An undercharge or overcharge that is caused by a non-registering meter, a meter error, or the use of an estimated meter reading or a customer reading is not a billing error.
- (f) "Billing month" means a natural gas or electric consumption period of not less than 26 days or more than 35 days.
- (g) "Billing specialist" means a representative of a utility who investigates and resolves meter reading discrepancies or errors.
- (h) "Call" means a measurable effort by a customer to obtain a telephone connection whether the connection is completed or not.
- (i) "Call blockage factor" means the percentage of calls that do not get answered.
- (j) "Commission" means the Michigan public service commission.
- (k) "Complaint determination" means the written decision of a hearing officer after a customer hearing.
- (l) "Complaint response" or "response" means a communication between the utility and the customer that identifies the problem and a solution to the complaint.
- (m) "Complaint response factor" means the annual percentage of the complaints forwarded to a utility by the commission that are responded to within the time period prescribed by these rules.
- (n) "Critical care customer" means any customer that requires, or has a household member who requires, home medical equipment or a life support system, and that, on an annual basis, provides a commission-approved medical certification form from a physician or medical facility to the utility identifying the medical equipment or life support system and certifying that an interruption of service would be immediately life-threatening.
- (o) "Customer" means an account holder that purchases electric or natural gas service from a utility.
- (p) "Customer hearing" means a hearing on a disputed matter before a hearing officer that a utility offers to a customer under the provisions of R 460.155.
- (q) "Cycle billing" means a system that renders bills for utility service to various customers on different days of a calendar month.
- (r) "Delinquent account" means an account with charges for utility service that remains unpaid 5 days or more after the due date.
- (s) "Eligible low-income customer" means a utility customer whose household income does not exceed 150% of the federal poverty guidelines as published annually in the Federal Register by the United States Department of Health and Human Services under its authority to revise the poverty line under 42 USC 9902, or who receives any of the following:
 - (i) Supplemental security income from the Social Security Administration or low-income assistance through the department of health and human services or a successor agency.
 - (ii) Food stamps.
 - (iii) Medicaid.
- (t) "Eligible military customer" means a utility customer or spouse of a customer who is in the military and who meets all of the following:
 - (i) Is on full-time active duty.
 - (ii) Is deployed overseas in response to a declared war or undeclared hostilities or is deployed within the United States in response to a declared national or state emergency and the household income is reduced as a result.
 - (iii) Notifies the utility of his or her eligibility.
 - (iv) Provides verification of eligibility if requested by the utility.
- (u) "Eligible senior citizen customer" means a utility customer who meets both of the following criteria:

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- (i) Is 65 years of age or older.
 - (ii) Advises the utility of his or her eligibility.
 - (v) "Energy assistance program" means a program that provides financial assistance or assistance in improving residential energy efficiency and energy conservation.
 - (w) "Energy usage" means the consumption of electricity or natural gas.
 - (x) "Estimated bill" means a bill for service at the premises that is not based on an actual meter reading for the period being billed but that is based on calculations of how much natural gas or electricity a customer likely used during the billing period.
 - (y) "Formal hearing" means a dispute resolution process administered by an administrative law judge pursuant to these rules, applicable tariffs, and R 792.10101 to R 792.11903 concerning practice and procedure before the commission.
 - (z) "Formal hearing request" means a document describing how a regulated utility has violated these rules, a commission order, or a tariff that is presented in writing to the executive secretary of the commission.
- History: 2007 AACs; 2017 AACs; 2023 MR 7, Eff. April 10, 2023.

R 460.102a Definitions; G to P.

Rule 2a. As used in these rules:

- (a) "Gas cost recovery" means the adjustment in rates to recognize the cost of purchased natural gas.
- (b) "Hearing officer" means a notary public who is qualified to administer oaths to conduct customer hearings against the utility company and who is on a list filed with the commission.
- (c) "Heating season" means the period between November 1 and March 31.
- (d) "In dispute" means that a matter is the subject of an unresolved disagreement, claim, or complaint against a utility by a customer, or the customer's authorized agent.
- (e) "Informal complaint" means a matter that requires follow-up action or investigation by the utility or the commission to resolve the matter without a customer hearing or formal hearing.
- (f) "Inquiry" means a question regarding a utility matter that is asked by the customer and answered by the utility or the commission.
- (g) "Large nonresidential customer" means a nonresidential customer with usage of 300 Mcf or more of natural gas per year or 30,000 kWh or more of electric usage per year, including schools and centrally metered apartment buildings.
- (h) "Late payment charge" means a finance, service, carrying, or penalty charge that is assessed by a utility because a bill or portion of a bill is delinquent.
- (i) "Medical emergency" means an existing medical condition of the customer or a member of the customer's household, as defined and certified by a physician or public health official on a commission-approved medical certification form, that will be aggravated by the lack of utility service.
- (j) "Meter" means a utility-owned device that measures the quantity of natural gas used by a customer, including a device that measures the heat content of natural gas or a utility-owned device that measures and registers the amount of electrical power used.
- (k) "Meter creep" means a continuous apparent accumulation of energy in a meter with voltage applied and the load terminals open circuited.
- (l) "Meter error" means a failure to accurately measure and record all of the natural gas or electrical quantities used that are required by the applicable rate or rates.
- (m) "New customer" means a customer that has not received the utility's service within the previous 6 years.
- (n) "Occupant" means an individual or entity, other than the customer of record, occupying a premises.
- (o) "Peak season" means the period during which a utility experiences its maximum demand for electric or natural gas service.
- (p) "Positive identification information" means a consistently used appropriate identification including, but not limited to, either of the following:
 - (i) A driver license, identification card issued by a state, United States military card, United States military dependent's identification card, Native American tribal document, passport, or other government-issued identification containing a photograph.
 - (ii) Articles of incorporation, tax identification documents, business license, certificate of authority, or similar documents proving identity of a business.
- (q) "Power supply cost recovery" means the adjustment in rates to recognize the cost of purchased power and fuel for electric generation.
- (r) "Prepaid service" means a commission-authorized plan that entitles a utility to receive payments for service to a customer's premises in advance of the customer's actual usage of the service.
- (s) "Previous customer" means a customer that has received the utility's service within the previous 6 years but is not currently receiving service.
- (t) "Primary purpose" means the collection, use, or disclosure of information that a utility collects or a customer supplies when

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an authorized business need exists or as an emergency response requires in order to do any of the following:

- (i) Provide, bill, or collect for regulated electric or natural gas service.
- (ii) Provide for system, grid, or operational needs.
- (iii) Provide services as state or federal law requires or as the utility's approved tariff specifically authorizes.
- (iv) Plan, implement, or evaluate programs, products, or services related to energy assistance, demand response, energy management, or energy efficiency.

History: 2017 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.102b

Source: 2017 AACS.

R 460.103

Source: 2007 AACS.

R 460.104

Source: 2007 AACS.

R 460.105

Source: 2007 AACS.

PART 2. APPLICATION FOR SERVICE

R 460.106 Service requests

Rule 6. (1) Applicants for service may become customers by requesting service in person at the utility company office, in writing, by telephone, fax, or internet, or other means of communication. Using any of these methods, an applicant shall do all of the following:

- (a) Provide positive identification information.
- (b) Upon request, show ownership or a lease for the property where service will be rendered if applying to be a nonresidential customer.
- (c) Pay a deposit, if required by these rules.
- (2) The utility may also require payment of a delinquent account as a condition of providing or continuing service if the following conditions apply:
 - (a) The delinquent account is in the customer's or applicant's name.
 - (b) The delinquent account is not in dispute, owed to the utility, and accrued within the last 6 years. The utility shall provide the applicant with information on the process to refute or contest the delinquent account.

History: 2007 AACS; 2017 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.107 Residential service account requirements.

Rule 7. (1) A utility, applicant, or customer may request the addition of more than 1 adult on the residential service account by meeting both of the following requirements:

- (a) The utility obtains documented approval from both the applicant and the additional adult.
- (b) The additional adult provides positive identification information.
- (2) If the applicant is renting the premises for which residential service is requested, a utility may require proof that the applicant is a tenant. Written or oral confirmation by the manager, landlord, or owner of the property, or a verified signed copy of the rental agreement is sufficient proof. A utility may verify a lease by requesting a lease agreement containing notarized signatures of the landlord and tenant or by obtaining contact information for the landlord.
- (3) A utility may require proof of ownership if an applicant is requesting residential service for a premises he or she has purchased.
- (4) An occupant shall establish an account with a utility within 30 business days of taking occupancy or ownership, whichever comes first, except where residential service is included in a lease. An occupant who is an individual must be at least 18 years of age or an emancipated minor.
- (5) If a customer ceases to live in a residence while another occupant continues to live in the residence, both of the following requirements shall be met:
 - (a) The customer shall notify the utility pursuant to R 460.127 that he or she is discontinuing service.
 - (b) An occupant desiring to continue utility service at that address shall establish an account in his or her name within 30 days

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of the customer's notification of termination of service, or, if the customer fails to notify the utility, within 30 days of the date the customer ceases to reside at the address. A utility may hold an occupant who fails to establish an account under this subdivision responsible for the use of the utility service after the customer has ceased to reside at the residence. The utility shall not back bill the occupant for a period longer than 24 months from the date the customer terminated service, or, if the customer has failed to notify the utility of the termination of service, from the date that the utility first discovered the customer's change in residency.

History: 2007 AACS; 2017 AACS; 2023 MR 7, Eff. April 10, 2023.

PART 3. DEPOSITS AND GUARANTEE TERMS AND CONDITIONS

R 460.108

Source: 2017 AACS.

R 460.109

Source: 2017 AACS.

R 460.110

Source: 2017 AACS.

R 460.111

Source: 2017 AACS.

R 460.111a

Source: 2017 AACS.

R 460.112

Source: 2017 AACS.

PART 4. METER READING PROCEDURES, METER ACCURACY, METER ERRORS AND METER RELOCATION

R 460.113

Source: 2017 AACS.

R 460.114

Source: 2017 AACS.

R 460.115 Meter accuracy and errors for electric and gas customers.

Rule 15. (1) Meters with actual meter readings that are rejected by the utility billing system for 2 consecutive months because they are outside the expected range of the customer's usage for the premises shall be reviewed by a billing specialist, investigated, and, if necessary, the utility shall repair or replace the meter.

(2) A utility shall calculate the period and amount of inaccuracy of electric meters pursuant to R 460.3101 to R 460.3804. A utility shall calculate the period and amount of inaccuracy of gas meters pursuant to R 460.2302 to R 460.2384.

(3) If a utility finds that an electric or gas meter has an average meter accuracy less than 98% or more than 102%, an adjustment for bills for the inaccuracy may be made in the case of under registration and must be made in the case of over registration.

(4) Notwithstanding the provisions of any other rule, except in the case of unauthorized use of utility service, back billing of customers or refunds to customers for meter errors is limited to the 12-month period immediately preceding discovery of the error. The customer shall be given a reasonable time in which to pay the amount of the back billing, after consideration of the amount of the back bill and the duration of the inaccuracy, and service shall not be shut off during this time for nonpayment of the amount of the back billing if the customer is complying with the repayment agreement.

(5) If the amount due the utility is more than \$5.00, the utility may bill the customer for the amount due. The utility shall offer the customer reasonable payment arrangements for the amount due. The bill for the undercharge may not include interest.

(6) If the amount of the refund due an existing or previous customer as the result of meter over registration is less than \$5.00, a refund is not required to be made. Paid overcharges must be credited to the existing customer or paid to a previous customer with 5% interest, commencing on the sixtieth day following payment.

History: 2007 AACS; 2017 AACS; 2023 MR 7, Eff. April 10, 2023.

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R 460.115a Meter accuracy and errors for electric customers only.

Rule 15a. (1) An adjustment of bills for service for the period of inaccuracy must be made for over registration and may be made for under registration pursuant to any of the following conditions:

- (a) A mechanical meter creeps.
 - (b) A metering installation is found upon any test to have an average inaccuracy of more than 2%.
 - (c) A meter registration has been found to be inaccurate due to apparent tampering by a person or persons known or unknown.
- (2) The amount of the adjustment of the bills for service must be calculated on the basis that the metering equipment is 100% accurate with respect to the testing equipment used to make the test. The average accuracy of watt-hour meters must be calculated pursuant to R 460.3616.
- (3) If the date when the inaccuracy in registration began can be determined, then that date must be the starting point for determining the amount of the adjustment and is subject to R 460.115.
- (4) If the date when the inaccuracy in registration cannot be determined, then it is assumed that the inaccuracy existed for the period of time immediately preceding discovery of the inaccuracy that is equal to 1/2 of the time since the meter was installed on the present premises, 1/2 of the time since the last test, or 6 years, whichever is the shortest period of time, except as otherwise provided in subrule (5) of this rule and subject to R 460.115(4).
- (5) The inaccuracy in registration due to creep must be calculated by timing the rate of creeping under R 460.3101 to R 460.3804 and by assuming that the creeping affected the registration of the meter for the period of time immediately preceding discovery to the inaccuracy that is equal to 1/4 of the time since the meter was installed on the present premises, 1/4 of the time since the last test, or 6 years, whichever is the shortest period of time subject to R 460.115(4).
- (6) If the average inaccuracy cannot be determined by test because part, or all, of the metering equipment is inoperative, then the utility may use the registration of check metering installations, if any, or estimate the quantity of energy consumed based on available data. The utility shall advise the customer of the metering equipment failure and of the basis for the estimate of the quantity billed. The same periods of inaccuracy must be used as explained in this rule.
- (7) Recalculation of bills must be made on the basis of the recalculated monthly consumption.
- (8) Refunds must be made to the 2 most recent customers that received service through the meter found to be inaccurate. If a former customer of the utility, a notice of the amount of the refund must be mailed to the customer at the customer's last known address. Upon demand made by the customer within 3 months of mailing of the notice, the utility shall forward the refund to the customer.
- (9) If the external meter display is not operating so that the customer can determine the energy used, but the meter is recording energy correctly, then no adjustment is required. The utility shall repair or replace the meter promptly upon discovery of the failure.

History: 2023 MR 7, Eff. April 10, 2023.

R 460.116

Source: 2017 AACs.

PART 5. BILLING AND PAYMENT STANDARDS

R 460.117

Source: 2017 AACs.

R 460.118

Source: 2017 AACs.

R 460.119

Source: 2017 AACs.

R 460.120

Source: 2017 AACs.

R 460.121

Source: 2017 AACs.

R 460.122

Source: 2017 AACs.

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R 460.123
Source: 2017 AACS.

R 460.124
Source: 2017 AACS.

R 460.125
Source: 2017 AACS.

R 460.126
Source: 2017 AACS.

R 460.126a
Source: 2017 AACS.

R 460.126b
Source: 2017 AACS.

PART 6. VOLUNTARY TERMINATION OF SERVICE

R 460.127
Source: 2017 AACS.

PART 7. ENERGY ASSISTANCE AND SHUTOFF PROTECTION PROGRAMS FOR RESIDENTIAL CUSTOMERS

R 460.128
Source: 2017 AACS.

R 460.129
Source: 2017 AACS.

R 460.130
Source: 2017 AACS.

R 460.130a
Source: 2017 AACS.

R 460.131
Source: 2017 AACS.

R 460.132
Source: 2017 AACS.

R 460.133
Source: 2017 AACS.

R 460.134
Source: 2017 AACS.

R 460.135
Source: 2017 AACS.

PART 8. PROCEDURES FOR SHUTOFF AND RESTORATION OF SERVICE

R 460.136

Source: 2017 AACS.

R 460.137

Source: 2019 AACS.

R 460.138

Source: 2017 AACS.

R 460.139

Source: 2017 AACS.

R 460.140

Source: 2017 AACS.

R 460.141

Source: 2017 AACS.

R 460.142

Source: 2017 AACS.

R 460.143 Manner of shut off for service provided with remote shut off and restoration capability.

Rule 43. (1) For an involuntary shut off of service using meters with remote shut off and restoration capability, at least 1 day before shut off of service, the utility shall make at least 2 attempts to contact the customer by 1 of the methods listed in R 460.139(6). The notice must conspicuously state that the disconnection of service will be done remotely and that a utility representative will not return to the premises before disconnection.

(2) The utility shall document all attempts to contact the customer.

(3) If the utility contacts the customer or other responsible adult in the customer's household or premises by telephone on the day service is to be shut off, the utility shall inform the customer or other responsible adult that shutoff of service is imminent and the steps necessary to avoid shut off. Unless the customer presents evidence that reasonably demonstrates that the claim is satisfied or is in dispute, or the customer makes payment, the utility may shut off service.

(4) If the utility complies with the notice requirements of this rule, no further customer contact regarding the shut off is required on the day service is to be shut off and the utility may shut off service.

(5) After the utility shuts off service, no later than the fifth business day after service was disconnected, the utility shall send notice to the customers that remain shut off. The utility shall notify the customer via automated or manual telephone call, electronic mail, text message, or United States Postal Service. The notice must state that service has been shut off, the utility's address and phone number where the customer may arrange to have service restored, and that any efforts by the customer to restore his or her own service are unlawful and dangerous.

History: 2007 AACS; 2017 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.144

Source: 2017 AACS.

PART 9. CUSTOMER RELATIONS AND UTILITY PROCEDURES

R 460.145

Source: 2017 AACS.

R 460.146

Source: 2017 AACS.

R 460.147

Source: 2017 AACS.

R 460.148

Source: 2017 AACS.

R 460.149

Source: 2017 AACS.

R 460.150

Source: 2017 AACS.

R 460.151 Reporting requirements.

Rule 51. (1) A utility shall file with the commission quarterly reports that disclose all of the following:

- (a) The payment performance of its customers in relation to established due and payable periods.
- (b) The number and general description of all complaints registered with the utility.
- (c) The number of shut off notices issued by the utility and the reasons for the notices.
- (d) The number of hearings held by the utility, the types of disputes involved, and the number of complaint determinations issued.
- (e) The number of written settlement agreements entered into by the utility.
- (f) The number of shut offs of service and the number of reconnections.
- (g) Any other customer service quality information requested by the commission staff.
- (2) An electric utility shall have an average customer call answer time of less than 90 seconds. An acknowledgement that the customer is waiting on the line does not constitute an answer.
- (a) An electric utility shall have a call blockage factor of 5% or less. The call blockage factor is calculated by multiplying the remainder obtained by subtracting the number of answers from the number of calls, multiplying by 100, and then dividing that value by the total number of calls.
- (b) An electric utility shall have a complaint response factor of 90% or more within 3 business days.

History: 2007 AACS; 2017 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.152

Source: 2017 AACS.

R 460.153

Source: 2017 AACS.

PART 10. DISPUTES, HEARINGS AND SETTLEMENTS

R 460.154 Disputed matters.

Rule 54. (1) If a customer advises a utility, or if the utility is notified by a regulation officer on behalf of a customer, before the date of the proposed shut off of service, that all or part of a bill is in dispute, then the utility shall do all of the following:

- (a) Immediately record the date, time, and place the customer made the complaint and transmit verification to the customer.
- (b) Investigate the dispute promptly and completely.
- (c) Advise the customer of the results of the investigation.
- (d) Attempt to resolve the dispute informally in a manner that is satisfactory to both parties.
- (e) Provide the opportunity for the customer to settle the disputed claim or to satisfy any liability that is not in dispute.
- (2) A customer may advise a utility that a matter is in dispute in any reasonable manner, such as by written notice, in person, by a telephone call directed to the utility, or through a regulation officer.
- (3) A utility, in attempting to resolve the dispute, may employ telephone communication, personal meetings, on-site visits, or any other method that is reasonably conducive to obtaining a settlement.
- (4) A utility may choose not to respond to a customer complaint or dispute that involves the same question or issue based upon the same facts, and is not required to comply with these rules more than once before shutoff of service. The utility shall provide notice to the customer that the complaint has been dismissed under this rule. If the customer remains dissatisfied, the utility shall inform the residential or small nonresidential customer of the right to request a customer hearing with the utility and the procedure for requesting the hearing. The utility shall also inform the customer that they must contact the commission to file a request for a formal hearing. Unless the customer takes action by either requesting a customer hearing or taking its dispute to the commission, the matter in dispute is considered closed.

History: 2007 AACS; 2017 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.155

Source: 2019 AACS.

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R 460.156
Source: 2017 AACS.

R 460.157
Source: 2017 AACS.

R 460.158
Source: 2017 AACS.

R 460.159
Source: 2017 AACS.

PART 11. APPEAL PROCEDURES

R 460.160
Source: 2017 AACS.

R 460.161
Source: 2017 AACS.

R 460.162
Source: 2017 AACS.

R 460.163
Source: 2017 AACS.

R 460.164
Source: 2017 AACS.

R 460.165
Source: 2017 AACS.

R 460.166
Source: 2017 AACS.

R 460.167
Source: 2017 AACS.

R 460.168
Source: 2017 AACS.

R 460.169
Source: 2017 AACS.

MERGERS AND ACQUISITIONS

R 460.301
Source: 2011 AACS.

R 460.302
Source: 2011 AACS.

R 460.303
Source: 2011 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

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PUBLIC SERVICE COMMISSION
ELECTRIC INTERCONNECTION STANDARDS

R 460.481
Source: 2009 AACS.

R 460.482
Source: 2009 AACS.

R 460.483
Source: 2009 AACS.

R 460.484
Source: 2009 AACS.

R 460.485
Source: 2009 AACS.

R 460.486
Source: 2009 AACS.

R 460.487
Source: 2009 AACS.

R 460.488
Source: 2009 AACS.

R 460.489
Source: 2009 AACS.

ELECTRICAL SERVICE

R 460.511
Source: 1979 AC.

R 460.512
Source: 1979 AC.

R 460.513
Source: 1979 AC.

R 460.514
Source: 1979 AC.

R 460.515
Source: 1979 AC.

R 460.516
Source: 1979 AC.

R 460.517
Source: 1979 AC.

R 460.518
Source: 1979 AC.

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R 460.519

Source: 1979 AC.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

ELECTRIC INTERCONNECTION AND NET METERING STANDARDS

R 460.601a Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

R 460.601b Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

R 460.602 Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

R 460.604 Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

R 460.606 Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

R 460.608 Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

R 460.610 Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

R 460.612 Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

R 460.615 Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

R 460.618 Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

R 460.620 Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

R 460.622 Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

R 460.624 Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

R 460.626 Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

R 460.628 Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

R 460.640 Rescinded

History: 2009 AACS; 2023 MR 8, Eff. April 25, 2023.

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R 460.642 Rescinded

History: 2009 AACs; 2023 MR 8, Eff. April 25, 2023.

R 460.644 Rescinded

History: 2009 AACs; 2023 MR 8, Eff. April 25, 2023.

R 460.646 Rescinded

History: 2009 AACs; 2023 MR 8, Eff. April 25, 2023.

R 460.648 Rescinded

History: 2009 AACs; 2023 MR 8, Eff. April 25, 2023.

R 460.650 Rescinded

History: 2009 AACs; 2023 MR 8, Eff. April 25, 2023.

R 460.652 Rescinded

History: 2009 AACs; 2023 MR 8, Eff. April 25, 2023.

R 460.654 Rescinded

History: 2009 AACs; 2023 MR 8, Eff. April 25, 2023.

R 460.656 Rescinded

History: 2009 AACs; 2023 MR 8, Eff. April 25, 2023.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

SERVICE QUALITY AND RELIABILITY STANDARDS

FOR ELECTRIC DISTRIBUTION SYSTEMS

PART 1. GENERAL PROVISIONS

R 460.701 Application of rules.

Rule 1. (1) These rules apply to electric utilities as defined by section 2 of the electric transmission line certification act, 1995 PA 30, MCL 460.562, and cooperative electric utilities as defined by section 2 of the electric cooperative member-regulation act, 2008 PA 167, MCL 460.32, that are subject to the jurisdiction of the public service commission.

(2) These rules do not relieve an electric utility that is subject to the jurisdiction of the public service commission from any of its duties under the laws of this state, including all of the requirements of R 460.3101 to R 460.3908.

History: 2004 AACs.; 2023 MR 7, Eff. April 10, 2023.

R 460.702 Definitions.

Rule 2. As used in these rules:

(a) "All conditions" means conditions reflected by data derived through the amalgamation of data from normal conditions, gray sky conditions, and catastrophic conditions. All conditions does not mean only normal conditions or only gray sky conditions or only catastrophic conditions.

(b) "Approved by the commission" means that a favorable commission order has been obtained.

(c) "Catastrophic conditions" means either of the following:

(i) Severe weather conditions that result in sustained service interruptions for 10% or more of an electric utility's or cooperative's customers.

(ii) Events of sufficient magnitude that result in issuance of an official state of emergency declaration by the local, state, or federal government.

(d) "CELID" or "customers experience long term interruption durations" means the ratio of the number of customers experiencing 1 or more sustained interruptions longer than an indicated duration to the total number of customers served. For

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purposes of these rules, the interruption duration is denoted as a number and unit of time immediately following the term CELID, for example CELID8hours.

- (e) "CEMI4" or "customers experiencing multiple interruptions" means the ratio of individual customers experiencing 4 or more sustained interruptions to the total number of customers served.
- (f) "Commission" means the public service commission.
- (g) "Completion date" means the day on which service at a new installation is permanently energized. The provision of construction power does not affect a determination of the completion date.
- (h) "Cooperative" or "cooperative electric utility" means that term as defined in section 2 of the electric cooperative member-regulation act, 2008 PA 167, MCL 460.32.
- (i) "Electric utility" means that term as defined in section 2(e) of the electric transmission line certification act, 1995 PA 30, MCL 460.562.
- (j) "Gray sky conditions" means conditions that result in sustained interruptions for greater than 1% but less than 10% of an electric utility's or cooperative's customers.
- (k) "Meter reading factor" means the percentage of meters read within an approved billing period. An approved billing period is a "billing month" within the meaning of R 460.102(e) of not less than 26 days, nor more than 35 days, or some other time period approved by the commission.
- (l) "Metropolitan statistical area" means an area within this state identified by the United States Office of Management and Budget and appears on the website of the United States Department of Commerce, United States Census Bureau at <https://www.commerce.gov/bureaus-and-offices/census>.
- (m) "Minimum bill prorated on a daily basis" means the amount that results from dividing the customer's minimum bill amount by the number of days in the billing period and then by multiplying that quotient by the number of days during which the customer remained out of service.
- (n) "MISS DIG activities" means the requirements imposed pursuant to the MISS DIG underground facility damage prevention and safety act, 2013 PA 174, MCL 460.721 to 460.733.
- (o) "Momentary interruption" means the full or partial loss of service to 1 or more customers for less than or equal to 5 minutes, including all reclosing operations that occur within 5 minutes of the first interruption.
- (p) "New service installation factor" means the percent of new service hookups that are completed within the time period prescribed by these rules, from start date to completion date. New service hookups dependent on the construction of a line extension other than the service line are excluded from the calculation of this factor.
- (q) "Normal conditions" means conditions that result in sustained interruptions for 1% or less of an electric utility's or cooperative's customers.
- (r) "SAIDI" or "system average interruption duration index" means the sum of all customer-sustained interruption durations divided by the total number of customers served.
- (s) "SAIFI" or "system average interruption frequency index" means the total number of customer-sustained interruptions divided by the total number of customers served.
- (t) "Service restoration" means that the interruption condition has been corrected and that the interrupted customer or customers have regained the full use of their electric service.
- (u) "Sustained interruption" means any interruption not classified as part of a momentary event, which means any interruption that lasts more than 5 minutes. The duration of a customer's interruption is measured from the time that the electric utility or cooperative is notified or otherwise becomes aware of the full or partial loss of service to 1 or more customers for longer than 5 minutes.
- (v) "Start date for new installations" means the first business day after all of the following events have occurred:
 - (i) All rights of way, easements, licenses, and consents have been obtained and are and remain physically unencumbered.
 - (ii) All permits have been received.
 - (iii) All joint use requirements have been met.
 - (iv) All required inspections have been completed.
 - (v) All commission-approved tariff payments have been received.
 - (vi) All MISS DIG activities have been completed.
- (w) "Wire-down relief factor" means the annual percentage of the first responder guarded downed wires that are relieved by an electric utility or cooperative representative within the time period specified in R 460.723.

History: 2004 AACs.; 2023 MR 7, Eff. April 10, 2023.

R 460.703 Revision of tariff provisions.

Rule 3. Not more than 30 days after the effective date of these rules, an electric utility or cooperative subject to the commission's jurisdiction shall file any revisions of its tariff provisions necessary to conform with these rules.

History: 2004 AACs.; 2023 MR 7, Eff. April 10, 2023.

PART 2. UNACCEPTABLE LEVELS OF PERFORMANCE

R 460.721 Duty to plan to avoid unacceptable levels of performance.

Rule 21. An electric utility or cooperative shall plan to operate and maintain its distribution system in a manner that will permit it to provide service to its customers without experiencing an unacceptable level of performance as defined by these rules.

History: 2004 AAC.S.; 2023 MR 7, Eff. April 10, 2023.

R 460.722 Unacceptable levels of performance during service interruptions.

Rule 22. It is an unacceptable level of performance for an electric utility or cooperative to fail to meet any of the following sustained interruption standards:

- (a) Considering data derived through the amalgamation of data from all conditions, an electric utility or cooperative shall restore service within 36 hours to not less than 90% of its customers experiencing sustained interruptions.
- (b) Considering data including only catastrophic conditions, an electric utility or cooperative shall restore service within 48 hours to not less than 90% of its customers experiencing sustained interruptions.
- (c) Considering data including only gray sky conditions, an electric utility or cooperative shall restore service within 24 hours to not less than 90% of its customers experiencing sustained interruptions.
- (d) Considering data including only normal conditions, an electric utility or cooperative shall restore service within 8 hours to not less than 90% of its customers experiencing sustained interruptions.
- (e) From the effective date of these rules until December 31, 2029, considering data derived through the amalgamation of data from all conditions, not more than 6% of an electric utility's or cooperative's customers may experience 4 or more sustained interruptions in a calendar year.
- (f) Beginning January 1, 2030, considering data derived through the amalgamation of data from all conditions, not more than 5% of an electric utility's or cooperative's customers may experience 4 or more sustained interruptions in a calendar year.

History: 2004 AAC.S.; 2023 MR 7, Eff. April 10, 2023.

R 460.723 Wire down relief requests.

Rule 23. (1) It is an unacceptable level of performance for an electric utility or cooperative to fail to respond to a request for relief of a first responder guarded downed wire at a location in a metropolitan statistical area within 120 minutes after notification at least 90% of the time under all conditions.

(2) It is an unacceptable level of performance for an electric utility or cooperative to fail to respond to a request for relief of a first responder guarded downed wire at a location in a non-metropolitan statistical area within 180 minutes after notification at least 90% of the time under all conditions.

(3) It is an unacceptable level of performance for an electric utility or cooperative to fail to exercise due diligence and care to ensure that first responders are relieved from guarding downed wires in the quickest manner possible.

(4) It is an unacceptable level of performance for an electric utility or cooperative to fail to exercise due diligence and care to ensure downed wires are responded to and secured in the quickest manner possible.

History: 2004 AAC.S.; 2023 MR 7, Eff. April 10, 2023.

R 460.724 Unacceptable service quality levels of performance.

Rule 24. It is an unacceptable level of performance for an electric utility or cooperative to fail to meet either of the following service quality standards:

- (a) An electric utility or cooperative shall have a meter reading factor of 95% or more within the approved period, including customer reads.
- (b) An electric utility or cooperative shall complete 90% or more of its new service installations within 15 business days.

History: 2004 AAC.S.; 2023 MR 7, Eff. April 10, 2023.

PART 3. RECORDS AND REPORTS

R 460.731 Deadline for filing annual reports.

Rule 31. Not more than 120 days after the end of the calendar year in which these rules became effective, an electric utility shall file an annual report with the commission regarding the previous calendar year. For subsequent calendar years, an electric utility or cooperative shall file its annual report not more than 75 days after the end of the year. The annual report must be filed on a form prescribed by the commission.

History: 2004 AAC.S.; 2023 MR 7, Eff. April 10, 2023.

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R 460.732 Annual report contents.

Rule 32. The annual report of an electric utility or cooperative made pursuant to these rules must contain all of the following information:

- (a) The meter reading factor. If the meter reading factor is less than 95%, then the report must contain a detailed explanation of the steps that the electric utility or cooperative is taking to bring its performance to an acceptable level.
- (b) The new service installation factor. If the new service installation factor is less than 90% completed within 15 business days, then the report must contain a detailed explanation of the steps that the electric utility or cooperative is taking to bring its performance to an acceptable level.
- (c) The wire-down relief factor. If the wire-down relief factor is less than 90% within 120 minutes within metropolitan statistical areas or less than 90% within 180 minutes in non-metropolitan statistical areas, then the report must contain a detailed explanation of the steps that the electric utility or cooperative is taking to bring its performance to an acceptable level.
- (d) The service restoration factor for all conditions. If the service restoration factor for all conditions is less than 90% of customers restored within 36 hours or less, then the report must contain a detailed explanation of the steps that the electric utility or cooperative is taking to bring its performance to an acceptable level.
- (e) The service restoration factor for normal conditions. If the service restoration factor for normal conditions is less than 90% of customers restored within 8 hours or less, then the report must contain a detailed explanation of the steps that the electric utility or cooperative is taking to bring its performance to an acceptable level.
- (f) The service restoration factor for gray sky conditions. If the service restoration factor for gray sky conditions is less than 90% of customers restored within 24 hours or less, then the report must contain a detailed explanation of the steps that the electric utility or cooperative is taking to bring its performance to an acceptable level.
- (g) The service restoration factor for catastrophic conditions. If the service restoration factor for catastrophic conditions is less than 90% of customers restored within 48 hours or less, then the report must contain a detailed explanation of the steps that the electric utility or cooperative is taking to bring its performance to an acceptable level.
- (h) CEMI4. All of the following information:
 - (i) The number of customers that experienced 4 or more sustained interruptions.
 - (ii) If more than 6% of customers experienced 4 or more sustained interruptions within the year, and that year was 2029 or a prior year, then the report must contain a detailed explanation of the steps that the electric utility or cooperative is taking to bring its performance to an acceptable level, including a description of all catastrophic conditions experienced during the year.
 - (iii) If more than 5% of customers experienced 4 or more sustained interruptions within the year, and that year was 2030 or a future year, then the report must contain a detailed explanation of the steps that the electric utility or cooperative is taking to bring its performance to an acceptable level, including a description of all catastrophic conditions experienced during the year.
- (i) The number and total dollar amount of all customer credits the electric utility or cooperative provided during the year, broken down by customer class, for its failure to restore service to customers within 96 hours of the start of a sustained interruption that occurred during the course of catastrophic conditions.
- (j) The number and total dollar amount of all customer credits the electric utility or cooperative provided during the year, broken down by customer class, for its failure to restore service to customers within 48 hours of the start of a sustained interruption that occurred during the course of gray sky conditions.
- (k) The number and total dollar amount of all customer credits the electric utility or cooperative provided during the year, broken down by customer class, for its failure to restore service to customers within 16 hours of the start of a sustained interruption that occurred during normal conditions.
- (l) The number and total dollar amount of all customer credits the electric utility or cooperative provided during the year, broken down by customer class, to individual customers who experienced 6 or more sustained interruptions.
- (m) For each electric utility with 1,000,000 or more customers, a list of its 10 worst performing circuits for the prior year in terms of SAIDI and SAIFI.
- (n) For each electric utility or cooperative with less than 1,000,000 customers, a list of the worst performing 1% of circuits for the prior year in terms of SAIDI and SAIFI.
- (o) For each of the worst performing circuits listed in subrules (m) or (n) of this rule, the electric utility or cooperative shall provide all of the following information:
 - (i) SAIDI and SAIFI for the year.
 - (ii) Circuit name, number, and location.
 - (iii) Length of circuit in miles.
 - (iv) Number of customers served.
 - (v) Substation name.
 - (vi) Last circuit trim.
 - (vii) List of outages and causes.
 - (viii) Corrective action to improve performance.

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- (p) Number of CEMI reporting for indices CEMI0 through CEMI10+.
- (q) Number of CELID reporting for indices CELID8hours, CELID24hours, CELID48hours.
- (r) Number of non-residential customers experiencing momentary interruptions.
- (s) A summary table indicating whether the electric utility or cooperative complied or failed to comply with each of the standards established by these rules.

History: 2004 AACS.; 2023 MR 7, Eff. April 10, 2023.

R 460.733 Availability of records.

Rule 33. (1) An electric utility or cooperative shall make available to the commission or its staff, upon request, all records, reports, and other information required to determine compliance with these rules and to permit the commission and its staff to investigate and resolve service quality and reliability issues related to electric distribution service.

(2) An electric utility or cooperative shall make records, reports, and other information available to the commission or its staff within 5 business days of being requested, preferably in an electronic format available through the internet, accessible with standard browser software, identification, and password.

History: 2004 AACS.; 2023 MR 7, Eff. April 10, 2023.

R 460.734 Retention of records.

Rule 34. An electric utility or cooperative shall preserve, in detail, all records required by these rules for the previous 24 months and shall preserve, in summary form, all records for not less than 4 years, unless otherwise ordered by the commission.

History: 2004 AACS.; 2023 MR 7, Eff. April 10, 2023.

PART 4. FINANCIAL INCENTIVES AND CUSTOMER ACCOMMODATIONS

R 460.741 Approval of incentives by the commission.

Rule 41. (1) The commission may authorize an electric utility or cooperative to receive a financial incentive if it exceeds all of the service quality and reliability standards adopted by these rules.

(2) A request for approval of an incentive mechanism must be made in either of the following proceedings and be conducted as a contested case under chapter 4 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.271 to 24.288:

(a) A rate case proceeding.

(b) A single-issue proceeding filed specifically to address adoption of an incentive program.

(3) An electric utility or cooperative shall not file an application seeking approval of an incentive mechanism until it has exceeded all of the service quality and reliability standards adopted by these rules continuously for a period of not less than 12 months.

History: 2004 AACS.; 2023 MR 7, Eff. April 10, 2023.

R 460.742 Criteria for receipt of an incentive.

Rule 42. (1) If an electric utility or cooperative qualifies for implementation of a previously approved incentive mechanism, it shall file an application seeking authority to implement the incentive mechanism at the same time that it submits the annual report required by R 460.732.

(2) An electric utility or cooperative shall not apply for a financial incentive approved by the commission unless all of the following criteria were met during the previous 12 months:

(a) All required reports have been filed in a timely manner.

(b) All required reports fully comply with the requirements as determined by the commission.

(c) The electric utility's or cooperative's performance exceeded all of the individual service quality and reliability standards.

(d) The electric utility or cooperative fully responded to any inquiries about the content of the reports made by the commission or its staff in a timely manner.

History: 2004 AACS.; 2023 MR 7, Eff. April 10, 2023.

R 460.743 Disqualification.

Rule 43. An electric utility or cooperative shall be disqualified from receiving an incentive if the commission issues an order finding that the electric utility engaged in any type of anticompetitive behavior within the 12-month period preceding the filing of an application pursuant to R 460.742(1).

History: 2004 AACS.; 2023 MR 7, Eff. April 10, 2023.

R 460.744 Customer accommodation for failure to restore service after sustained interruption due to gray sky and catastrophic conditions.

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Rule 44. (1) Unless an electric utility or cooperative requests a waiver pursuant to part 5 of these rules, an electric utility or cooperative that fails to restore service to a customer within 96 hours after the start of a sustained interruption that occurred during the course of catastrophic conditions shall provide any affected customer with a bill credit on the customer's bill within 90 days. The amount of the credit provided to a residential customer is the greater of a rate of \$35.00 for each sustained interruption over 96 hours, plus an additional \$35.00 for each day thereafter or the customer's monthly customer charge. The amount of the credit provided to any other distribution customer is the customer's minimum bill prorated on a daily basis. The rate of \$35.00 is subject to an annual adjustment pursuant to subrule (3) of this rule.

(2) Unless an electric utility or cooperative requests a waiver pursuant to part 5 of these rules, an electric utility or cooperative that fails to restore service to a customer within 48 hours after the start of a sustained interruption that occurred during the course of gray sky conditions shall provide any affected customer with a bill credit on the customer's bill within 90 days. The amount of the credit provided to a residential customer is the greater of a rate of \$35.00 for each sustained interruption over 48 hours, plus an additional \$35.00 for each day thereafter or the customer's monthly customer charge. The amount of the credit provided to any other distribution customer is the customer's minimum bill prorated on a daily basis. The rate of \$35.00 is subject to an annual adjustment pursuant to subrule (3) of this rule.

(3) No sooner than September 1, 2022, and by October 1 every year after, the commission shall issue an order adjusting the prevailing customer accommodation rate. The commission shall adjust the customer accommodation rate by multiplying the rate by the difference between the Consumer Price Index for the month of October immediately preceding the commission's order implementing the inflation adjustment, and the Consumer Price Index for the previous October. The commission shall round up each adjustment made under this subsection to the nearest \$1.00.

History: 2004 AACs.; 2023 MR 7, Eff. April 10, 2023.

R 460.745 Customer accommodation for failure to restore service during normal conditions.

Rule 45. (1) Unless an electric utility or cooperative requests a waiver pursuant to part 5 of these rules, an electric utility or cooperative that fails to restore service to a customer within 16 hours after the start of a sustained interruption that occurred during normal conditions shall provide to any affected customer a bill credit on the customer's bill within 90 days. The amount of the credit provided to a residential customer is the greater of a rate of \$35.00 for each outage over 16 hours, plus an additional \$35.00 for each day thereafter or the customer's monthly customer charge. The amount of the credit provided to any other distribution customer is the customer's minimum bill prorated on a daily basis. The rate of \$35.00 is subject to an annual adjustment pursuant to subrule (2) of this rule.

(2) No sooner than September 1, 2022, and by October 1 every year after, the commission shall issue an order adjusting the prevailing customer accommodation rate. The commission shall adjust the customer accommodation rate by multiplying the rate by the difference between the Consumer Price Index for the month of October immediately preceding the commission's order implementing the inflation adjustment, and the Consumer Price Index for the previous October. The commission shall round up each adjustment made under this subsection to the nearest \$1.00.

History: 2004 AACs.; 2023 MR 7, Eff. April 10, 2023.

R 460.746 Customer accommodation for repetitive interruptions.

Rule 46. (1) Unless an electric utility or cooperative requests a waiver pursuant to part 5 of these rules, a customer of an electric utility or cooperative that experiences 6 or more sustained interruptions in a 12-month period is entitled to a billing credit on the customer's bill within 90 days. The amount of the credit provided to a residential customer is the greater of \$35.00, subject to adjustment pursuant to subrule (3) of this rule, or the customer's monthly customer charge. The amount of the credit provided to any other distribution customer is the customer's minimum bill prorated on a daily basis. The initial rate of \$35.00 is subject to an annual adjustment pursuant to subrule (3) of this rule.

(2) Following provision of the billing credit to a customer experiencing 6 or more-sustained interruptions in a 12-month period, the electric utility's or cooperative's interruption counter must be reset to zero to ensure that another credit to the customer will be processed only after the occurrence of another 6 interruptions in a 12-month period.

(3) No sooner than September 1, 2022, and by October 1 every year after, the commission shall issue an order adjusting the prevailing customer accommodation rate. The commission shall adjust the customer accommodation rate by multiplying the rate by the difference between the Consumer Price Index for the month of October immediately preceding the commission's order implementing the inflation adjustment, and the Consumer Price Index for the previous October. The commission shall round up each adjustment made under this subsection to the nearest \$1.00.

History: 2004 AACs.; 2023 MR 7, Eff. April 10, 2023.

R 460.747 Multiple billing credits allowed.

Rule 47. An electric utility's or cooperative's obligation to provide a customer with a billing credit for 1 reason does not excuse the obligation to provide an additional billing credit in the same month for another reason.

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History: 2004 AACS.; 2023 MR 7, Eff. April 10, 2023.

R 460.748 Effect in other proceedings.

Rule 48. (1) The payment or nonpayment of a customer credit or an incentive award may not affect the rights of a customer or an electric utility or cooperative in any proceeding before the commission or in any action in a court of law.

(2) The finding of a violation of a service quality or reliability standard adopted in these rules may not affect the rights of a customer or an electric utility or cooperative in any proceeding before the commission or in any action in a court of law.

History: 2004 AACS.; 2023 MR 7, Eff. April 10, 2023.

PART 5. WAIVERS AND EXCEPTIONS

R 460.751 Waivers and exceptions by electric utilities.

Rule 51. (1) An electric utility or cooperative may petition the commission for a permanent or temporary waiver or exception from these rules when specific circumstances beyond the control of the electric utility or cooperative render compliance impossible or when compliance would be unduly economically burdensome or technologically infeasible.

(2) An electric utility or cooperative may request a temporary waiver in order to have sufficient time to implement procedures and systems to comply with these rules.

(3) An electric utility or cooperative need not meet the standards or grant the credits required by parts 2 and 4 of these rules under any of the following circumstances:

(a) The problem was caused by the customer.

(b) There was a work stoppage or other work action by the electric utility's or cooperative's employees, beyond the control of the electric utility or cooperative, that caused a significant reduction in employee hours worked.

(c) The problem was caused by an "act of God." The term "act of God" means an event due to extraordinary natural causes so exceptionally unanticipated and devoid of human agency that reasonable care would not avoid the consequences and includes any of the following:

(i) Flood.

(ii) Tornado.

(iii) Earthquake.

(iv) Fire.

(d) The problem was due to a major system failure attributable to, but not limited to, any of the following:

(i) An accident.

(ii) A man-made disaster.

(iii) A terrorist attack.

(iv) An act of war.

(v) A pandemic.

History: 2004 AACS.; 2023 MR 7, Eff. April 10, 2023.

R 460.752 Proceedings for waivers and exceptions.

Rule 52. (1) A petition for a waiver of a customer credit provision filed by an electric utility or cooperative must be handled as a contested case proceeding. The burden of going forward with a request for a waiver is on the electric utility or cooperative. To be timely, a petition for a waiver of a customer credit provision of these rules must be filed not more than 14 calendar days after conclusion of the outage giving rise to application of the customer credit provision.

(2) A petition for any other waiver or exception may be granted by the commission without notice or hearing.

History: 2004 AACS.; 2023 MR 7, Eff. April 10, 2023.

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PUBLIC SERVICE COMMISSION

ELECTRICAL SUPPLY AND COMMUNICATION LINES AND ASSOCIATED EQUIPMENT

R 460.811

Source: 1988 AACS.

R 460.812

Source: 1988 AACS.

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R 460.813
Source: 2017 AACs.

R 460.814
Source: 1988 AACs.

R 460.815
Source: 1988 AACs.

PRODUCTION AND TRANSMISSION OF NATURAL GAS

R 460.851
Source: 1979 AC.

R 460.852
Source: 1979 AC.

R 460.853
Source: 1979 AC.

R 460.854
Source: 1979 AC.

R 460.855
Source: 1979 AC.

R 460.856
Source: 1979 AC.

R 460.857
Source: 1979 AC.

R 460.858
Source: 1979 AC.

R 460.859
Source: 1979 AC.

R 460.860
Source: 1979 AC.

R 460.861
Source: 1979 AC.

R 460.862
Source: 1979 AC.

R 460.863
Source: 1979 AC.

R 460.864
Source: 1979 AC.

R 460.865
Source: 1979 AC.

R 460.866
Source: 1979 AC.

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R 460.867
Source: 1979 AC.

R 460.868
Source: 1979 AC.

R 460.869
Source: 1979 AC.

R 460.870
Source: 1979 AC.

R 460.871
Source: 1979 AC.

R 460.872
Source: 1979 AC.

R 460.873
Source: 1979 AC.

R 460.874
Source: 1979 AC.

R 460.875
Source: 1979 AC.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

INTERCONNECTION AND DISTRIBUTED GENERATION STANDARDS

PART 1. GENERAL PROVISIONS

R 460.901a Definitions; A-I.

Rule 1a. As used in these rules:

- (a) “AC” means alternating current at 60 Hertz.
- (b) “Affected system” means another electric utility’s distribution system, a municipal electric utility’s distribution system, the transmission system, or transmission system- connected generation which may be affected by the proposed interconnection.
- (c) “Affiliate” means that term as defined in R 460.10102(1)(a).
- (d) “Alternative electric supplier” means that term as defined in section 10g of 1939 PA 3, MCL 460.10g.
- (e) “Alternative electric supplier distributed generation program plan” means a document supplied by an alternative electric supplier that provides detailed information to an applicant about the alternative electric supplier's distributed generation program.
- (f) “Alternative electric supplier legacy net metering program plan” means a document supplied by an alternative electric supplier that provides detailed information to an applicant about the alternative electric supplier's legacy net metering program.
- (g) “Applicant” means the person or entity submitting an interconnection application, a legacy net metering program application, or a distributed generation program application. An applicant is not required to be an existing customer of an electric utility. An electric utility is considered an applicant when it submits an interconnection application for a DER that is not a temporary DER or a substation backup energy storage device.
- (h) “Application” means an interconnection application, a legacy net metering program application, or a distributed generation program application.
- (i) “Area network” means a location on the distribution system served by multiple transformers interconnected in an electrical network circuit.
- (j) “Business day” means Monday through Friday, starting at 12:00:00 a.m. and ending at 11:59:59 p.m., excluding electric

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utility holidays and any day where electric service is interrupted for 10% or more of an electric utility's customers.

(k) "Calendar day" means every day, including Saturdays, Sundays, and holidays.

(l) "Certified" means an inverter-based system has met acceptable safety and reliability standards by a nationally recognized testing laboratory in conformance with IEEE 1547.1-2020 and the UL 1741 September 28, 2021 edition except that prior to commercial availability, inverter-based systems which conform to the UL 1741SA September 7, 2016 edition are acceptable.

(m) "Commission" means the Michigan public service commission.

(n) "Commissioning test" means the test and verification procedure that is performed on a device or combination of devices forming a system to confirm that the device or system, as designed, delivered, and installed, meets the interconnection and interoperability requirements of IEEE 1547-2018 and IEEE 1547.1-2020. A commissioning test must include visual inspections and may include, as applicable, an operability and functional performance test and functional tests to verify interoperability of a combination of devices forming a system.

(o) "Conforming" means the information in an interconnection application is consistent with the general principles of distribution system operation and DER characteristics.

(p) "Customer" means a person or entity who receives electric service from an electric utility's distribution system or a person who participates in a legacy net metering or distributed generation program through an alternative electric supplier or electric utility.

(q) "DC" means "direct current."

(r) "Distributed energy resource" or "DER" means a source of electric power and its associated facilities that is connected to a distribution system. DER includes both generators and energy storage devices capable of exporting active power to a distribution system.

(s) "Distributed generation program" means the distributed generation program approved by the commission and included in an electric utility's tariff pursuant to section 6a(14) of 1939 PA 3, MCL 460.6a, or established in an alternative electric supplier distributed generation program plan.

(t) "Distribution system" means the structures, equipment, and facilities owned and operated by an electric utility to deliver electricity to end users, not including transmission and generation facilities that are subject to the jurisdiction of the federal energy regulatory commission.

(u) "Distribution upgrades" mean the additions, modifications, or improvements to the distribution system necessary to accommodate a DER's connection to the distribution system.

(v) "Electric utility" means any person or entity whose rates are regulated by the commission for selling electricity to retail customers in this state. For purposes of R 460.901a through R 460.992 only, "electric utility" includes cooperative electric utilities that are member regulated as provided in section 4 of the electric cooperative member-regulation act, 2008 PA 167, MCL 460.34.

(w) "Electrically coincident" means that 2 or more proposed DERs associated with pending interconnection applications have operating characteristics and nameplate capacities which require that distribution upgrades will be necessary if the DERs are installed in electrical proximity with each other on a distribution system.

(x) "Electrically remote" means a proposed DER is not electrically coincident with a DER that is associated with a pending interconnection application.

(y) "Eligible electric generator" means a methane digester or renewable energy system with a generation capacity limited to a customer's electric need and that does not exceed either of the following:

(i) 150 kWac of aggregate generation at a single site for a renewable energy system.

(ii) 550 kWac of aggregate generation at a single site for a methane digester.

(z) "Energy storage device" means a device that captures energy produced at one time, stores that energy for a period of time, and delivers that energy as electricity for use at a future time. For purposes of these rules, an energy storage device may be considered a DER.

(aa) "Export capacity" means the amount of power that can be transferred from the DER to the distribution system. Export capacity is either the nameplate rating or a lower amount if limited using an acceptable means that is defined in an electric utility's interconnection procedures.

(bb) "Facilities study" means a study to specify and estimate the cost of the equipment, engineering, procurement, and construction work if distribution upgrades or interconnection facilities are required.

(cc) "Fast track" means the procedure used for evaluating a proposed interconnection that makes use of screening processes, as described in R 460.944 to R 460.950.

(dd) "Force majeure event" means an act of God; labor disturbance; act of the public enemy; war; insurrection; riot; fire, storm, or flood; explosion, breakage, or accident to machinery or equipment; an emergency order, regulation or restriction imposed by governmental, military, or lawfully established civilian authorities; or another cause beyond a party's control. A force majeure event does not include an act of negligence or intentional wrongdoing.

(ee) "Full retail rate" means the power supply and distribution components of the cost of electric service. Full retail rate does

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not include a system access charge, service charge, or other charge that is assessed on a per meter, premise, or customer basis.
(ff) “Good standing” means an applicant has paid in full all undisputed bills rendered by the interconnecting electric utility and any alternative electric supplier in a timely manner and none of these bills are in arrears.

(gg) “Governmental authority” means any federal, state, local, or other governmental regulatory or administrative agency, court, commission, department, board, or other governmental subdivision, legislature, rulemaking board, tribunal, or other governmental authority having jurisdiction over the parties, their respective facilities, or the respective services they provide, and exercising or entitled to exercise any administrative, executive, police, or taxing authority or power; provided, however, that this term does not include the applicant, interconnection customer, electric utility, or any affiliate thereof.

(hh) “GPS” means global positioning system.

(ii) “Grid network” means a configuration of a distribution system or an area of a distribution system in which each customer is supplied electric energy at the secondary voltage by more than 1 transformer.

(jj) “High voltage distribution” means those parts of a distribution system that operate within a voltage range specified in the electric utility’s interconnection procedures. For purposes of these rules, the term “subtransmission” means the same as high voltage distribution.

(kk) “IEEE” means institute of electrical and electronics engineers.

(ll) “IEEE 1547-2018” means “IEEE Standard for Interconnection and Interoperability of Distributed Energy Resources with Associated Electric Power Systems Interfaces,” as adopted by reference in R 460.902.

(mm) “IEEE 1547.1-2020” means IEEE “Standard Conformance Test Procedures for Equipment Interconnecting Distributed Energy Resources with Electric Power Systems and Associated Interfaces,” as adopted by reference in R 460.902.

(nn) “Inadvertent export” means unscheduled export of active power from a DER, exceeding a specified magnitude and for a limited duration, due to fluctuations in load-following behavior.

(oo) “Independent system operator” means an independent, federally-regulated entity established to coordinate regional transmission in a non-discriminatory manner and to ensure the safety and reliability of the transmission and distribution systems.

(pp) “Initial review” means the fast track initial review screens described in R 460.946.

(qq) “Interconnection” means the process undertaken by an electric utility to construct the electrical facilities necessary to connect a DER with a distribution system so that parallel operation can occur.

(rr) “Interconnection agreement” means an agreement containing the terms and conditions governing the electrical interconnection between the electric utility and the applicant or interconnection customer. Where construction of interconnection facilities or distribution upgrades are necessary, the agreement, or amendments, shall specify estimated timelines, cost estimates, and payment milestones for construction of facilities and distribution upgrades to interconnect a DER into the distribution system, and shall identify design, controls, settings, procurement, installation, and construction requirements associated with installation of the DER. Standard level 1, 2, and 3 interconnection agreements and level 4 and 5 interconnection agreements are types of interconnection agreements.

(ss) “Interconnection coordinator” means a person or persons designated by the electric utility who shall serve as the point of contact from which general information on the application process and on the affected system or systems can be obtained through informal request by the applicant or interconnection customer.

(tt) “Interconnection customer” means the person or entity, which may include the electric utility, responsible for ensuring a DER is operated and maintained in compliance with all local, state, and federal laws, as well as with all rules, standards, and interconnection procedures. An electric utility is not considered an interconnection customer for temporary DER or a substation backup energy storage device project.

(uu) “Interconnection facilities” mean any equipment required for the sole purpose of connecting a DER with a distribution system.

(vv) “Interconnection procedures” mean the requirements that govern project interconnection adopted by each electric utility and approved by the commission.

(ww) “Interconnection study agreement” means an agreement between an applicant and an electric utility for the electric utility to study a proposed DER.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.901b Definitions; J-Z.

Rule 1b. As used in these rules:

(a) “kW” means kilowatt.

(b) “kWac” means the electric power, in kilowatts, associated with the alternating current output of a DER at unity power factor.

(c) “kWh” means kilowatt-hours.

(d) “Legacy net metering program” means the true net metering or modified net metering programs in place prior to commission

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approval of a distributed generation program tariff pursuant to section 6a(14) of 1939 PA 3, MCL 460.6a, and prior to the establishment of an alternative electric supplier distributed generation plan.

(e) “Level 1” means a certified project of 20 kWac or less.

(f) “Level 2” means a certified project of greater than 20 kWac and not more than 150 kWac.

(g) “Level 3” means a project of 150 kWac or less that is not certified, or a project greater than 150 kWac and not more than 550 kWac.

(h) “Level 4” means a project of greater than 550 kWac and not more than 1 MWac.

(i) “Level 5” means a project of greater than 1 MWac.

(j) “Level 4 and 5 interconnection agreement” means an interconnection agreement applicable to level 4 and 5 interconnection applications.

(k) “Limited export” means the exporting capability of a DER whose export capacity is limited by means specified in an electric utility’s interconnection procedures.

(l) “Low voltage distribution” means those parts of a distribution system that operate with a voltage range specified in the electric utility’s interconnection procedures.

(m) “Mainline” means a conductor that serves as the three-phase backbone of a low voltage distribution circuit.

(n) “Material modification” means a modification to the DER nameplate rating, DER export capacity, electrical size of components, bill of materials, machine data, equipment configuration, or the interconnection site of the DER at any time after receiving notification by the electric utility of a complete interconnection application. Replacing a component with another component that has near-identical characteristics does not constitute a material modification when agreed to by the electric utility. For the proposed modification to be considered material, it shall have been reviewed and been determined to have or anticipated to have a material impact on 1 or more of the following:

(i) The cost, timing, or design of any equipment located between the point of common coupling and the DER.

(ii) The cost, timing, or design of any other application.

(iii) The electric utility’s distribution system or an affected system.

(iv) The safety or reliability of the distribution system.

(o) “Methane digester” means a renewable energy system that uses animal or agricultural waste for the production of fuel gas that can be burned for the generation of electricity or steam.

(p) “Modified net metering” means an electric utility billing method that applies the power supply component of the full retail rate to the net of the bidirectional flow of kWh across the customer interconnection with the electric utility’s distribution system during a billing period or time-of-use pricing period.

(q) “MW” means megawatt.

(r) “MWac” means the electric power, in megawatts, associated with the alternating current output of a DER at unity power factor.

(s) “Nameplate rating” means the sum total of maximum rated power output of all a DER’s constituent generating units and energy storage units as identified on the manufacturer nameplate, regardless of whether it is limited by any approved means. Nameplate rating includes all of the following:

(i) Nominal voltage (V).

(ii) Current (A).

(iii) Maximum active power (kWac).

(iv) Apparent power (kVA).

(v) Reactive power (kvar).

(t) “Nationally recognized testing laboratory” means any testing laboratory recognized by the accreditation program of the United States Department of Labor Occupational Safety and Health Administration.

(u) “Network protector” means those devices associated with a secondary network used to automatically disconnect a transformer when reverse power flow occurs.

(v) “Non-export track” means the procedure for evaluating a proposed interconnection that will not inject electric energy into an electric utility’s distribution system, as described in R 460.942.

(w) “Parallel operation” means the operation, for longer than 100 milliseconds, of a DER while connected to the energized distribution system.

(x) “Party” or “parties” means an electric utility, applicant, or interconnection customer.

(y) “Point of common coupling” means the point where the DER connects with the electric utility’s distribution system.

(z) “Power control system” means systems or devices that electronically limit or control steady state currents to a programmable limit.

(aa) “Radial supply” means a configuration of a distribution system or an area of a distribution system in which each customer can only be supplied electric energy by 1 substation transformer and distribution line at a time.

(bb) “Readily available” means no creation of data is required, and little or no computation or analysis of data is required.

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- (cc) “Regional transmission operator” means a voluntary organization of electric transmission owners, transmission users, and other entities approved by the federal energy regulatory commission to efficiently coordinate electric transmission planning, expansion, operation, and use on a regional and interregional basis.
- (dd) “Renewable energy credit” means a credit granted pursuant to the commission's renewable energy credit certification and tracking program in section 41 of the clean and renewable energy and energy waste reduction act, 2008 PA 295, MCL 460.1041.
- (ee) “Renewable energy resource” means that term as defined in section 11(i) of the clean and renewable energy and energy waste reduction act, 2008 PA 295, MCL 460.1011.
- (ff) “Renewable energy system” means that term as defined in section 11(k) of the clean and renewable energy and energy waste reduction act, 2008 PA 295, MCL 460.1011.
- (gg) “Secondary network” means those areas of a distribution system that operate at a secondary voltage level and are networked.
- (hh) “Site” means a contiguous site, regardless of the number of meters at that site. A site that would be contiguous but for the presence of a street, road, or highway is considered to be contiguous for the purposes of these rules.
- (ii) “Spot network” means a location on the distribution system that uses 2 or more inter-tied transformers to supply an electrical network circuit, such as a network circuit in a large building.
- (jj) “Standard level 1, 2, and 3 interconnection agreement” means the statewide interconnection agreement approved by the commission and applicable to levels 1, 2 and 3 interconnection applications. A cover sheet including modifications to address any special operating conditions may be added.
- (kk) “Study track” means the procedure used for evaluating a proposed interconnection as described in R 460.952 to R 460.962.
- (ll) “Supplemental review” means the fast track supplemental review screens described in R 460.950.
- (mm) “System impact study” means a study to identify and describe the impacts to the electric utility’s distribution system that would occur if the proposed DER were interconnected exactly as proposed and without any modifications to the electric utility’s distribution system. A system impact study also identifies affected systems.
- (nn) “Temporary DER” means a DER that is installed on the distribution system by the electric utility with the intention of not operating at the site permanently.
- (oo) “True net metering” means an electric utility billing method that applies the full retail rate to the net of the bidirectional flow of kWh across the customer interconnection with the electric utility’s distribution system, during a billing period or time-of-use pricing period.
- (pp) “UL” means underwriters laboratory.
- (qq) “UL 1741” means the September 28, 2021 edition of “Standard for Inverters, Converters, Controllers and Interconnection System Equipment for Use With Distributed Energy Resources,” as adopted by reference in R 460.902.
- (rr) “UL 1741 CRD for PCS” means the Certification Requirement Decision for Power Control Systems for the standard titled Inverters, Converters, Controllers and Interconnection System Equipment for Use With Distributed Energy Resources, March 8, 2019, as adopted by reference in R 460.902(b).
- History: 2023 MR 8, Eff. April 25, 2023.

R 460.902 Adoption of standards by reference.

Rule 2. (1) The standards specified in these rules are adopted by reference as follows:

- (a) UL 1741 Standard for Inverters, Converters, Controllers and Interconnection System Equipment for Use With Distributed Energy Resources, September 28, 2021 edition, is available from Underwriters Laboratories at the internet website: <https://standardscatalog.ul.com/ProductDetail.aspx?productId=UL1741> at a cost of \$798.00 at the time of adoption of these rules.
- (b) UL 1741 Standard for Inverters, Converters, Controllers and Interconnection System Equipment for Use With Distributed Energy Resources, January 28, 2010 edition, is available from Underwriters Laboratories at the internet website: <https://standardscatalog.ul.com/ProductDetail.aspx?productId=UL1741> at a cost of \$716.00 at the time of adoption of these rules.
- (c) ANSI C84.1 – 2016 Electric Power Systems and Equipment – Voltage Ratings (60 Hz), June 9, 2016, is available from the American National Standards Institute, Inc. at the internet website <https://webstore.ansi.org/> at a cost of \$111.24 at the time of adoption of these rules.
- (d) The following standards adopted by reference are available from IEEE at the internet website <https://standards.ieee.org> at the time of adoption of these rules.
- (i) The IEEE 1453-2015, IEEE Recommended Practice for the Analysis of Fluctuating Installations on Power Systems, October 30, 2015, is available at a cost of \$99.00 - \$147.00 at the time of adoption of these rules.
- (ii) The IEEE 1547 - 2018, IEEE Standard for Interconnection and Interoperability of Distributed Energy Resources with Associated Electric Power System Interfaces, April 6, 2018, is available at a cost of \$149.00 - \$224.00 at the time of adoption of these rules.

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(iii) The IEEE 1547.1-2020 IEEE Standard Conformance Test Procedures for Equipment Interconnecting Distributed Energy Resources with Electric Power Systems and Associated Interfaces, May 21, 2020, is available at a cost of \$197.00 - \$296.00 at the time of adoption of these rules.

(iv) The IEEE 519-2014 IEEE Recommended Practice and Requirements for Harmonic Control in Electric Power Systems, June 11, 2014, is available at a cost of \$52.00 - \$66.00 at the time of adoption of these rules.

(2) The commission has copies of the standards specified in subrule (1) of this rule available for review at its offices located at 7109 W. Saginaw Hwy., Lansing, Michigan 48917-1120. The mailing address is Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909-0221.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.904 Informal mediation.

Rule 4. (1) In the event that parties are unable to resolve a dispute arising out of the interconnection process, as defined by R 460.901a through R 460.992, privately, the parties may, by mutual agreement, make a written request for informal mediation to the commission staff. The informal mediation must commence within 10 business days after submission of the written request or a mutually agreeable timeframe and be conducted by an interconnection ombudsperson who shall be a member of the commission staff and designated by the commission. Both parties may choose to have attorneys or appropriate representation present.

(2) During informal mediation, the parties shall discuss relevant facts pertaining to the dispute and the relief being sought. The interconnection ombudsperson and relevant commission staff shall be present to facilitate the discussion and provide guidance among the parties. Parties shall operate in good faith and use best efforts to resolve the dispute.

(3) If a resolution is reached by the end of the meeting or meetings, the parties may draft a resolution of the dispute.

(4) If the parties reach impasse and are unable to resolve the dispute, the parties shall proceed to the formal mediation process described in R 460.906.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.906 Formal mediation.

Rule 6. (1) If the parties have been unable to resolve a dispute, the complaining party may file a written notice of dispute with the commission. The notice of dispute must state the specific grounds for the dispute, sufficient facts to support the allegations, the relief requested, and must contain all information, testimony, exhibits, or other documents and information within the party's possession on which the party intends to rely to support the party's position. After the filing of the written notice of dispute, the following must occur:

(a) The complaining party shall give notice that it is invoking the procedures in this rule. The complaining party shall send the notice to the non-complaining party's email address and file the notice with the commission.

(b) The non-complaining party shall acknowledge the notice of dispute within 10 business days of its receipt and identify a representative with the authority to make decisions on its behalf with respect to the dispute.

(c) An administrative law judge shall serve as the mediator in these proceedings. The administrative law judge may request and receive assistance from commission staff.

(d) Within 60 business days from the date the non-complaining party acknowledges the dispute, the mediator shall issue a recommended settlement.

(e) Within 5 business days after the date the recommended settlement is issued, each party shall file with the commission a written acceptance or rejection of the recommended settlement. If the parties accept the recommendation, then the recommendation shall become an order. If a party rejects or fails to respond within 5 business days to the recommended settlement, then the dispute may proceed to a contested case hearing before the commission as provided in R 792.10415.

(2) Nothing in these rules precludes a disputing party from filing a formal complaint with the commission, either instead of or after pursuing informal mediation or formal mediation pursuant to these rules.

(3) The initiation of any form of dispute resolution by a party tolls any applicable deadlines under these rules until the dispute is resolved.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.908 Timelines for electric utilities serving fewer than 1,000,000 in-state customers.

Rule 8. An electric utility serving fewer than 1,000,000 in-state customers shall have an additional 10 business days to comply with the timelines in R 460.911 to R 460.1026. This rule does not apply to applicants or interconnection customers.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.910 Waivers.

Rule 10. An electric utility, customer, alternative electric supplier, applicant, or interconnection customer may apply to the

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commission for a waiver from 1 or more provisions of these rules and may request expeditious processing. The commission may grant a waiver upon a showing of good cause and a finding that the waiver is in the public interest.

History: 2023 MR 8, Eff. April 25, 2023.

PART 2. INTERCONNECTION STANDARDS

R 460.911 Applicability.

Rule 11. These rules apply to all interconnection applications filed on or after the effective date of these rules. The electric utility shall complete work on any interconnection study agreement executed prior to the effective date of these rules, pursuant to the terms and conditions of that interconnection study agreement. Any new studies or other additional work must be completed pursuant to these rules. An electric utility or an alternative electric supplier shall not restrict access to interconnection for level 1, level 2, and level 3 DERs that are not participants in the legacy net metering or distributed generation programs.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.920 Electric utility interconnection procedures.

Rule 20. (1) An electric utility shall file applications for approval of interconnection procedures and forms within 120 calendar days of the effective date of these rules.

(2) The commission shall issue its order approving, rejecting, or modifying an electric utility's proposed interconnection procedures and forms within 360 calendar days of the electric utility filing an application for approval of interconnection procedures and forms. If the commission finds the procedures and forms proposed by the electric utility to be inadequate or unacceptable, the commission may either adopt procedures and forms proposed by another person in the proceeding or modify and accept the procedures and forms proposed by the electric utility.

(3) Until the commission accepts, rejects, or modifies an electric utility's interconnection procedures and forms, the electric utility may use the proposed interconnection procedures and forms when processing interconnection applications with the exception of fixed fees and fee caps. An electric utility shall only charge fees that comply with the requirements of R 460.926 until the commission accepts, rejects, or modifies the proposed interconnection procedures and forms, unless the commission approves different fees pursuant to R 460.926(5).

(4) Two or more electric utilities may file a joint application proposing interconnection procedures for use by the joint applicants. The proposed interconnection procedures must ensure compliance with these rules.

(5) The proposed interconnection procedures must, at a minimum, include all of the following:

- (a) All necessary applications, forms, and relevant template agreements.
- (b) A schedule of all applicable fixed fees and fee caps.
- (c) Voltage ranges for high voltage distribution and low voltage distribution.
- (d) Required initial review screens.
- (e) Required supplemental review screens.
- (f) The process for conducting system impact studies and facilities studies on DERs when there is an affected system issue.
- (g) Testing and certification requirements of DER telecommunications, cybersecurity, data exchange, and remote control operation.
- (h) Parallel operation requirements.
- (i) A method to estimate the expected annual kWh output of the generator or generators.
- (j) If an electric utility uses alternative methods for power limited export DER pursuant to R 460.980(3), a description of those methods.
- (k) A cost allocation methodology for study track DERs.
- (l) An evaluation of an interconnection application for a project that includes single or multiple types of DERs at a site for which the applicant seeks a single point of common coupling.
- (m) Details describing how an energy storage device may be integrated into an existing legacy net metering program system without impacting the 10-year grandfathering period or participation in the distributed generation program.
- (n) For electric utilities that are member-regulated electric cooperatives, a procedure for fairly processing applications in instances in which the number of applications exceed the capacity of the electric cooperative to timely meet the deadlines in these rules.
- (o) Examples of modifications that are not material modifications.
- (p) The procedure for performing a material modification review to determine if a modification is material.
- (q) Any required terms and conditions that must be specified in the general liability insurance for level 3, 4, and 5 projects.
- (r) A list of the electric utility's holidays.
- (s) If an electric utility uses an alternative process pursuant to R 460.956, a description of that process.
- (t) Fast track eligibility criteria for applications proposing to interconnect DERs with 4.8 kV distribution systems.

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(u) In the event daytime loading data is not available for the initial screen provided in R 460.946(5)(b), the date when the data will be collected.

(6) An electric utility shall obtain commission approval to revise its interconnection procedures.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.922 Online applications and electronic submission.

Rule 22. (1) An electric utility shall allow pre-application report requests, interconnection applications, and interconnection agreements to be submitted electronically, such as, through the electric utility's website or via email.

(2) An electric utility shall dedicate a page on its website or direct customers to a linked website with information on these rules. The relevant information available to an applicant or interconnection customer via a website must include all of the following:

(a) These rules and interconnection procedures in an electronically searchable format.

(b) The electric utility's applications and all associated forms in a format that allows for electronic entry of data.

(c) Sample documents including, at a minimum, a 1-line diagram with required labels.

(d) Contact information for the electric utility's DER interconnection coordinator, including an email address and a phone number.

(e) Directions for the submission of applications.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.924 Communications.

Rule 24. (1) An electric utility shall designate 1 or more interconnection coordinators. The telephone number and e-mail address of the interconnection coordinator or coordinators must be made available on the electric utility's website. The interconnection coordinator or coordinators must be available to provide reasonable assistance to the applicant or interconnection customer but is not responsible to directly answer or resolve all of the issues that may arise in the interconnection process.

(2) An applicant may designate an application agent. An application agent may serve as the single point of contact for the applicant and may coordinate with the electric utility on the applicant's behalf. Designation of an application agent does not absolve the applicant from signing interconnection documents or from complying with the requirements in these rules and the interconnection agreement.

(3) An electric utility must be indemnified by the applicant and its application agent with respect to assistance provided by an interconnection coordinator or coordinators.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.926 Fees.

Rule 26. (1) After the effective date of these rules, fees for the pre-application report, the non-export track and the fast track must be established as listed in subrule (2) of this rule. Initial fees for the study track must not exceed initial fee caps as established in subrule (3) of this rule. Fees must remain in effect until interconnection procedures are approved by the commission under R 460.920.

(2) The fee amounts for the pre-application report, non-export track, and fast track for all levels of DERs are as follows:

(a) The pre-application report fee may not exceed \$300.

(b) The non-export track fee may not exceed \$100 + \$1/kWac for certified DERs and \$100 + \$2/kWac for non-certified DERs.

(c) The fast track initial review fee is \$100 + \$1/kWac for certified DERs and \$100 + \$2/kWac for non-certified DERs.

(d) Any applicable legacy net metering program application fee pursuant to R 460.1004(7) or distributed generation program application fee pursuant to R 460.1006(6), in combination with any applicable fast track initial review fee, fast track supplemental review fees and any study track fees, must not exceed a total of \$50.

(3) The initial fee caps for a fast track supplemental review and the study track for all levels of DERs are as follows:

(a) The fee for a fast track supplemental review including all review screens may not exceed \$1,000.

(b) The study track fee for interconnection application review and the scoping meeting may not exceed \$300.

(c) The system impact study fee may not exceed \$10,000.

(d) The facilities study fee may not exceed \$15,000.

(4) The fees listed in subrule (2) and initial fee caps listed in subrule (3) of this rule, must be displayed prominently on the electric utility's interconnection website.

(5) An electric utility that expects to incur costs greater than the fees listed in subrule (2) or initial fee caps listed in subrule (3) of this rule in the evaluation of an interconnection application may file a request for a waiver pursuant to R 460.910.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.928 Fee and fee cap modifications.

Rule 28. (1) An electric utility shall include in its proposed interconnection procedures fixed fees to replace the fees specified in R 460.926(2)(a), (b), and (c), and add any other fixed fees the electric utility considers necessary.

(2) An electric utility shall include in its proposed interconnection procedures adjusted fee caps to replace the initial fee caps specified in R 460.926(3)(a), (b), (c), and (d), and add any other fee caps the electric utility considers necessary. An electric utility may charge actual costs up to the fee caps.

(3) The fixed fees must be specific to level size and be based on estimates of reasonable costs to perform the applicable service or study. The fee caps must be specific to level size and be based on a reasonable range of costs for performing the applicable study.

(4) The most recently approved fixed fees and fee caps must be listed in the electric utility's interconnection procedures and displayed prominently on the electric utility's interconnection website.

(5) The fixed fees and fee caps that are approved for inclusion in the electric utility's interconnection procedures by the commission may be reviewed at any time by the electric utility and adjusted, if necessary, subject to commission review and approval.

(6) Any modification of fees may not be applicable to fees already paid.

(7) An electric utility that expects to incur costs greater than its prevailing fee caps in the evaluation of an interconnection application may file a request for a waiver pursuant to R 460.910.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.930 Pre-application report request form.

Rule 30. (1) An applicant shall submit a completed pre-application report request form and the required fee for a pre-application report on a proposed level 4 or level 5 DER.

(2) The pre-application report request form must include all of the following information:

(a) Project contact information, including name, address, phone number, and email address.

(b) Project location, as accurately as can be identified, which may be given by any of the following:

(i) Street address with nearby cross streets and town.

(ii) An aerial map with location clearly marked.

(iii) GPS coordinates.

(c) Account number, meter number, structure number, or other equivalent information identifying the proposed point of common coupling, if available.

(d) Whether the DER is any of the following:

(i) Solar.

(ii) Wind.

(iii) Cogeneration.

(iv) Storage.

(v) Solar with storage.

(vi) Other type of DER.

(e) Capacity of the DER types in alternating current kW, direct current kW, kVA, and kWh for storage.

(f) Whether the DER configuration is single or 3-phase.

(g) Whether the DER will be a stand-alone generator, meaning no onsite load other than station service.

(h) Whether the DER will be certified.

(i) Whether new service is requested. If there is existing service, the customer account number and site minimum and maximum current or proposed electric loads in kW, if available, must be included, and how the load is expected to change must be specified.

(j) Whether the location is new construction.

(k) If applicable, whether the coupling between the generation and storage is alternating current or direct current and whether separate inverters will be used.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.932 Pre-application report.

Rule 32. (1) Using the information provided in the pre-application report request form described in R 460.930, an electric utility shall identify the substation bus, bank, or circuit most likely to serve the point of common coupling. This identification by the electric utility does not necessarily indicate that this would be the circuit to which the project ultimately connects.

(2) An applicant may request additional pre-application reports if information about multiple points of common coupling is requested. No more than 10 pre-application report requests may be submitted by an applicant and its affiliates during a 1-week period. An electric utility may reject additional pre-application report requests.

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(3) The pre-application report must include all of the following information:

- (a) Total capacity, in MW, of substation bus, bank, or circuit based on normal or operating ratings likely to serve the proposed point of common coupling.
 - (b) Existing aggregate generation capacity, in MW, interconnected to a substation bus, bank, or circuit likely to serve the proposed point of common coupling.
 - (c) Aggregate capacity, in MW, of generation not yet built but found in previously accepted interconnection applications, for a substation bus, bank, or circuit likely to serve the proposed point of common coupling.
 - (d) Available capacity, in MW, of substation bus, bank, or circuit likely to serve the proposed point of common coupling.
 - (e) Substation nominal distribution voltage.
 - (f) Nominal distribution circuit voltage at the proposed point of common coupling.
 - (g) Label, name, or identifier of the distribution circuit on which the proposed point of common coupling is located.
 - (h) Approximate circuit distance between the proposed point of common coupling and the substation.
 - (i) The actual or estimated peak load and minimum load data at any relevant line section or sections, including daytime minimum load and absolute minimum load, when available. If not readily available, the report must indicate whether the generator is expected to exceed minimum load on the circuit.
 - (j) Whether the point of common coupling is located behind a line voltage regulator and whether the substation has a load tap changer.
 - (k) Limiting conductor ratings from the proposed point of common coupling to the distribution substation.
 - (l) Number of phases available at the primary voltage level at the proposed point of common coupling, and, if a single phase, distance from the 3-phase circuit.
 - (m) Whether the point of common coupling is located on a spot network, area network, grid network, radial supply, or secondary network.
 - (n) Based on the proposed point of common coupling, the report must indicate whether power quality issues may be present on the circuit.
 - (o) Whether or not the area has been identified as having a prior affected system.
 - (p) Whether or not the site will require a system impact study for high voltage distribution based on size, location, and existing system configuration.
- (4) The pre-application report may include only existing and readily available data. A request for a pre-application report does not obligate an electric utility to conduct a study or other analysis of the proposed DER if data is not readily available. The pre-application report must also indicate any information listed in subrule (3) of this rule that is not readily available. An electric utility may, at its discretion, return any portion of the pre-application report fee because some or all information does not exist.
- (5) Pre-application report requests must be processed in the order in which an electric utility received the requests.
- (6) An electric utility shall provide the data required in the pre-application report to the applicant within 20 business days of receipt of the completed request form and payment of the fee. The pre-application report produced by the electric utility is non-binding and does not confer any rights on the applicant.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.934 Site control.

Rule 34. (1) Documentation of site control must be submitted with the application by the applicant.

- (2) For level 3, 4, or 5 DERs, site control may be demonstrated by providing documentation that shows any of the following:
 - (a) Ownership of, a leasehold interest in, or a right to develop a site for the purpose of constructing and operating the DER.
 - (b) An enforceable option to purchase or acquire a leasehold site for this purpose.
 - (c) A legally binding agreement transferring a present real property right to specified real property along with the right to construct and operate a DER on the specified real property for a period of time not less than 5 years.
- (3) For level 1 or 2 DERs, proof of site control may be demonstrated by the site owner's signature and contact information on the application.
- (4) An applicant may redact commercially sensitive information from site control documents.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.936 Interconnection applications.

Rule 36. (1) An electric utility shall provide an interconnection application for an applicant to complete, including for those applicants whose DERs will be configured to be non-exporting.

- (2) All documents required for a complete interconnection application must be listed on the interconnection application. For level 4 and 5 interconnection applications, the list of required documents must include a completed pre-application report.
- (3) For interconnection applications with proposed DERs that fall into level 1, an applicant shall provide a 1-line diagram and

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a site diagram.

- (4) For interconnection applications with proposed DERs that fall into levels 2 and 3, an applicant shall provide a 1-line diagram that is either sealed by a professional engineer licensed in this state or signed by an electrical contractor who is licensed in this state with the electrical contractor's license number noted on the diagram. An applicant shall also provide a site diagram.
- (5) For interconnection applications with proposed DERs that fall into levels 4 and 5, an applicant shall provide a 1-line diagram that is sealed by a professional engineer who is licensed in this state. An applicant shall also provide a site diagram.
- (6) Applications shall be reviewed to assess whether they are complete and conforming in the order in which they were received. An application is considered received when an electric utility receives the application, the application's attachments, and the application fee. The application must be date-stamped for the first business day when the electric utility has received the interconnection application, the application attachments, and payment of the application fee. An electric utility shall notify the applicant of receipt of the application by the end of the third business day following the date of the date stamp.
- (7) The electric utility shall notify the applicant that the interconnection application is either complete and conforming, or incomplete, or non-conforming, within 10 business days of the date stamp.
- (a) If an interconnection application is determined to be complete and conforming by the electric utility, the applicant must be notified that the interconnection application is accepted. The electric utility shall also indicate whether the interconnection application will be processed using the non-export track, fast track, or study track.
- (b) If the application is incomplete or non-conforming, the electric utility shall provide to the applicant a written list of all deficiencies with the notification. The applicant shall have 60 business days from the date of electric utility notification to submit the necessary information and may provide up to 2 submissions during this time period. After each submission of information, the electric utility shall have 10 business days to notify the applicant that the interconnection application is either accepted or rejected due to continuing deficiencies. If the applicant does not meet the timelines required by this rule, the utility may withdraw the application.
- (8) An electric utility shall comply with part 2 of these rules, R 460.911 to R 460.992, and its interconnection procedures when interconnecting DERs that it owns and operates onto its distribution system, with the exception of temporary DERs and substation backup batteries.
- (9) An electric utility shall use the same process when processing and studying interconnection applications from all applicants, whether the DER is owned or operated by the electric utility, its subsidiaries or affiliates, or others, with the exception of temporary DERs and substation backup batteries.
- (10) An electric utility shall review and update interconnection applications periodically to reflect new information required to properly review DERs, subject to commission review and approval.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.938 Public interconnection list.

- Rule 38. (1) An electric utility shall maintain a publicly available interconnection list, which is available in a sortable spreadsheet format. The sortable spreadsheet must be provided to the public upon request. An electric utility that has received not less than 100 complete interconnection applications in a year shall publish this list on the electric utility's website. The public interconnection list must be updated monthly. If no changes to the spreadsheet have occurred in that month, a note to that effect must be clearly indicated on the spreadsheet. The date of the most recent update must be clearly indicated.
- (2) The public interconnection list must include all of the following:
 - (a) An application identifier.
 - (b) The date that the electric utility received the application.
 - (c) The date that the electric utility considered the application to be complete and conforming.
 - (d) Whether the application is on the non-export track, fast track, or study track.
 - (e) The proposed DER nameplate rating.
 - (f) The proposed DER interconnection size level.
 - (g) The DER technology type.
 - (h) The county and township in which the proposed point of common coupling will be located.
 - (i) The current status of the application's progress in the interconnection process.
 - (j) The labels, names, or identifiers of the distribution circuit and substation.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.942 Non-export track review.

- Rule 42. (1) Interconnection applications for DERs that will not inject electric energy into an electric utility's distribution system are eligible for evaluation under the non-export track. Non-export eligibility requires an existing electrical service at the applicant's premise.
- (2) Subject to review and approval by the commission, an electric utility may limit the eligibility of the non-export track in its interconnection procedures based on the characteristics of its distribution system.
 - (3) Before submitting an interconnection application, a non-export track applicant may contact the electric utility for reasonable

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assistance in determining whether a non-export track review will be sufficient or the study track is necessary. The electric utility shall provide the applicant assistance based on available information. If the applicant chooses to proceed, an interconnection application shall be submitted pursuant to R 460.936.

(4) Within 20 business days after being notified that the application was accepted, the electric utility shall perform an initial review by using some or all of the initial review screens specified in the electric utility's interconnection procedures pursuant to R 460.946 and notify the applicant of the results. If an electric utility chooses to perform a review using a subset of the initial review screens, the exclusion of 1 or more screens may not be the only basis for the electric utility to require further study.

(5) If the proposed interconnection passes the initial review screens, or if the proposed interconnection fails the screens but the electric utility determines that the DER may be interconnected consistent with safety, reliability, and power quality standards, the electric utility shall notify the applicant as follows:

(a) If the notification indicates that no interconnection facilities, distribution upgrades, further study, or application modifications are required, the electric utility shall provide specifications for any equipment the applicant is required to install within 20 business days after the applicant being notified. Within 10 business days after receiving the equipment specifications, the applicant shall notify the electric utility whether the applicant will proceed under R 460.964 to an interconnection agreement or will withdraw the application. The applicant's failure to notify the electric utility within the required time period shall result in the interconnection application being withdrawn by the electric utility.

(b) If a facilities study is required, the interconnection application must proceed under R 460.962.

(6) If the proposed interconnection fails any of the initial review screens, and the electric utility does not or cannot determine that the DER may be interconnected consistent with safety, reliability, and power quality standards, the electric utility shall notify the applicant, provide the applicant with the results of the application of the initial review screens, and offer all of the following options:

(a) Attend a customer options meeting, as described in R 460.948.

(b) Proceed to supplemental review under R 460.950.

(c) Submit within 60 business days after the date of the electric utility notification, with up to 2 submissions during this time period, a complete and conforming revised interconnection application that includes application modifications offered or required by the electric utility. If the applicant does not make the submittal within the required 60 days, then the electric utility may consider the application withdrawn. Submission of interconnection applications shall be governed by the following requirements:

(i) The application modifications must mitigate or eliminate the factors that caused the interconnection application to fail 1 or more of the initial review screens.

(ii) After each submission of information, the electric utility has 10 business days to notify the applicant that the interconnection application is either accepted or rejected due to continuing deficiencies.

(iii) After the electric utility determines the application is accepted, the revised interconnection application must proceed under subrule (4) of this rule.

(d) Withdraw the interconnection application.

(7) If the applicant does not select a course of action under subrule (6) of this rule within 10 business days after notice from the electric utility, the electric utility shall withdraw the interconnection application.

(8) When an applicant changes from a non-exporting system to an exporting system, the applicant shall submit a new interconnection application.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.944 Fast track applicability.

Rule 44. (1) Level 1, level 2, level 3, level 4 applications, and level 5 applications as large as 5 MWac in which the DER is not proposing to interconnect with the electric utility's high voltage distribution system are eligible for the fast track. Level 5 applications proposing to interconnect to a utility's distribution system at 4.8 kV or less are not eligible for the fast track. Projects using an acceptable method for limited export are eligible for fast track.

(2) An applicant that is eligible for the fast track may forgo the fast track and proceed directly to the study track.

(3) An applicant with an application that is outside the limitations specified in subrule (1) of this rule may petition the electric utility to have its application evaluated under fast track. The electric utility may approve or reject this request at its discretion.

(4) In determining fast track eligibility, an electric utility may aggregate all proposed new generation on a site regardless of the existence of a shared point of common coupling or multiple points of common coupling.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.946 Fast track; initial review.

Rule 46. (1) An electric utility shall list in its interconnection procedures the initial review screens specified in subrule (5) of

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this rule. An electric utility may add additional details to each of these screens in the interconnection procedures.

(2) An electric utility may include additional initial review screens in its interconnection procedures. In its application requesting approval of interconnection procedures, an electric utility shall provide a detailed technical rationale for including each additional screen. If an additional screen conflicts with or undermines any of the initial review screens specified in subrule (5) of this rule, the rationale must include an explanation of how it does so.

(3) The electric utility may waive application of 1, some, or all of the initial review screens.

(4) Within 10 business days after an electric utility receives a complete and conforming level 1 or level 2 application and associated payment, or within 20 business days after an electric utility receives a complete and conforming level 3, level 4, or level 5 application and associated payment, the electric utility shall perform an initial review and notify the applicant of the results. The initial review must consist of applying the initial review screens selected by the electric utility pursuant to subrule (3) of this rule to the proposed DER. The electric utility shall not require a supplemental review or a system impact study if the DER passes the applied initial review screens.

(5) The initial review screens are all of the following:

(a) The entire proposed DER, including all aggregated site generation and point or points of interconnection, must be located within the electric utility's service territory.

(b) For interconnection of a proposed DER to a radial distribution circuit, the aggregated generation, including the proposed DER, on the circuit may not exceed 15% of the line section annual peak load as most recently measured or calculated if measured data is not available. A line section is that portion of an electric utility's distribution system connected to a customer bounded by automatic sectionalizing devices or the end of the distribution line. The electric utility shall consider 100% of applicable loading, if available, instead of 15% of line section peak load for level 1 and level 2 DER. In the event daytime loading data is not available, the data must be collected by a date specified in interconnection procedures approved by the commission, and is not considered as part of the aggregate generation, for purposes of this screen, DER capacity known to be already reflected in the minimum load data. This screen does not apply to level 1 and level 2 non-export DER applications.

(c) For interconnection of a proposed DER to the load side of network protectors, the proposed DER must utilize an inverter-based equipment package and, together with the aggregated other inverter-based DERs, may not exceed the smaller of 5% of a network's maximum load or 50 kWac.

(d) The proposed DER, in aggregation with other DERs on the distribution circuit, may not contribute more than 10% to the distribution circuit's maximum fault current at the point on the primary voltage nearest the proposed point of common coupling. This screen does not apply to level 1 applications.

(e) The proposed DER, in aggregate with other DERs on the distribution circuit, may not cause any distribution protective devices and equipment or interconnection customer equipment on the system to exceed 87.5% of the short circuit interrupting capability. An interconnection may not be proposed for a circuit that already exceeds 87.5% of the short circuit interrupting capability. Distribution protective devices and equipment include, but are not limited to, substation breakers, fuse cutouts, and line reclosers. This screen does not apply to level 1 applications.

(f) The initial review screen determines the type of interconnection to a primary distribution line for the proposed DER, according to the requirements specified in the table in this subdivision. This screen includes a review of the type of electrical service provided to the applicant, including line configuration and the transformer connection to limit the potential for creating over-voltages on the electric utility's distribution system due to a loss of ground during the operating time of any anti-islanding function.

Primary Distribution Line Type	Type of Interconnection to Primary Distribution Line	Result
1-phase, 3 wire	3-phase or single phase, phase-to-phase	Pass screen
3-phase, 4 wire	Effectively-grounded 3-phase or single-phase, line-to-neutral	Pass screen

(g) If the proposed DER is to be interconnected on single-phase shared secondary, the aggregate generation capacity on the shared secondary, including the proposed DER export capacity, may not exceed 20 kWac or 65% of the transformer nameplate rating.

(h) If the proposed DER is single-phase and is to be interconnected on a center tap neutral of a 240 volt service, its addition may not create an imbalance between the 2 sides of the 240 volt service of more than 20% of the nameplate rating of the service transformer.

(i) If the proposed DER is single-phase and is to be interconnected to a 3-phase service, its nameplate rating may not exceed 10% of the service transformer nameplate rating.

(j) If the proposed DER's point of common coupling is behind a line voltage regulator, the DER's nameplate rating must be less than 250 kWac. This screen does not include substation voltage regulators.

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(6) If the proposed interconnection passes the initial review screens, or if the proposed interconnection fails the screens but the electric utility determines that the DER may be interconnected consistent with safety, reliability, and power quality standards, the electric utility shall notify the applicant. If a facilities study is not required, the interconnection application must proceed under R 460.964 to an interconnection agreement. If a facilities study is required, the interconnection application must proceed under R 460.962.

(7) If the proposed interconnection fails any of the initial review screens, and the electric utility does not or cannot determine that the DER may be interconnected consistent with safety, reliability, and power quality standards, the electric utility shall notify the applicant, provide the applicant with the results of the application of the initial review screens, and offer all of the following options:

(a) Attend a customer options meeting, as described in R 460.948.

(b) Proceed to supplemental review under R 460.950.

(c) Submit within 60 business days from the date of the electric utility notification, with up to 2 submissions during this time period, a complete and conforming revised interconnection application that includes application modifications offered or required by the electric utility. The application modifications must mitigate or eliminate the factors that caused the interconnection application to fail 1 or more of the initial review screens. After each submission of information, the electric utility has 10 business days to notify the applicant that the interconnection application is either accepted or rejected due to continuing deficiencies. If the applicant does not meet the timelines required by this subrule, the electric utility may withdraw the application. After the electric utility determines the application is accepted, the revised interconnection application must proceed under subrule (4) of this rule.

(d) Withdraw the interconnection application.

(8) If the applicant does not select a course of action under subrule (7) of this rule within 10 business days of notice from the electric utility, the electric utility shall withdraw the interconnection application.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.948 Fast track; customer options meeting.

Rule 48. (1) Upon an applicant's request, the electric utility and the applicant shall schedule a customer options meeting between the electric utility and the applicant to review possible facility modifications, screen analysis, and related results to determine what further steps are needed to permit the DER to be connected safely and reliably to the distribution system. The customer options meeting must take place within 30 business days of the date of notification pursuant to R 460.946(7).

(2) At the customer options meeting, the electric utility shall offer all of the following options:

(a) Proceed to a supplemental review pursuant to R 460.950.

(b) Continue evaluating the interconnection application under the study track pursuant to R 460.952.

(c) Submit within 60 business days from the date of the customer options meeting, with up to 2 submissions during this time period, a complete and conforming revised interconnection application that includes application modifications offered or required by the electric utility, which mitigates or eliminates the factors that caused the interconnection application to fail 1 or more of the initial review screens. After each submission of information, the electric utility has 10 business days to notify the applicant that the interconnection application is either accepted or rejected due to continuing deficiencies. If the applicant does not meet the timelines required by this subrule, the electric utility may withdraw the application. After the electric utility accepts the revised interconnection application, it must proceed under R 460.946(4).

(d) Withdraw the interconnection application.

(3) Following the customer options meeting, the applicant has up to 20 business days to decide on a course of action and notify the electric utility. In the absence of this notification within the required time, the electric utility shall withdraw the application.

(4) The customer options meeting may take place in person or via telecommunications.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.950 Fast track; supplemental review.

Rule 50. (1) An electric utility shall list in its interconnection procedures the supplemental review screens specified in subrule (6) of this rule. An electric utility may add additional details to each of these screens in the interconnection procedures.

(2) An electric utility may include additional supplemental review screens in its interconnection procedures. In its application requesting approval of interconnection procedures, the electric utility shall provide a detailed technical rationale for the inclusion of each supplemental review screen. If an additional screen negates or undermines any of the supplemental review screens specified in subrule (6) of this rule, the rationale must include an explanation of the technical justification for the additional screen.

(3) An electric utility may waive application of 1, some, or all of the supplemental review screens.

(4) To receive a supplemental review, an applicant shall submit payment of the supplemental review fee within 20 business days of agreeing to a supplemental review. If payment of the fee has not been received by the electric utility within 25 business

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days, the electric utility shall withdraw the interconnection application.

(5) Within 30 business days after the applicant pays the applicable supplemental review fee or fees, and provides reasonable requested data, an electric utility shall perform a supplemental review and notify the applicant of the results. The supplemental review must consist of applying the supplemental review screens selected by the electric utility pursuant to subrule (3) of this rule to the proposed DER. The electric utility shall not require a system impact study if the DER passes the applied supplemental review screens.

(6) The supplemental review screens must include all of the following:

(a) Minimum load screen. Where 12 months of line section minimum load data, including onsite load but not station service load served by the proposed DER, are available, can be calculated, can be estimated from existing data, or can be determined from a power flow model, the aggregate DER capacity on the line section must be less than 100% of the minimum load for all line sections bounded by automatic sectionalizing devices upstream of the proposed DER. If minimum load data are not available, or cannot be calculated, estimated, or determined, an electric utility shall include the reason or reasons that it is unable to calculate, estimate, or determine minimum load in its supplemental review results notification under subrules (7) and (8) of this rule. All of the following must be applied by the electric utility:

(i) The type of generation used by the proposed DER will be considered when calculating, estimating, or determining circuit or line section minimum load relevant for the application of the minimum load screen specified in this subrule. Solar photovoltaic generation systems with no battery storage must use daytime minimum load. All other generation must use absolute minimum load unless an operating schedule is provided.

(ii) When this screen is being applied to a DER that serves some station service load, only the net injection of electric energy into the electric utility's distribution system may be considered as part of the aggregate generation.

(iii) The electric utility shall not consider as part of the aggregate generation, for purposes of this supplemental screen, DER capacity known to be already reflected in the minimum load data.

(b) Voltage and power quality screen. In aggregate with existing generation on the line section, all of the following conditions must be met:

(i) The voltage regulation on the line section can be maintained in compliance with relevant requirements under all system conditions.

(ii) The voltage fluctuation is within acceptable limits as defined by the IEEE Standard 1453-2015, IEEE Recommended Practice for the Analysis of Fluctuating Installations on Power Systems.

(c) Safety and reliability screen. The location of the proposed DER and the aggregate generation capacity on the line section may not create impacts to safety or reliability that require application of the study track to address. An electric utility shall consider all of the following when determining potential impacts to safety and reliability in applying this screen:

(i) Whether the line section has significant minimum loading levels dominated by a small number of customers, such as several large commercial customers.

(ii) Whether the loading along the line section is uniform.

(iii) Whether the proposed DER is located less than 0.5 electrical circuit miles for less than 5 kV or less than 2.5 electrical circuit miles for greater than 5 kV from the substation. In addition, whether the line section from the substation to the point of common coupling is a mainline rated for normal and emergency ampacity.

(iv) Whether the proposed DER incorporates a time delay function to prevent reconnection of the DER to the distribution system until distribution system voltage and frequency are within normal limits for a prescribed time.

(v) Whether operational flexibility is reduced by the proposed DER, such that transfer of the line section or sections of the DER to a neighboring distribution circuit or substation may trigger overloads, power quality issues, or voltage issues.

(vi) Whether the proposed DER employs equipment or systems certified by a recognized standards organization to address technical issues including, but not limited to, islanding, reverse power flow, or voltage quality.

(7) If the proposed interconnection passes the supplemental review, or if the proposed interconnection fails the review but the electric utility determines that the DER may be interconnected consistent with safety, reliability, and power quality standards, the electric utility shall notify the applicant and the interconnection application must proceed pursuant to both of the following:

(a) If the proposed interconnection requires a facilities study, the interconnection application must proceed under R 460.962.

(b) If the proposed interconnection does not require further study, the interconnection application must proceed under R 460.964 to an interconnection agreement.

(8) If the proposed interconnection fails any of the supplemental review screens or the electric utility is unable to perform a supplemental review screen, and the electric utility does not or cannot determine that the DER may be interconnected consistent with safety, reliability, and power quality standards, the electric utility shall notify the applicant, provide the applicant with the results of the application of the supplemental review screens, and offer both of the following options:

(a) Stop the supplemental review and continue evaluating the proposed interconnection under the study track under R 460.952.

(b) Withdraw the interconnection application.

(9) For subrules (7) and (8) of this rule, if an applicant does not select a course of action within 10 business days of notice from

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the electric utility, the electric utility shall withdraw the interconnection application.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.952 Study track.

Rule 52. (1) An electric utility shall use the study track to evaluate an interconnection application that has been accepted under R 460.936 if 1 or more of the following conditions is met:

- (a) The DER is not eligible for the non-export track or fast track.
 - (b) The DER did not pass the initial review screens as part of the fast track and the applicant selected the study track option in the customer options meeting.
 - (c) The DER did not pass 1 or more supplemental review screens.
 - (d) The DER was evaluated under the non-export track and further study is required.
 - (e) The DER is eligible for the fast track, but the applicant elected the study track.
- (2) If the interconnection application must be evaluated under the study track because it meets the criteria of subrule (1)(a) of this rule, within 10 business days after the electric utility notifies the applicant that the interconnection application has been accepted pursuant to R 460.936, the electric utility shall provide to the applicant an individual study agreement or an agreement for an alternative process pursuant to R 460.956.
- (3) If the interconnection application must be evaluated under the study track because it meets the criteria of subrule (1)(b), (c), or (d), of this rule, within 10 business days after the applicant has notified the electric utility to proceed to the study track, the electric utility shall provide to the applicant an individual study agreement or an agreement for an alternative process. (4) An electric utility's interconnection procedures may include a provision for determining appropriate milestone payments to include with the system impact study fee and facilities study fee.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.954 Individual study.

Rule 54. (1) An electric utility that is evaluating DERs in the study track individually shall process the interconnection applications in the order in which the applications were placed into the study track, taking into account withdrawn interconnection applications and electrically remote DERs. An electrically remote DER in an individual study may be studied on an expedited schedule relative to electrically coincident DERs. Electrically remote DERs must be studied in the order the interconnection applications were considered complete.

(2) When an interconnection application is delayed due to an affected system issue, informal mediation pursuant to R 460.904, formal mediation pursuant to R 460.906, or a complaint pursuant to R 792.10439 to R 792.10446, other interconnection applications that were placed into the study track on a later date may progress in the order in which the interconnection applications were placed into the study track.

(3) An individual study process must consist of a system impact study pursuant to R 460.960 and a facilities study pursuant to R 460.962. An electric utility may waive 1 or both studies for a particular interconnection application. An electric utility may specify additional studies it may perform on an interconnection application in its interconnection procedures, provided the electric utility is able to meet all applicable timelines associated with an individual study process.

(4) Interconnection applications that meet all of the following requirements must be admitted into an individual study:

- (a) An electric utility determined the application to be complete and conforming.
- (b) An application qualifies for study track pursuant to R 460.952.
- (c) An interconnection application has a pre-application report, when required by R 460.936(2).
- (d) An applicant has paid all required fees.
- (e) An applicant has signed and returned an individual study agreement.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.956 Alternative process.

Rule 56. An electric utility may use a process to study interconnection applications that is different from the process described by R 460.954 and R 460.958 to R 460.962. If an electric utility elects to use an alternative process, this process must be described in the electric utility's interconnection procedures.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.958 Scoping meeting for interconnection applications that are to be studied individually.

Rule 58. (1) This rule applies only to interconnection applications proceeding pursuant to an individual study agreement.

(2) Upon request of the applicant, the electric utility and the applicant shall schedule a scoping meeting between the electric utility and the applicant to discuss the interconnection application and review existing fast track results, if any. The scoping meeting must take place within 20 business days after the interconnection application is considered complete by the electric

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utility or, if applicable, the fast track has been completed and the applicant has elected to continue with the system impact study or facilities study.

(3) Scoping meetings are limited to 1 hour per application. Multiple applications by the same applicant may be addressed in the same meeting.

(4) The scoping meeting may occur in-person or via telecommunications.

(5) During the scoping meeting, the electric utility shall identify and communicate to the applicant whether the applicant must proceed to a system impact study, a facilities study, or an interconnection agreement and the basis for that decision, and 1 of the following must occur:

(a) If a system impact study must be performed, the interconnection application proceeds to R 460.960.

(b) If a facilities study must be performed, the interconnection application proceeds to R 460.962.

(c) If a system impact study is not required and a facilities study is not required, the interconnection application must proceed to R 460.964 for an interconnection agreement.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.960 System impact study agreement, scope, procedure, and review meeting.

Rule 60. For all DERs being studied individually, all of the following apply:

(a) An electric utility shall provide the applicant a system impact study agreement within 5 business days of proceeding to this rule.

(b) A system impact study agreement must include all of the following:

(i) An outline of the scope of the study.

(ii) The applicable fee, including appropriate credit for any studies previously completed pursuant to the fast track or non-export track.

(iii) If necessary, a list of any additional and reasonable technical data needed from the applicant to perform the system impact study.

(iv) A timeline for completion of the system impact study.

(v) A list of the information that must be provided to the applicant in the system impact study report.

(c) An applicant who has requested a system impact study shall return the completed system impact study agreement, provide any additional technical data requested by the electric utility, and pay the required fee within 20 business days. An electric utility may consider the application withdrawn if the system impact study agreement, payment, and required technical data are not returned within 20 business days.

(d) A system impact study must identify and describe the electric system impacts that would result if the proposed DER was interconnected without electric system modifications. A system impact study must provide a non-binding good faith list of facilities that are required as a result of the application and non-binding estimates of costs and time to construct these facilities.

(e) An electric utility shall explain in its interconnection procedures the process for conducting system impact studies on DERs when there is an affected system issue.

(f) The electric utility shall complete the system impact study and transmit a system impact study report to the applicant within 60 business days after the receipt of the signed system impact study agreement, payment of the system impact study fee, and any necessary technical data. If necessary, the electric utility shall transmit a facilities study agreement to the applicant within 60 business days of receipt of the signed system impact study agreement, payment of all applicable fees, and any necessary technical data.

(g) An electric utility may request reasonable additional data from the applicant within 20 business days of beginning the system impact study. The electric utility and the applicant shall work together to resolve the additional data request so that the electric utility will be able to complete the system impact study within 60 business days as specified in subdivision (f) of this rule. If the applicant does not provide the requested additional data in a timely manner, the electric utility shall notify the applicant that the system impact study is on hold and the date the hold started. The electric utility shall resume work on the study on the date the additional data is received.

(h) Within 15 business days of receiving the system impact study report, the applicant shall notify the electric utility that it plans to pursue a system impact study review meeting, proceed to a facilities study pursuant to R 460.962, or withdraw the application. If the applicant fails to notify the electric utility within 15 business days, the electric utility may consider the application to be withdrawn.

(i) Upon request by the applicant pursuant to subdivision (h) of this rule, the electric utility and the applicant shall schedule a system impact study review meeting between the electric utility and the applicant to review system impact study results and determine what further steps are needed to permit the DER to be connected safely and reliably to the distribution system. The system impact study review meeting must take place within 25 business days of the electric utility receiving notification that the applicant plans to attend a system impact study review meeting.

(j) At the system impact study review meeting, the electric utility shall offer the applicant the option to withdraw the

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interconnection application, and 1 of the following options:

- (i) Proceed to a facilities study pursuant to R 460.962.
- (ii) Proceed directly to R 460.964 for an interconnection agreement.
- (k) Following the meeting, the applicant has not more than 45 business days to decide on a course of action. If an applicant fails to notify the electric utility within 45 business days, the electric utility may consider the application to be withdrawn.
- (l) The system impact study review meeting may occur in-person or via telecommunications.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.962 Facilities study agreement, scope, procedure; review meeting.

Rule 62. For DERs being studied individually, all of the following apply:

- (a) If construction of facilities is required to provide interconnection and interoperability of the DER with the electric utility's distribution system, the electric utility shall provide the applicant a facilities study agreement and the results of the applicant's system impact study pursuant to R 460.960, if applicable. The electric utility shall provide a facilities study agreement within 10 business days of proceeding to this rule.
- (b) The facilities study agreement must include the following:
 - (i) An outline of the scope of the study.
 - (ii) The applicable fee, including appropriate credit for any studies previously completed pursuant to the fast track or non-export track.
 - (iii) A timeline for completion of the facilities study.
 - (iv) A list of the information that will be provided to the applicant in the facilities study report.
- (c) The applicant shall return the signed facilities study agreement and pay the required facilities study fee within 20 business days. The electric utility may withdraw the application if the facilities study agreement and payment are not returned within 20 business days.
- (d) A facilities study must specify and estimate the cost of the required equipment, engineering, procurement, and construction work, including overheads, needed to interconnect the DER, and an estimated timeline for the completion of construction. The electric utility shall provide cost estimates that are detailed and itemized.
- (e) The electric utility shall explain in its interconnection procedures the process for conducting facilities studies on DERs while there is an affected system issue.
- (f) The electric utility shall complete the facilities study and transmit a facilities study report to the applicant within 80 business days of the receipt of the signed facilities study agreement and payment of the facilities study fee.
- (g) Within 10 business days of receiving a facilities study report from the electric utility, the applicant shall select 1 option from the following options:
 - (i) Request a facilities study review meeting with the electric utility.
 - (ii) Proceed to an interconnection agreement pursuant to R 460.964.
 - (iii) Withdraw the interconnection application.

If the applicant fails to inform the electric utility within 10 business days of its chosen course of action, the electric utility may consider the application withdrawn.

- (h) Upon request by the applicant pursuant to subdivision (g)(i) of this rule, the electric utility and the applicant shall schedule a facilities study review to review the facilities study results and determine what further steps are needed to permit the DER to be connected safely and reliably to the distribution system. The facilities study review meeting must take place within 25 business days of the electric utility receiving notification that the applicant will attend a facilities study review meeting.
- (i) At the facilities study review meeting, the electric utility shall offer both of the following options:
 - (i) Proceed to an interconnection agreement pursuant to R 460.964.
 - (ii) Withdraw the interconnection application.
- (j) Following the meeting, the applicant has no more than 20 business days to decide on a course of action and notify the electric utility of this course of action. If the applicant fails to notify the electric utility within 20 business days, the electric utility may withdraw the application.
- (k) The facilities study review meeting may be conducted in-person or via telecommunications.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.964 Interconnection agreement.

Rule 64. (1) For level 1, 2, or 3 interconnection applications, where no construction of interconnection facilities or distribution upgrades is required, an electric utility shall transmit its standard level 1, 2, and 3 interconnection agreement, which may include modifications to address any special operating conditions, to an applicant within 3 business days of reaching this stage.

(2) For level 1, 2, or 3 interconnection applications, where construction of interconnection facilities or distribution upgrades is required, an electric utility shall provide its standard level 1, 2, and 3 interconnection agreement with modifications to address

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any special operating conditions, required construction activities, estimated construction milestone timing, and estimated cost to an applicant within 5 business days of reaching this stage. The applicant and electric utility shall mutually agree on the timing of construction milestones.

(3) For an applicant with level 1, 2, or 3 interconnection applications, the applicant shall sign and return the standard level 1, 2, and 3 interconnection agreement with payment, if applicable, within 20 business days of receiving the agreement.

(a) If the applicant did not sign and return the standard level 1, 2, and 3 interconnection agreement and payment, if applicable, within 20 business days, the electric utility shall notify the applicant of the missed deadline and grant an extension of 15 business days. If the electric utility did not receive the signed standard level 1, 2, and 3 interconnection agreement and any applicable payment during the 15-business-day extension, the electric utility may consider the interconnection application withdrawn subject to subdivision (b) of this subrule.

(b) If the applicant begins either the informal mediation pursuant to R 460.904, the formal mediation pursuant to R 460.906, or the complaint process pursuant to R 792.10439 to R 792.10446 within the 20 business days, the outcome of that process must establish a time frame for the applicant to return the signed interconnection agreement and any applicable payment.

(4) For level 1, 2, or 3 projects, the electric utility shall countersign and provide a completed copy of the standard level 1, 2, and 3 interconnection agreement within 10 business days of the applicant returning the signed standard level 1, 2, and 3 interconnection agreement and the interconnection application must proceed under R 460.966.

(5) For level 4 or 5 projects, the electric utility shall provide its level 4 and 5 interconnection agreement, which may include modifications to address any special operating conditions, within 15 business days of reaching this stage. When construction of interconnection facilities or distribution upgrades is necessary, the level 4 and 5 interconnection agreement must contain either estimated timelines for completion of activities and estimates of construction costs or a timetable when these requirements can be determined. The interconnection agreement must include a payment schedule that corresponds to the milestones established and must require the electric utility to refund any unspent and unobligated funds if the agreement is terminated.

(6) For an applicant with level 4 or 5 DERs, the applicant shall sign and return with payment, if applicable, a level 4 and 5 interconnection agreement within 30 business days.

(a) If the applicant does not sign and return the level 4 and 5 interconnection agreement with payment within 30 business days, an electric utility shall notify the applicant of the missed deadline and grant an extension of 15 business days. If the electric utility does not receive the signed level 4 and 5 interconnection agreement and payment, if applicable, during the 15-business-day extension, the electric utility may consider the interconnection application withdrawn, subject to subdivision (b) of this subrule.

(b) If the applicant begins either the informal mediation pursuant to R 460.904, formal mediation pursuant to R 460.906, or the complaint process pursuant to R 792.10439 to R 792.10446 within 30 business days, the outcome of that process must establish a time frame for the applicant to return the signed interconnection agreement and applicable payment. There is a rebuttable presumption in the complaint proceeding that the electric utility's standard construction, procurement, installation, design, and cost practices are lawful, reasonable, and prudent.

(i) For study track interconnection applications filed with an electric utility conducting individual studies, electrically coincident applications filed after the interconnection application must be placed on hold for not more than 60 business days. If either informal mediation pursuant to R 460.904, formal mediation pursuant to R 460.906, or the complaint process pursuant to R 792.10439 to R 792.10446 does not result in the applicant returning a signed interconnection agreement with any applicable payment within 60 business days and there are electrically coincident interconnection applications in progress behind this application, the electric utility may require the withdrawal of the interconnection application.

(7) For level 4 or 5 projects, an electric utility shall countersign and provide a completed copy of the level 4 and 5 interconnection agreement within 10 business days of the applicant returning a mutually agreed-upon and signed level 4 and 5 interconnection agreement and the interconnection application must proceed under R 460.966.

(8) An applicant shall pay the actual cost of the interconnection facilities and distribution upgrades. The cost to the applicant for interconnection facilities and distribution upgrades may not exceed 110% of the estimate without an itemized summary and explanation of cost increases being provided to the applicant. If the costs are expected to exceed 125% of the estimate, the electric utility shall provide further explanation to the applicant prior to the costs being incurred. If the applicant does not consent in writing to pay the additional costs within 20 business days after receiving further explanation from the electric utility, the electric utility shall initiate informal mediation pursuant to R 460.904 no later than 5 business days after the conclusion of the 20-business day applicant consent period. The applicant may dispute the expected costs pursuant to either informal mediation pursuant to R 460.904, formal mediation pursuant to R 460.906, or the complaint process pursuant to R 792.10439 to R 792.10446. If there is a dispute, the applicant shall make payment within 30 business days after final resolution of the dispute.

(9) A party's obligations under the interconnection agreement may be extended by agreement. If a party anticipates that it will be unable to meet a milestone for any reason other than an unforeseen event, the party shall do all of the following:

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- (a) Immediately notify the other party of the reason or reasons for not meeting the milestone.
- (b) Propose the earliest alternate date when it can attain this and future milestones.
- (c) Request amendments to the interconnection agreement, if needed to address the changed milestones.
- (10) The party affected by the failure to meet a milestone shall not withhold agreement to any amendments proposed in subrule (9)(c) of this rule unless 1 of the following applies:
 - (a) The party affected will suffer significant uncompensated economic or operational harm from the amendment or amendments.
 - (b) The milestone under question has been previously delayed and the affected party has reason to believe that the delay in meeting the milestone is intentional or unwarranted notwithstanding the circumstances explained by the party proposing the amendment.
- (11) If the party affected by the failure to meet a milestone disputes the proposed extension, the affected party may pursue either informal mediation pursuant to R 460.904, formal mediation pursuant to R 460.906, or the complaint process pursuant to R 792.10439 to R 792.10446.
- (12) The electric utility shall provide the applicant with a final accounting report of any difference between costs charged to the applicant and previous payments to the electric utility for interconnection facilities or distribution upgrades. Both of the following apply to a final accounting:
 - (a) If the costs charged to the applicant exceed its previous aggregate payments, the electric utility shall bill the applicant for the amount due and the applicant shall make a payment to the electric utility within 20 business days of the final accounting report. The applicant may dispute the invoice pursuant to either informal mediation pursuant to R 460.904, formal mediation pursuant to R 460.906, or the complaint process pursuant to R 792.10439 to R 792.10446. If there is a dispute, the applicant shall make payment within 30 business days of final resolution of the dispute. Failure by the applicant to pay its costs is cause for disconnection of the applicant's DER.
 - (b) If the applicant's previous aggregate payments exceed its costs under the interconnection agreement, the electric utility shall refund to the applicant an amount equal to the difference within 20 business days of the final accounting report.
- (13) The electric utility is responsible for specifying requirements in interconnection agreements to support independent system operator regulations or regional transmission operator regulations.
- (14) The electric utility may propose to the commission that a signed interconnection agreement be modified to require compliance with changes to an independent system operator, a regional transmission operator, or the state's regulations. Unless the electric utility has the consent of the applicant or interconnection customer in writing, an electric utility shall not modify a signed interconnection agreement without commission approval.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.966 Inspection, testing, and commissioning.

- Rule 66. (1) If the interconnection application requires telecommunications, cybersecurity, data exchange or remote controls operation, successful testing and certification of these items must be completed prior to or during testing. The electric utility's interconnection procedures must describe the technical requirements of common items, but site-specific requirements may be included in the interconnection agreement.
- (2) An applicant shall notify the electric utility when installation of a DER and any required local code inspection and approval is complete. The applicant shall provide any test reports or configuration documents as defined in the standard level 1, 2, and 3 interconnection agreement or level 4 and 5 interconnection agreement.
 - (3) The electric utility shall review the applicant's inspection, test reports, or configuration documents, and communicate its intent to perform a witness or commissioning test, or waive its right to perform a witness test and commissioning test within 10 business days. If the electric utility finds the applicant's inspection, test reports, or configuration documents to be incomplete, insufficient, or unsatisfactory, the electric utility shall provide the reasons for doing so in writing and the applicant shall have not less than 20 business days or a mutually agreed upon timeframe with the utility to implement corrections to those documents. The applicant, after taking corrective action, shall request the electric utility to reconsider the inspection, test reports, or configuration documents.
 - (4) Subsequent to completion of the items in subrule (3), if the electric utility intends to witness or perform commissioning tests required to comply with the interconnection agreement or the interconnection procedures and inspect the DER, the electric utility shall witness or perform the commissioning tests and inspect the DER within the following:
 - (a) Ten business days of receiving the notification from the applicant pursuant to completion of subrules (2) and (3) of this rule for level 1 applications.
 - (b) Twenty business days after receiving the notification from the applicant pursuant to completion of subrules (2) and (3) of this rule for level 2 and level 3 applications.
 - (c) A mutually-agreed upon timeframe after receiving the notification from the applicant pursuant to completion of subrules (2) and (3) of this rule for level 4 and 5 applications.
 - (5) The electric utility may waive its right to visit the site and inspect the DER or perform the commissioning tests. The

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following requirements apply:

- (a) If the electric utility waives this right, it shall provide a written waiver to the applicant within 10 business days from receiving the notification from the applicant pursuant to subrule (2) of this rule.
- (b) The applicant shall provide the electric utility with the completed commissioning test report within 20 business days of receipt of the electric utility's written waiver.
- (6) If the electric utility attempts to conduct the inspection and testing pursuant to subrule (4) of this rule at the arranged time and is unable to access the DER or complete the testing, the DER must remain disconnected until the applicant and the electric utility can complete the inspection and testing.
- (7) If the electric utility witnessed or performed commissioning tests and inspected the DER pursuant to subrule (4) of this rule, within 5 business days of the receipt of the completed commissioning test report, the electric utility shall notify the applicant whether it has accepted or rejected the commissioning test report and found the site to be satisfactory or unsatisfactory. The following requirements apply:
 - (a) If the commissioning test report is accepted and the site was found satisfactory, the electric utility shall provide the notification of acceptance in writing, and the interconnection application proceeds to R 460.968.
 - (b) If the electric utility rejects the commissioning test report or did not find the site satisfactory, the electric utility shall provide its reasons for doing so in writing and the applicant has not less than 20 business days to implement corrections. The applicant, after taking corrective action, shall request the electric utility to reconsider its findings. The applicant may be billed the actual cost of any re-inspections.
- (8) If the electric utility waived its right to witness or perform commissioning tests and inspect the DER pursuant to subrule (5) of this rule, within 5 business days of the receipt of the completed commissioning test report, the electric utility shall notify the applicant whether it has accepted or rejected the commissioning test report. The following requirements apply:
 - (a) If the commissioning test report is accepted, the electric utility shall provide notification of acceptance, and the interconnection application proceeds to R 460.968.
 - (b) If the electric utility rejects the commissioning test report, the electric utility shall provide its reasons for doing so in writing and the applicant has not less than 20 business days to implement corrections. The applicant, after taking corrective action, may then request the electric utility to reconsider its findings.
- (9) The cost of testing and inspection for applicants participating in an electric utility's distributed generation program, as described in part 3 of these rules, R 460.1001 to R 460.1026, are considered a cost of operating a distributed generation program and must be recovered pursuant to section 175(1) of the clean and renewable energy and energy waste reduction act, 2008 PA 295, MCL 460.1175.
- (10) If the applicant does not notify the electric utility that the DER is installed and ready to test pursuant to subrule (2) of this rule, the electric utility may, in writing, query the status of the interconnection. If the applicant does not provide a written response within 10 business days or no progress is evident, the electric utility may consider the interconnection application withdrawn.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.968 Authorization required prior to parallel operation.

Rule 68. (1) The electric utility shall provide to the applicant written authorization to operate in parallel with the electric utility within 5 business days of all of the following conditions being met:

- (a) The electric utility notified the interconnection applicant that the commissioning test and inspection, where applicable, are accepted.
 - (b) The applicant has executed a standard level 1, 2, and 3 interconnection agreement or level 4 and 5 interconnection agreement and complied with all applicable parallel operation requirements as set forth in the electric utility's interconnection procedures and applicable interconnection agreement.
 - (c) The applicant complied with all applicable local, state, and federal requirements.
 - (d) The electric utility received full payments for all outstanding bills.
- (2) With the written authorization, interconnection of the DER is considered approved for parallel operation, the DER may begin operating, and the applicant is considered an interconnection customer.
- (3) The applicant shall not operate its DER in parallel with the electric utility's distribution system without prior written permission to operate from the electric utility.
- (4) Subject to reasonable timing and other conditions, including completion of conditions in the interconnection agreement or interconnection procedures, the electric utility shall allow for reasonable but limited testing before written authorization has occurred.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.970 Cost allocation of interconnection facilities, distribution upgrades, and associated operation and maintenance

costs.

Rule 70. Costs for interconnection facilities, distribution upgrades, and associated operation and maintenance costs must be classified into 1 of the following categories:

(a) Site-specific costs, which include, but are not limited to, costs of interconnection facilities and distribution upgrades that are caused by 1 DER, whether that DER is electrically co-incident with other DERs or not. These costs must be assigned to the cost-causing applicant.

(b) Shared interconnection facilities costs, which are costs caused by DERs which together necessitate the construction of interconnection facilities. The interconnection facilities costs, including any associated operation and maintenance costs, that should be shared must be allocated to each applicant based on a methodology described in the electric utility's interconnection procedures.

(c) Shared distribution upgrade costs, which are costs caused by electrically co-incident DERs that together necessitate a distribution upgrade. The distribution upgrade costs, including any associated operation and maintenance costs, that should be shared must be allocated to each applicant based on a methodology described in the electric utility's interconnection procedures.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.974 Interconnection metering and communications.

Rule 74. (1) Any metering and communications requirements necessitated by use of the DER must be installed at the applicant's expense. The electric utility may furnish this equipment at the applicant's expense.

(2) The electric utility may charge the interconnection customer reasonable ongoing fees to maintain the metering and communications equipment. These fees must be listed in the interconnection agreement.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.976 Post commissioning remedy.

Rule 76. (1) If the electric utility finds that the DER is operating outside the terms of the interconnection agreement but does not find immediate disconnection pursuant to R 460.978(1)(f) and (g) warranted, the electric utility shall promptly inform the interconnection customer or its agent of this finding. The interconnection customer is responsible for bringing the DER into compliance within 30 business days or a mutually agreed-upon time period. The electric utility may perform an inspection of the DER after a remedy is applied.

(2) If the DER is not brought into compliance within 30 business days or the mutually agreed-upon time period, the electric utility may apply a remedy and bill the interconnection customer. The interconnection customer shall pay this bill within 5 business days.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.978 Disconnection.

Rule 78. (1) An electric utility may refuse to connect or may disconnect a project from the distribution system if any of the following conditions apply:

(a) Failure of the interconnection customer to bring a DER into compliance pursuant to R 460.976(1).

(b) Failure of the interconnection customer to pay costs of remedy pursuant to R 460.976(2).

(c) Termination of interconnection by mutual agreement.

(d) Distribution system emergency, but only for the time necessary to resolve the emergency.

(e) Routine maintenance, repairs, and modifications performed in a reasonable time and with prior notice to the interconnection customer.

(f) Noncompliance with technical or contractual requirements in the interconnection agreement that could lead to degradation of distribution system reliability, electric utility equipment, and electric customers' equipment.

(g) Noncompliance with technical or contractual requirements in the interconnection agreement that presents a safety hazard.

(h) Other material noncompliance with the interconnection agreement.

(i) Operating in parallel without prior written authorization from the electric utility as provided for in R 460.968.

(2) An electric utility may disconnect electric service, where applicable, pursuant to R 460.136.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.980 Capacity of the DER.

Rule 80. (1) If the interconnection application requests an increase in capacity for an existing DER, the electric utility shall evaluate the application based on the new export capacity of the DER. The maximum capacity of a DER is the aggregate nameplate rating. or may be limited as described in the electric utility's interconnection procedures.

(2) An interconnection application for a DER that includes single or multiple types of DERs at a site for which the applicant seeks a single point of common coupling must be evaluated as described in the electric utility's interconnection procedures.

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(3) The electric utility's interconnection procedures may describe acceptable methods for power limited export DER including, but not limited to, reverse power protection and utilizing inverters or control systems so that the DER capacity considered by the electric utility for reviewing the interconnection application is only the amount capable of being exported. These methods for power limited export DER may be used as alternatives to the method described in subrule (4) of this rule.

(4) An electric utility shall allow interconnection of limited-export or non-exporting DERs according to this subrule. If a DER uses any configuration or operating mode in this subrule to limit the export of electrical power across the point of common coupling, then the capacity must be only the amount capable of being exported, not including any inadvertent export. To prevent impacts on system safety and reliability, any inadvertent export from a DER must comply with the limits in subdivisions (e) or (f) of this subrule. The export capacity specified by the applicant in the application must be included as a limitation in the interconnection agreement. Other means not listed in this subrule may be utilized to limit export if mutually agreed upon by the electric utility and applicant. Interconnections of limited-export or non-exporting DERs are subject to the following options:

To ensure power is never exported across the point of common coupling, a reverse power protective function may be provided. The default setting for this protective function must be 0.1% export of the service transformer's rating, with a maximum 2.0 second time delay.

To ensure at least a minimum amount of power is imported across the point of common coupling at all times and, therefore, that power is not exported, an under-power protective function may be provided. The default setting for this protective function is 5% import of the DER's total nameplate rating, with a maximum 2.0 second time delay.

The nameplate rating of the DER, minus any auxiliary load, must be so small in comparison to its host facility's minimum load that the use of additional protective functions are not required to ensure that power is not exported to the distribution system. This option requires the DER capacity must be no greater than 50% of the applicant's verifiable minimum host load over the past 12 months.

A reduced output rating utilizing the power rating configuration setting may be used to ensure the DER does not generate power beyond a certain value lower than the nameplate rating.

DERs may utilize a Nationally Recognized Testing Laboratory Certified Power Control System and inverter system that results in the DER disconnecting from the distribution system, ceasing to energize the distribution system, or halting energy production within 2 seconds if the period of continuous inadvertent export exceeds 30 seconds. Failure of the control or inverter system for more than 30 seconds, resulting from loss of control or measurement signal, or loss of control power, must result in the DER entering an operational mode where no energy is exported across the point of common coupling to the distribution system. DERs may be designed with other control systems or protective functions, or both, to limit export and inadvertent export to levels mutually agreed on by the applicant and the electric utility. The limits may be based on technical limitations of the applicant's equipment or the distribution system's equipment. To ensure inadvertent export remains within mutually agreed-upon limits, the applicant shall use an internal transfer relay, energy management system, or other customer facility hardware or software.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.982 Modification of the interconnection application.

Rule 82. (1) At any point after an interconnection application is considered accepted but before the signing of an interconnection agreement, the applicant, the electric utility, or the affected system owner may propose modifications to the interconnection application that may improve the costs and benefits of the interconnection, or that improve the ability of the electric utility to accommodate the interconnection. The applicant shall submit to the electric utility, in writing, all proposed modifications to any information provided in the interconnection application and the electric utility shall perform an evaluation to determine whether the proposed modification is a material modification and provide the results to the applicant within 10 business days.

(2) The electric utility shall not be required to accept or implement a modification to the electric utility's distribution system or generation assets that is proposed by an applicant or affected system operator.

(3) The applicant may request a 1-hour consultation to discuss the results of the material modification review.

(4) Neither the electric utility nor the affected system operator may unilaterally modify an accepted interconnection application. If the electric utility evaluates DERs using individual studies, the timelines specific to that interconnection application must be placed on hold while the proposed modification is being evaluated by the electric utility.

(5) For a proposed modification which the electric utility has determined is a material modification and that further study is required, the applicant shall select 1 of the following options:

(a) Withdraw the modification.

(b) Withdraw the application. (c) Propose a different modification to the interconnection application for electric utility review, pursuant to subrule (1) of this rule, to determine whether the modification is material.

(d) If the electric utility offers an expedited study of the application with the proposed material modification, the applicant may request the expedited study. If the electric utility offers an expedited study, the process of performing an expedited study must be described in the electric utility's interconnection procedures.

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(e) Initiate informal mediation pursuant to R 460.904

(f) Initial formal mediation pursuant to R460.906

(g) File a complaint pursuant to R 792.10439 to R 792.10446.

(6) The applicant shall notify the electric utility of its selection pursuant to subrule (5) of this rule within 10 business days of receiving the electric utility notification of the results or the modification may be considered withdrawn.

(7) For a proposed modification that the electric utility has determined is a material modification, but does not require further study, the electric utility shall continue processing the interconnection application according to these rules.

(8) Any modification to the interconnection application that could affect the operation of the distribution system, including but not limited to, changes to machine data, equipment configuration, or the interconnection site of the DER, not agreed to in writing by the electric utility and the applicant may be treated by the electric utility as a withdrawal of the interconnection application requiring submission of a new interconnection application.

(9) At any point prior to the execution of an interconnection agreement, changes to ownership will cause the interconnection application to be put on hold until the new owner signs all necessary agreements and documents. An electric utility may not be found in violation of these rules related to the processing of the interconnection application during such a transfer of ownership.

(10) The electric utility's interconnection procedures must provide a procedure for performing a material modification review.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.984 Modifications to the DER.

Rule 84. After the execution of the interconnection agreement, the applicant shall notify the electric utility of any plans to modify the DER. The electric utility shall review the proposed modification to determine if the modification is considered a material modification. If the electric utility determines that the modification is a material modification, the electric utility shall notify the applicant, in writing of its determination and the applicant shall submit a new application and application fee along with all supporting materials that are reasonably requested by the electric utility. The applicant may not begin any material modification to the DER until an interconnection agreement incorporating the material modification is fully executed.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.986 Insurance.

Rule 86. (1) An applicant interconnecting a level 1 or 2 project to the distribution system of an electric utility may not be required by the electric utility to obtain any additional liability insurance.

(2) An electric utility shall not require an applicant interconnecting a level 1 or 2 project to name the electric utility as an additional insured party.

(3) For a level 3 project, the applicant shall obtain and maintain general liability insurance of a minimum of \$1,000,000.

(4) For a level 4 project, the applicant shall obtain and maintain general liability insurance of a minimum of \$2,000,000.

(5) For a level 5 project, the applicant shall obtain and maintain general liability insurance of a minimum of \$3,000,000.

(6) For level 3, 4, and 5 projects, the electric utility may describe in its interconnection procedures required terms and conditions that must be specified in the general liability insurance.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.988 Easements and rights-of-way.

Rule 88. If a line extension is required to accommodate an interconnection, the applicant is responsible for providing and obtaining the easements or rights of way, including all associated cost, in a form consistent with utility tariffs.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.990 Interconnection penalties.

Rule 90. Pursuant to section 10e of 1939 PA 3, MCL 460.10e, an electric utility shall take all necessary steps to ensure that DERs are connected to the distribution systems within their operational control. If the commission finds, after notice and hearing, that an electric utility has prevented or unduly delayed the ability of a DER greater than 100 kW to connect to the distribution system of the electric utility, the commission may order remedies designed to make whole the applicant proposing the DER, including, but not limited to, reasonable attorney fees. If the electric utility violates this rule, the commission may order fines of not more than \$50,000 per calendar day, commensurate with the demonstrated impact of the violation.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.991 Business day exclusions.

Rule 91. An electric utility shall notify the commission and all applicants that have in-process applications when timelines are being extended due to a business day where electric service is interrupted for 10% or more of an electric utility's customers, pursuant to R 460.901a(k). The electric utility shall also notify the commission and all applicants that have in-process applications when application processing resumes.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.992 Electric utility annual reports.

Rule 92. An electric utility shall file an annual interconnection report on a date and in a format determined by the commission.

History: 2023 MR 8, Eff. April 25, 2023.

PART 3. DISTRIBUTED GENERATION PROGRAM STANDARDS

R 460.1001 Application process.

Rule 101. (1) An electric utility shall file initial distributed generation program tariff sheets in the first rate case filed after June 1, 2018.

(2) Within 30 calendar days of a commission order approving an electric utility's initial distributed generation tariff, or within 30 calendar days of the effective date of these rules, whichever is later, an alternative electric supplier serving customers in that electric utility's service territory shall file an updated distributed generation program plan applicable to its customers in the affected electric utility's service territory.

(3) An electric utility and an alternative electric supplier shall annually file a legacy net metering program report and, if applicable, a distributed generation program report not later than March 31 of each year.

(4) An electric utility and an alternative electric supplier shall maintain records of all applications and up-to-date records of all eligible electric generators participating in the legacy net metering program and distributed generation program.

(5) Selection of customers for participation in the legacy net metering program or distributed generation program must be based on the order in which the applications are received.

(6) An electric utility or alternative electric supplier shall not refuse to provide or discontinue electric service to a customer solely because the customer participates in the legacy net metering program or distributed generation program.

(7) The legacy net metering program and distributed generation program provided by electric utilities and alternative electric suppliers must be designed for a period of not less than 10 years and limit each applicant to generation capacity designed to meet up to 100% of the customer's electricity consumption for the previous 12 months. All of the following requirements apply:

(a) The generation capacity must be determined by an estimate of the expected annual kWh output of the generator or generators as determined in an electric utility's interconnection procedures and specified on an electric utility's legacy net metering program or distributed generation program tariff sheet or in the alternative electric supplier's legacy net metering program or distributed generation program plan. For projects in which energy export controls are implemented pursuant to section R 460.980 and utilized to limit the export to 100% of the customer's electricity consumption for the previous 12 months, an electric utility shall not add the storage capacity to generation capacity for the purpose of the study. If a customer has multiple inverters capable of exporting to the distribution grid, the inverters must be configured in a way that prevents the cumulative maximum export at any given time to exceed the approved amount in the customer's application.

(b) A customer's electric consumption must be determined by 1 of the following methods:

(i) The customer's annual energy consumption, measured in kWh, during the previous 12-month period.

(ii) If there is no data, incomplete data, or incorrect data for the customer's energy consumption or the customer is making changes on-site that will affect total consumption, the electric utility or alternative electric supplier and the customer shall mutually agree on a method to determine the customer's electric consumption.

(c) A net metering or distributed generation customer using an energy storage device in conjunction with an eligible electric generator shall not design or operate the energy storage device in a manner that results in the customer's electrical output exceeding 100% of the customer's electricity consumption for the previous 12 months. The addition of an energy storage device to an existing approved legacy net metering program system or distributed generation program system is considered a material modification. The electric utility interconnection procedures must include details describing how energy storage equipment may be integrated into an existing legacy net metering program system without impacting the 10-year grandfathering period or participation in the distributed generation program.

(8) An applicant shall notify the electric utility of plans for any material modification to the project. An applicant shall re-apply for interconnection pursuant to part 2 of these rules, R 460.911 to R 460.992, and submit revised legacy net metering program or distributed generation program application forms and associated fees. An applicant may be eligible to continue participation in the legacy net metering program or distributed generation program when a material modification is made to a customer's previously approved system and it does not violate the requirements of subrule (7) of this rule or R 460.1026. An applicant shall not begin any material modification to the project until the electric utility has approved the revised application, including any necessary system impact study or facilities study. The application must be processed pursuant to part 2 of these rules, R 460.911 to R 460.992.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.1004 Legacy net metering program application and fees.

Rule 104. (1) An electric utility or alternative electric supplier may use an online legacy net metering program application process. An electric utility or alternative electric supplier not using an online application process, may utilize a uniform legacy net metering program application form which must be approved by the commission. An electric utility's legacy net metering program application may be combined with an electric utility's interconnection application.

(2) A customer taking retail electric service from an electric utility and applying to participate in the legacy net metering program shall concurrently submit a completed legacy net metering program application and interconnection application or indicate on the legacy net metering program application the date that the customer applied for interconnection with the electric utility and, if applicable, the date the customer received authorization to operate in parallel pursuant to R 460.968. All of the following requirements apply:

(a) Where a legacy net metering program application is accompanied by an associated interconnection application, an electric utility shall complete its review of the legacy net metering program application in parallel with processing the interconnection application pursuant to part 2 of these rules, R 460.911 to R 460.992, pursuant to both of the following:

(i) Combined with the notification of interconnection application completeness and conformance pursuant to R 460.936, the electric utility shall notify the customer whether the legacy net metering program application is accepted, and provide an opportunity for the customer to resolve any application deficiencies pursuant to the timelines in R 460.936(7)(b) or withdraw the application, or the electric utility may consider the legacy net metering program application withdrawn without refund of the application fees.

(ii) While processing the interconnection application, which may include, but is not limited to, R 460.946 fast track initial review, the electric utility shall determine whether the appropriate meter or meters, is installed for the legacy net metering program.

(b) When a legacy net metering program application is filed with an already in-progress interconnection application, the utility may process the legacy net metering application in parallel with the interconnection application pursuant to part 2 of these rules, R 460.911 to R 460.992, and subdivision (a) of this subrule, if practicable, or adopt the review process pursuant to subdivision (c) of this subrule.

(c) When a legacy net metering program application is filed with an in-progress interconnection application and the electric utility determines it is not practicable to process the legacy net metering program application in parallel with the interconnection application, or when the legacy net metering application is filed subsequent to the customer receiving authorization to operate its eligible generator in parallel pursuant to R 460.968, the electric utility shall process the legacy net metering program application pursuant to both of the following:

(i) The electric utility shall review the legacy net metering program application and determine whether to accept the application pursuant to the timelines in R 460.936(6) and (7) within 10 business days. The timelines in R 460.936(7)(a) apply to electric utility notifications. The electric utility shall provide the customer an opportunity to resolve any application deficiencies pursuant to R 460.936(7)(b). If the customer fails to remedy the deficiency within the timelines pursuant to R. 460.936(7)(b), the electric utility may consider the legacy net metering application withdrawn without refund of the application fees.

(ii) Within 10 business days of notifying the customer that the legacy net metering application has been accepted, the electric utility shall determine whether the appropriate meter is installed for the legacy net metering program.

(d) If a customer approved for participation in the legacy net metering program requires a new or additional meter or meters, the electric utility shall arrange with the customer to install the meter or meters at a mutually agreed upon time.

(e) The electric utility shall complete changes to the customer's account to permit the legacy net metering program credit to be applied to the account no more than 10 business days after the necessary meter is installed and all necessary steps in R 460.966 are completed.

(3) A customer taking retail electric service from an alternative electric supplier shall submit a completed legacy net metering program application to the alternative electric supplier and provide a copy to the electric utility that provides distribution service. The following requirements apply:

(a) The electric utility shall process the legacy net metering program application according to the applicable timelines in subrule (2)(a) through (d) of this rule.

(b) The electric utility shall notify the alternative electric supplier when it has provided the applicant authorization to operate the eligible electric generator in parallel pursuant to R 460.968 and, if applicable, that installation of the appropriate meter or meters is completed.

(c) Within 10 business days of the electric utility's notification, the alternative electric supplier shall complete changes to the applicant's account to permit the legacy net metering program credit to be applied to the account.

(4) If a legacy net metering program application is not approved by the alternative electric supplier, the alternative electric supplier shall notify the customer and the electric utility of the reasons for the disapproval. The alternative electric supplier shall provide the customer an opportunity to remedy the deficiency pursuant to the timelines in R 460.936(7)(b) or withdraw

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the application. If the customer fails to remedy the deficiency within the timelines pursuant to R. 460.936(7)(b), the alternative electric supplier and electric utility may consider the legacy net metering application withdrawn without refund of the application fees.

(5) If a customer's application for the legacy net metering program is approved, the customer shall have a completed and approved installation within 6 months from the date the customer's application is considered complete, or the electric utility or alternative electric supplier may terminate the application without refund and shall have no further responsibility with respect to the application.

(6) Customers participating in a legacy net metering program approved by the commission before the commission establishes a tariff pursuant to section 6a(14) of 1939 PA 3, MCL 460.6a, may elect to continue to receive service under the terms and conditions of that program for up to 10 years from the date of initial enrollment.

(7) The legacy net metering program application fee for electric utilities and alternative electric suppliers may not exceed \$50. The fee must be specified on the electric utility's legacy net metering tariff sheet or in the alternative electric supplier's legacy net metering program plan.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.1006 Distributed generation program application and fees.

Rule 106. (1) An electric utility or alternative electric supplier may use an online distributed generation program application process. An electric utility or alternative electric supplier not using an online application process may utilize a uniform distributed generation program application form that must be approved by the commission. An electric utility's distributed generation program application may be combined with an electric utility's interconnection application.

(2) A customer taking retail electric service from an electric utility and applying to participate in the distributed generation program shall concurrently submit a completed distributed generation program application and interconnection application or indicate on the distributed generation program application the date that the customer applied for interconnection with the electric utility and, if applicable, the date the customer received authorization to operate in parallel pursuant to R 460.968. All of the following requirements apply:

(a) When a distributed generation program application is accompanied by an associated interconnection application, an electric utility may complete its review of the distributed generation program application before, during, or after processing the interconnection application pursuant to part 2 of these rules, R 460.911 to R 460.992. Both of the following requirements apply:

(i) Combined with the notification of interconnection application completeness and conformance pursuant to R 460.936, an electric utility shall notify the customer whether the distributed generation program application is accepted, and provide an opportunity for the customer to remedy any application deficiencies pursuant to the timelines in R 460.936(7)(b) or withdraw the application. If the customer fails to remedy the application deficiencies within the timelines in R 460.936(7)(b), the electric utility may consider the distributed generation program application withdrawn without refund of the application fees.

(ii) While processing the interconnection application, which may include, but is not limited to, R 460.946 fast track initial review, the electric utility shall determine whether the appropriate meter is installed for the distributed generation program.

(b) If a distributed generation program application is filed with an already in-progress interconnection application, the electric utility may process the distributed generation program application in parallel with the interconnection application pursuant to part 2 of these rules, R 460.911 to R 460.992, subdivision (2) of this subrule, if practicable, or adopt the review process pursuant to subdivision (c) of this subrule.

(c) If a distributed generation program application is filed with an in-progress interconnection application and the electric utility determines it is not practicable to process the distributed generation program application in parallel with the interconnection application or the distributed generation application is filed subsequent to the customer receiving authorization to operate its eligible generator in parallel pursuant to R 460.968, the electric utility shall process the distributed generation program application pursuant to all of the following:

(i) The electric utility has 10 business days to review the distributed generation program application and determine whether to accept the application pursuant to the timelines in R 460.936(6) and (7). The timelines in R 460.936(7)(a) apply to utility notifications. The electric utility shall provide the customer an opportunity to remedy any application deficiencies pursuant to R 460.936(7)(b). If the customer fails to remedy the application deficiencies within the timelines in R 460.936(7)(b), the electric utility may consider the distributed generation program application withdrawn without refund of the application fees.

(ii) Within 10 business days of providing notification to the customer that the distributed generation program application has been accepted, the electric utility shall determine whether the appropriate meter, or meters, is installed for the distributed generation program.

(d) If a customer approved for participation in the distributed generation program requires a new or additional meter or meters, the electric utility shall arrange with the customer to install the meter or meters at a mutually agreed upon time.

(e) The electric utility shall complete changes to the customer's account to permit distributed generation program credit to be

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applied to the account no more than 10 business days after the necessary meter is installed and all necessary steps in R 460.966 are completed.

(3) A customer taking retail electric service from an alternative electric supplier shall submit a completed distributed generation program application to the alternative electric supplier and provide a copy to the electric utility that provides distribution service. All of the following requirements apply:

(a) The alternative electric supplier shall process the distributed generation program application according to the applicable timelines in subrule (2)(a) through (d) of this rule.

(b) The electric utility shall notify the alternative electric supplier when it has provided the applicant authorization to operate the eligible electric generator in parallel pursuant to R 460.968 and, if applicable, that installation of the appropriate meter or meters is completed.

(c) Within 10 business days of the electric utility's notification, the alternative electric supplier shall complete changes to the applicant's account to permit distributed generation program credit to be applied to the account.

(4) If a distributed generation program application is not approved by the alternative electric supplier, the alternative electric supplier shall notify the customer and the electric utility of the reasons for the disapproval. The alternative electric supplier shall provide the customer an opportunity to remedy the deficiency pursuant to the timelines in R 460.936(7)(b) or withdraw the application. If the customer fails to remedy the application deficiencies within the timelines in R 460.936(7)(b), the alternative electric supplier and electric utility may consider the distributed generation program application withdrawn without refund of the application fees.

(5) If a customer's distributed generation program application is approved, the customer shall have a completed and approved installation within 6 months from the date the customer's application is considered complete, or the electric utility or alternative electric supplier may consider the application withdrawn without refund and shall have no further responsibility with respect to the application.

(6) The distributed generation program application fee for electric utilities and alternative electric suppliers shall not exceed \$50. The electric utility shall specify the fee on the electric utility's distributed generation program tariff sheet or in the alternative electric supplier's distributed generation program plan.

(7) The customer shall pay all interconnection costs pursuant to part 2 of these rules, R 460.911 to R 460.992, which include all electric utility costs associated with the customer's interconnection that are not a distributed generation program application fee, excluding meter costs as described in R 460.1012 and R 460.1014.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.1008 Legacy net metering program and distributed generation program size.

Rule 108. (1) If an electric utility or alternative electric supplier reaches the program sizes as defined in section 173(3) of the clean and renewable energy and energy waste reduction act, 2008 PA 295, MCL 460.1173, or a voluntarily expanded program above the requirements defined in section 173(3) of the clean and renewable energy and energy waste reduction act, 2008 PA 295, MCL 460.1173, as determined by combining both the distributed generation program and the legacy net metering program customer enrollments, the electric utility or alternative electric supplier shall notify the commission.

(2) The electric utility or alternative electric supplier shall notify the commission of its plans to either close the program to new applicants or expand the program.

(3) The electric utility shall file corresponding revised legacy net metering program or distributed generation program tariff sheets.

(4) The alternative electric supplier shall file a revised legacy net metering program plan or distributed generation program plan.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.1010 Generation and legacy net metering program or distributed generation program equipment.

Rule 110. New legacy net metering program or distributed generation program equipment and its installation must meet all current local and state electric and construction code requirements, and other standards as specified in part 2 of these rules, R 460.911 to R 460.992.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.1012 Meters for legacy net metering program.

Rule 112. (1) For a customer with a generation system capable of generating 20 kWac or less, an electric utility may determine the customer's net usage using the customer's existing meter if it is capable of reverse registration or may install a single meter with separate registers measuring power flow in each direction. If the electric utility uses the customer's existing meter, the electric utility shall test and calibrate the meter to assure accuracy in both directions. If the customer's meter is not capable of reverse registration and if meter upgrades or modifications are required, the following apply:

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- (a) An electric utility serving 1,000,000 or more customers in this state shall provide a meter or meters capable of measuring the flow of energy in both directions at no additional charge to the legacy net metering program customer. The cost of the meter or meter modification is considered a cost of operating the legacy net metering program.
- (b) An electric utility serving fewer than 1,000,000 customers in this state shall provide a meter or meters capable of measuring the flow of energy in both directions to customers at cost. Only the incremental cost above that for the meter provided by the electric utility to similarly situated non-generating customers shall be paid by the eligible customer.
- (c) An electric utility shall provide a generator meter, if requested by the customer, at cost.
- (2) For a customer with a generation system capable of generating more than 20 kWac and not more than 150 kWac, the electric utility shall utilize a meter or meters capable of measuring the flow of energy in both directions and the generator output. If meter upgrades are necessary to provide this functionality, all of the following apply:
 - (a) An electric utility serving 1,000,000 or more customers in this state shall provide a meter or meters capable of measuring the flow of energy in both directions at no additional charge to a legacy net metering program customer. The cost of the meter or meters is considered a cost of operating the legacy net metering program.
 - (b) An electric utility serving fewer than 1,000,000 customers in this state shall provide a meter or meters capable of measuring the flow of energy in both directions to customers at cost. Only the incremental cost above that for meters provided by the electric utility to similarly situated non-generating customers shall be paid by the eligible customer.
 - (c) An electric utility shall provide a generator meter. The cost of the meter is considered a cost of operating the legacy net metering program.
- (3) For a customer with a generation system capable of generating more than 150 kWac, the electric utility shall utilize a meter or meters capable of measuring the flow of energy in both directions and the generator output. If meter upgrades are necessary to provide this functionality, the customer shall pay the cost of providing any new meters.
- (4) An electric utility deploying advanced metering infrastructure shall not charge the cost of advanced meters to a legacy net metering program participant or the legacy net metering program.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.1014 Meters for distributed generation program.

Rule 114. (1) For a customer with a generation system capable of generating 20 kWac or less, an electric utility shall determine the customer's power flow in each direction using the customer's existing meter if it is capable of measuring and recording power flow in each direction. If the customer's meter is not capable of measuring and recording the customer's power flow in each direction and if meter upgrades or modifications are required, all of the following apply:

- (a) An electric utility serving 1,000,000 or more customers in this state shall provide a meter or meters capable of measuring and recording the customer's power flow in each direction at no additional charge to the distributed generation program customer. The cost of the meter or meter modification is considered a cost of operating the distributed generation program.
- (b) An electric utility serving fewer than 1,000,000 customers in this state shall provide a meter or meters capable of measuring and recording the power flow in each direction to customers at cost. Only the incremental cost above the cost for the meter provided by the electric utility to similarly situated non-generating customers shall be paid by the eligible customer.
- (c) An electric utility shall provide a generator meter at cost, if requested by the customer.
- (2) For a customer with a generation system capable of generating more than 20 kWac and not more than 150 kWac, an electric utility shall utilize a meter or meters capable of measuring and recording power flow in each direction and the generator output. If the customer's meter is not capable of measuring and recording the customer's power flow in each direction along with the generator output, and if meter upgrades or modifications are required, all of the following apply:
 - (a) An electric utility serving 1,000,000 or more customers in this state shall provide a meter or meters capable of measuring the flow of energy in both directions at no additional charge to a distributed generation program customer. If the electric utility provides the upgraded meter at no additional charge to the customer, the cost of the meter is considered a cost of operating the distributed generation program.
 - (b) An electric utility serving fewer than 1,000,000 customers in this state shall provide a meter or meters capable of measuring the flow of energy in both directions to customers at cost. Only the incremental cost above the cost for the meter provided by the electric utility to similarly situated non-generating customers shall be paid by the eligible customer.
 - (c) An electric utility shall provide a generator meter. The cost of the meter shall be considered a cost of operating the distributed generation program.
- (3) For a customer with a methane digester generation system capable of generating more than 150 kWac, an electric utility shall utilize a meter or meters capable of measuring the flow of energy in both directions and the generator output. If meter upgrades are necessary to provide such functionality, the customer shall pay the cost of providing any new meters.
- (4) An electric utility deploying advanced metering infrastructure shall not charge the cost of advanced meters to a distributed generation program customer or the distributed generation program.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.1016 Billing and credit for legacy net metering program customers taking service under true net metering.

Rule 116. (1) Legacy net metering program customers with a system capable of generating 20 kWac or less qualify for true net metering. For customers qualifying for true net metering, the net of the bidirectional flow of kWh across the customer interconnection with the electric utility distribution system during the billing period or during each time-of-use pricing period within the billing period, including excess generation, shall be credited at the full retail rate.

(2) The credit for excess generation, if any, shall appear on the next bill. Any excess credit not used to offset current charges must be carried forward for use in subsequent billing periods.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.1018 Billing and credit for legacy net metering program customers taking service under modified net metering.

Rule 118. (1) Legacy net metering program customers with a system capable of generating more than 20 kWac qualify for modified net metering. A negative net metered quantity during the billing period or during each time-of-use pricing period within the billing period reflects net excess generation for which the customer is entitled to receive credit. Standby charges for customers on an energy rate schedule must equal the retail distribution charge applied to the imputed customer usage during the billing period. The imputed customer usage is calculated as the sum of the metered on-site generation and the net of the bidirectional flow of power across the customer interconnection during the billing period. The commission shall establish standby charges for customers on demand-based rate schedules that provide an equivalent contribution to electric utility system costs. Standby charges may not be applied to customers with systems capable of generating 150 kWac or less.

(2) The credit for excess generation must appear on the next bill. Any excess kWh not used to offset current charges must be carried forward for use in subsequent billing periods.

(3) A customer qualifying for modified net metering shall not have legacy net metering program credits applied to distribution charges.

(4) The credit per kWh for kWh delivered into the electric utility's distribution system

must be either of the following as determined by the commission:

(a) The monthly average real-time locational marginal price for energy at the commercial pricing node within the electric utility's distribution service territory or for a legacy net metering program customer on a time-based rate schedule, the monthly average real time locational marginal price for energy at the commercial pricing node within the electric utility's distribution service territory during the time-of-use pricing period.

(b) The electric utility's or alternative electric supplier's power supply component, excluding transmission charges, of the full retail rate during the billing period or time-of-use pricing period.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.1020 Billing and credit for distributed generation program customers.

Rule 120. As part of an electric utility's rate case filed after June 1, 2018, the commission shall approve a tariff for a distributed generation program under the clean and renewable energy and energy waste reduction act, 2008 PA 295, MCL 460.1001 to 460.1211. A tariff established under this rule does not apply to customers participating in a legacy net metering program under the clean and renewable energy and energy waste reduction act, 2008 PA 295, MCL 460.1001 to 460.1211, before the date that the commission establishes a tariff under this rule, who continue to participate in the program at their current site or facility, as described by R 460.1026.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.1022 Renewable energy credits.

Rule 122. (1) An eligible electric generator shall own any renewable energy credits granted for electricity generated under the legacy net metering program and distributed generation program.

(2) An electric utility may purchase or trade renewable energy credits from a legacy net metering program or distributed generation program customer if agreed to by the customer.

(3) The commission may develop a program for aggregating renewable energy credits from legacy net metering program and distributed generation program customers.

History: 2023 MR 8, Eff. April 25, 2023.

R 460.1024 Penalties.

Rule 124. Upon a complaint or on the commission's own motion, if the commission finds after notice and hearing that an electric utility has not complied with a provision or order issued under part 5 of the clean and renewable energy and energy waste reduction act, 2008 PA 295, MCL 460.1171 to 460.1185, the commission shall order remedies and penalties as necessary to make whole a customer or other person who has suffered damages as a result of the violation.

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History: 2023 MR 8, Eff. April 25, 2023.

R 460.1026 Legacy net metering grandfathering clause.

Rule 126. A customer participating in a legacy net metering program approved by the commission before the commission establishes the initial distributed generation program tariff pursuant to R 460.1020 may elect to continue to receive service under the terms and conditions of that program for up to 10 years from the date of initial enrollment. "Initial enrollment," as used in this rule, means the date a customer or site initially enrolled in a legacy net metering program as described in the electric utility's tariff. A customer participating in a legacy net metering program who increases the nameplate rating of its generation system after the effective date of an electric utility's distributed generation program tariff is no longer eligible to participate in the legacy net metering program.

History: 2023 MR 8, Eff. April 25, 2023.

DEPARTMENT OF TRANSPORTATION

BUREAU OF URBAN AND PUBLIC TRANSPORTATION

RAILROADS

R 460.1451

Source: 2016 AACS.

R 460.1452

Source: 2016 AACS.

R 460.1453

Source: 2016 AACS.

R 460.1454

Source: 2016 AACS.

R 460.1455

Source: 2016 AACS.

R 460.1456

Source: 2016 AACS.

R 460.1457

Source: 2016 AACS.

R 460.1458

Source: 2016 AACS.

R 460.1459

Source: 2016 AACS.

SANITATION AND SHELTER FOR RAILROAD EMPLOYEES

R 460.1461

Source: 1979 AC.

R 460.1462

Source: 1979 AC.

R 460.1463

Source: 1979 AC.

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R 460.1464
Source: 1979 AC.

R 460.1465
Source: 1979 AC.

R 460.1466
Source: 1979 AC.

R 460.1467
Source: 1979 AC.

R 460.1468
Source: 1979 AC.

R 460.1469
Source: 1979 AC.

R 460.1470
Source: 1979 AC.

R 460.1471
Source: 1979 AC.

R 460.1472
Source: 1979 AC.

R 460.1473
Source: 1979 AC.

R 460.1474
Source: 1979 AC.

R 460.1475
Source: 1979 AC.

R 460.1476
Source: 1979 AC.

R 460.1477
Source: 1979 AC.

R 460.1478
Source: 1979 AC.

R 460.1479
Source: 1979 AC.

R 460.1480
Source: 1979 AC.

R 460.1481
Source: 1979 AC.

STANDARDIZATION OF ELECTRICALLY OPERATED HALF-ROADWAY GATES

R 460.1491
Source: 2011 AACS.

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R 460.1492
Source: 2011 AACS.

R 460.1493
Source: 2011 AACS.

R 460.1494
Source: 2011 AACS.

R 460.1495
Source: 2011 AACS.

R 460.1496
Source: 2011 AACS.

R 460.1497
Source: 2011 AACS.

R 460.1498
Source: 2011 AACS.

R 460.1499
Source: 2011 AACS.

R 460.1500
Source: 2011 AACS.

TRACK MOTOR CAR

R 460.1511
Source: 2011 AACS.

R 460.1512
Source: 2011 AACS.

R 460.1513
Source: 2011 AACS.

R 460.1514
Source: 2011 AACS.

INSPECTION OF TRACKS UPON WHICH PASSENGER TRAINS OPERATED

R 460.1521
Source: 2011 AACS.

R 460.1522
Source: 2011 AACS.

R 460.1523
Source: 2011 AACS.

R 460.1524
Source: 2011 AACS.

R 460.1525
Source: 2011 AACS.

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DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

BILLING PRACTICES APPLICABLE TO NON-RESIDENTIAL ELECTRIC AND GAS CUSTOMERS

PART 1. GENERAL PROVISIONS

R 460.1601
Source: 2017 AACS.

R 460.1602
Source: 2017 AACS.

R 460.1603
Source: 2017 AACS.

R 460.1604
Source: 2017 AACS.

R 460.1605
Source: 2017 AACS.

PART 2. APPLICATION FOR SERVICE

R 460.1606
Source: 2017 AACS.

PART 3. GENERAL CUSTOMER DEPOSIT CONDITIONS

R 460.1607
Source: 2017 AACS.

**PART 4. METER READING, ESTIMATED BILLS, BILLING ADJUSTMENTS, VOLUNTARY
TERMINATION, AND METER RELOCATION**

R 460.1608
Source: 2017 AACS.

R 460.1609
Source: 2017 AACS.

R 460.1610
Source: 2017 AACS.

R 460.1611
Source: 2017 AACS.

PART 5. BILLING AND PAYMENTS

R 460.1612
Source: 2017 AACS.

R 460.1613
Source: 2017 AACS.

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R 460.1614
Source: 2017 AACS.

R 460.1615
Source: 2017 AACS.

R 460.1616
Source: 2017 AACS.

R 460.1617
Source: 2017 AACS.

PART 6. CUSTOMER RELATIONS AND UTILITY PROCEDURES

R 460.1618
Source: 2017 AACS.

R 460.1619
Source: 2017 AACS.

R 460.1620
Source: 2017 AACS.

R 460.1621
Source: 2017 AACS.

R 460.1622
Source: 2017 AACS.

R 460.1623
Source: 2017 AACS.

PART 7. SHUTOFFS AND RESTORATION

R 460.1624
Source: 2017 AACS.

R 460.1625
Source: 2017 AACS.

R 460.1626
Source: 2017 AACS.

PART 8. DISPUTED CLAIMS, HEARINGS AND SETTLEMENT AGREEMENTS

R 460.1628
Source: 2017 AACS.

R 460.1629
Source: 2017 AACS.

R 460.1630
Source: 2017 AACS.

R 460.1631

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Source: 2017 AACS.

R 460.1632

Source: 2017 AACS.

R 460.1633

Source: 2017 AACS.

R 460.1634

Source: 2017 AACS.

R 460.1635

Source: 2017 AACS.

R 460.1636

Source: 2017 AACS.

R 460.1637

Source: 2017 AACS.

R 460.1638

Source: 2017 AACS.

R 460.1639

Source: 2017 AACS.

R 460.1640

Source: 2017 AACS.

FILING PROCEDURES FOR ELECTRIC, WATER, STEAM, AND GAS UTILITIES

PART 1. GENERAL PROVISIONS

R 460.2011

Source: 2007 AACS.

R 460.2012

Source: 2007 AACS.

R 460.2013

Source: 1981 AACS.

PART 2. RATE BOOK

R 460.2021

Source: 2007 AACS.

R 460.2022

Source: 2007 AACS.

R 460.2023

Source: 2007 AACS.

R 460.2024

Source: 2007 AACS.

PART 3. SPECIAL CONTRACTS

Annual Administrative Code Supplement
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R 460.2031
Source: 2007 AACS.

BILLING PRACTICES APPLICABLE TO NON-RESIDENTIAL ELECTRIC AND GAS CUSTOMERS

R 460.2071
Source: 2008 AACS.

R 460.2072
Source: 2008 AACS.

R 460.2074
Source: 2008 AACS.

R 460.2075
Source: 2008 AACS.

R 460.2076
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R 460.2077
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R 460.2078
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R 460.2079
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R 460.2080
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R 460.2081
Source: 2008 AACS.

R 460.2082
Source: 2008 AACS.

R 460.2083
Source: 2008 AACS.

R 460.2084
Source: 2008 AACS.

R 460.2085
Source: 2008 AACS.

R 460.2086
Source: 2008 AACS.

CONSUMER STANDARDS AND BILLING PRACTICES
ELECTRIC AND GAS RESIDENTIAL SERVICE

R 460.2101
Source: 2007 AACS.

R 460.2102
Source: 2007 AACS.

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R 460.2103
Source: 2007 AACCS.

R 460.2104
Source: 2007 AACCS.

R 460.2105
Source: 2007 AACCS.

R 460.2111
Source: 2007 AACCS.

R 460.2112
Source: 2007 AACCS.

R 460.2113
Source: 2007 AACCS.

R 460.2114
Source: 2007 AACCS.

R 460.2115
Source: 2007 AACCS.

R 460.2116
Source: 2007 AACCS.

R 460.2117
Source: 2007 AACCS.

R 460.2118
Source: 2007 AACCS.

R 460.2119
Source: 2007 AACCS.

R 460.2120
Source: 2007 AACCS.

R 460.2121
Source: 2007 AACCS.

R 460.2122
Source: 2007 AACCS.

R 460.2123
Source: 2007 AACCS.

R 460.2124
Source: 2007 AACCS.

R 460.2125
Source: 2007 AACCS.

R 460.2131
Source: 2007 AACCS.

R 460.2132

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Source: 2007 AACS.

R 460.2133

Source: 2007 AACS.

R 460.2134

Source: 2007 AACS.

R 460.2135

Source: 2007 AACS.

R 460.2136

Source: 2007 AACS.

R 460.2137

Source: 2007 AACS.

R 460.2141

Source: 2007 AACS.

R 460.2142

Source: 2007 AACS.

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Source: 2007 AACS.

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Source: 2007 AACS.

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Source: 2007 AACS.

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R 460.2151

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R 460.2152

Source: 2007 AACS.

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R 460.2154

Source: 2007 AACS.

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R 460.2155
Source: 2007 AACS.

R 460.2161
Source: 2007 AACS.

R 460.2162
Source: 2007 AACS.

R 460.2163
Source: 2007 AACS.

R 460.2164
Source: 2007 AACS.

R 460.2165
Source: 2007 AACS.

R 460.2166
Source: 2007 AACS.

R 460.2167
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R 460.2168
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R 460.2169
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R 460.2170
Source: 2007 AACS.

R 460.2171
Source: 2007 AACS.

R 460.2172
Source: 2007 AACS.

R 460.2173
Source: 2007 AACS.

R 460.2174
Source: 2007 AACS.

R 460.2181
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R 460.2182
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R 460.2183
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R 460.2184
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R 460.2185

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Source: 2007 AACS.

R 460.2186

Source: 2007 AACS.

R 460.2187

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R 460.2188

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R 460.2189

Source: 2007 AACS.

R 460.2190

Source: 2007 AACS.

R 460.2191

Source: 2007 AACS.

R 460.2192

Source: 2007 AACS.

R 460.2199

Source: 2007 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

TECHNICAL STANDARDS FOR GAS SERVICE

PART 1. GENERAL PROVISIONS

R 460.2301

Source: 2020 AACS.

R 460.2302 A

Source: 2020 AACS.

R 460.2303

Source: 1979 AC.

PART 2. RECORDS, REPORTS, AND OTHER INFORMATION

R 460.2321

Source: 2020 AACS.

R 460.2322

Source: 1979 AC.

R 460.2323

Source: 2020 AACS.

R 460.2324

Source: 2020 AACS.

PART 3. SERVICE REQUIREMENTS

R 460.2331
Source: 2020 AACCS.

R 460.2332
Source: 2020 AACCS.

R 460.2333
Source: 2020 AACCS.

R 460.2334
Source: 1979 AC.

R 460.2335
Source: 2020 AACCS.

PART 4. ENGINEERING

R 460.2341
Source: 2020 AACCS.

R 460.2342
Source: 2020 AACCS.

R 460.2343
Source: 1993 AACCS.

R 460.2344
Source: 2020 AACCS.

R 460.2345
Source: 2020 AACCS.

PART 5. METERS METERING EQUIPMENT INSPECTIONS AND TESTS

R 460.2351
Source: 2020 AACCS.

R 460.2351a
Source: 2020 AACCS.

R 460.2352
Source: 2020 AACCS.

R 460.2353
Source: 2020 AACCS.

R 460.2354
Source: 2020 AACCS.

R 460.2355
Source: 2020 AACCS.

R 460.2356
Source: 1993 AACCS.

R 460.2357

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Source: 1993 AACS.

R 460.2358

Source: 1979 AC.

PART 6. BILL ADJUSTMENT; METER ACCURACY

R 460.2361

Source: 2020 AACS.

R 460.2362

Source: 2020 AACS.

R 460.2363

Source: 2020 AACS.

R 460.2364

Source: 2020 AACS.

R 460.2365

Source: 1979 AC.

PART 7. SHUTOFF OF SERVICE

R 460.2371

Source: 2020 AACS.

R 460.2372

Source: 1993 AACS.

R 460.2373

Source: 1993 AACS.

R 460.2374

Source: 2020 AACS.

PART 8. GAS QUALITY

R 460.2381

Source: 2020 AACS.

R 460.2382

Source: 2020 AACS.

R 460.2383

Source: 2020 AACS.

R 460.2384

Source: 1993 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

PUBLIC SERVICE COMMISSION

RESIDENTIAL CONSERVATION PROGRAM STANDARDS

R 460.2401

Source: 2017 AACS.

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R 460.2402
Source: 2017 AACS.

R 460.2403
Source: 2017 AACS.

R 460.2404
Source: 2017 AACS.

R 460.2405
Source: 2017 AACS.

R 460.2406
Source: 2017 AACS.

R 460.2407
Source: 2017 AACS.

R 460.2408
Source: 2017 AACS.

R 460.2409
Source: 2017 AACS.

R 460.2410
Source: 2017 AACS.

R 460.2411
Source: 2017 AACS.

R 460.2412
Source: 2017 AACS.

R 460.2413
Source: 2017 AACS.

R 460.2414
Source: 2017 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

PRESERVATION OF RECORDS OF ELECTRIC, GAS, AND STEAM UTILITIES

PART I. GENERAL PROVISIONS

R 460.2501
Source: 2021 AACS.

R 460.2502
Source: 1998-2000 AACS.

R 460.2503
Source: 2021 AACS.

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R 460.2504

Source: 1998-2000 AACS.

R 460.2505

Source: 2021 AACS.

R 460.2505a

Source: 2021 AACS.

R 460.2505b

Source: 2021 AACS.

R 460.2505c

Source: 2021 AACS.

R 460.2506

Source: 2021 AACS.

R 460.2507

Source: 1998-2000 AACS.

R 460.2508

Source: 1998-2000 AACS.

R 460.2509

Source: 2021 AACS.

PART 2. SCHEDULE OF RECORDS AND PERIODS OF RETENTION

R 460.2510

Source: 1998-2000 AACS.

R 460.2511

Source: 1998-2000 AACS.

R 460.2512

Source: 1998-2000 AACS.

R 460.2513

Source: 1998-2000 AACS.

R 460.2514

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R 460.2515

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R 460.2516

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R 460.2517

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R 460.2518

Source: 1998-2000 AACS.

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R 460.2519

Source: 2021 AACS.

R 460.2520

Source: 2021 AACS.

R 460.2521

Source: 2021 AACS.

R 460.2522

Source: 2021 AACS.

R 460.2523

Source: 1998-2000 AACS.

R 460.2524

Source: 2021 AACS.

R 460.2525

Source: 1998-2000 AACS.

R 460.2526

Source: 1998-2000 AACS.

R 460.2527

Source: 1998-2000 AACS.

R 460.2528

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R 460.2530

Source: 1998-2000 AACS.

R 460.2531

Source: 2021 AACS.

R 460.2532

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R 460.2535

Source: 1998-2000 AACS.

R 460.2536

Source: 1998-2000 AACS.

R 460.2537

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Source: 1998-2000 AACS.

R 460.2538

Source: 1998-2000 AACS.

R 460.2539

Source: 1998-2000 AACS.

R 460.2540

Source: 1998-2000 AACS.

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Source: 1998-2000 AACS.

R 460.2542

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R 460.2543

Source: 2021 AACS.

R 460.2544

Source: 1998-2000 AACS.

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Source: 1998-2000 AACS.

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R 460.2551

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R 460.2552

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R 460.2556

Source: 1998-2000 AACS.

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Source: 1998-2000 AACS.

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R 460.2567

Source: 1998-2000 AACS.

R 460.2568

Source: 2021 AACS.

R 460.2568a

Source: 2021 AACS.

R 460.2568b

Source: 2021 AACS.

R 460.2569

Source: 1998-2000 AACS.

R 460.2569a

Source: 2021 AACS.

R 460.2569b

Source: 2021 AACS.

R 460.2570

Source: 1998-2000 AACS.

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R 460.2571

Source: 1998-2000 AACS.

R 460.2572

Source: 2021 AACS.

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R 460.2580

Source: 1998-2000 AACS.

R 460.2581

Source: 1998-2000 AACS.

R 460.2582

Source: 1998-2000 AACS.

PUBLIC SERVICE COMMISSION

UNCOLLECTIBLES ALLOWANCE RECOVERY FUNDS

PART 1. GENERAL PROVISIONS

R 460.2601

Source: 2013 AACS.

R 460.2602

Source: 2013 AACS.

PART 2. UNCOLLECTIBLES ALLOWANCE RECOVERY FUND

R 460.2621

Source: 2013 AACS.

R 460.2622

Source: 2013 AACS.

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R 460.2623

Source: 2013 AACS.

R 460.2624

Source: 2013 AACS.

R 460.2625

Source: 2013 AACS

RULES AND REGULATIONS GOVERNING ANIMAL CONTACT CURRENT MITIGATION

R 460.2701

Source: 2007 AACS.

R 460.2702

Source: 2007 AACS.

R 460.2703

Source: 2007 AACS.

R 460.2704

Source: 2007 AACS.

R 460.2705

Source: 2007 AACS.

R 460.2706

Source: 2007 AACS.

R 460.2707

Source: 2007 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

TECHNICAL STANDARDS FOR ELECTRIC SERVICE

PART 1. GENERAL PROVISIONS

R 460.3101 Applicability; purpose; modification; adoption of rules and regulations by electric utility or cooperative.

Rule 101. (1) These rules apply to electric utilities as that term is defined in section 2 of the electric transmission line certification act, 1995 PA 30, MCL 460.562, and cooperative electric utilities as that term is defined in section 2 of the electric cooperative member-regulation act, 2008 PA 167, MCL 460.32, that are subject to the jurisdiction of the public service commission.

(2) These rules are intended to promote safe and adequate service to the public and to provide standards for uniform and reasonable practices by electric utilities and cooperatives.

(3) These rules do not relieve an electric utility or cooperative from any of its duties under the laws of this state.

(4) An electric utility or cooperative may adopt reasonable rules and regulations governing its relations with customers that it finds necessary and that are not inconsistent with these rules for electric service. Adopted rules and regulations must be filed with, and approved by, the commission.

(5) An electric utility or cooperative may petition the commission for a permanent or temporary waiver or exception from these rules for good cause shown provided that the waiver or exception is consistent with the purpose of these rules.

History: 1983 AACS; 1996 AACS; 2019 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3102 Definitions.

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Rule 102. As used in these rules:

- (a) “Approved by the commission” means that a commission order has been issued.
- (b) “Commission” means the Michigan public service commission.
- (c) “Cooperative” or “cooperative electric utility” means that term as defined in section 2(c) of the electric cooperative member-regulation act, 2008 PA 167, MCL 460.32.
- (d) “Customer” means an individual who is at least 18 years of age or an emancipated minor, who is an account holder, and who purchases electric service from an electric utility or cooperative.
- (e) “Electric plant” means all real estate, fixtures, or property that are owned, controlled, operated, or managed in connection with, or to facilitate the production, transmission, and delivery of, electric energy.
- (f) “Electric utility” means that term as defined in section 2 of the electric transmission line certification act, 1995 PA 30, MCL 460.562.
- (g) “Electricity meter” means a device that measures and registers the integral of an electrical quantity with respect to time.
- (h) “Electro-mechanical meter” means a meter in which currents in fixed coils react with the currents induced in the conducting moving element, generally a disk or disks, which causes their movement proportional to the energy to be measured. This meter may also be called an induction watt-hour meter.
- (i) “File” means to deliver to the commission’s executive secretary.
- (j) “Major interruption” means either of the following:
 - (i) For an electric utility or cooperative with greater than 1,000,000 customers, any weather condition that results in sustained service interruptions impacting 50,000 or more customers or an electrical system component failure that occurs under normal conditions, as defined in R 460.702, impacting 7,500 or more customers unless otherwise ordered by the commission.
 - (ii) For an electric utility or cooperative with less than 1,000,000 customers, any weather condition that results in sustained service interruptions impacting 5% or 2,000 or more customers, whichever is greater, or an electrical system component failure that occurs under normal conditions, as defined in R 460.702, impacting 3,000 or more customers unless otherwise ordered by the commission.
- (k) “Meter” or “watt-hour meter” means an electricity meter that measures and registers the integral with respect to time of the active power of the circuit in which it is connected. The unit by which this integral is measured is usually the kilowatt-hour.
- (l) “Meter creep” means a continuous apparent accumulation of energy in a meter with voltage applied and the load terminals open circuited.
- (m) “Meter error” means a failure to accurately measure and record all of the electrical quantities used that are required by the applicable rate or rates.
- (n) “Meter shop” means a shop where meters are inspected, repaired, and tested. A meter shop may be at a fixed location or may be mobile.
- (o) “Planned interruption” means the loss of electric power to 1 or more customers that results from a planned outage.
- (p) “Premises” means an undivided piece of land that is not separated by public roads, streets, or alleys.
- (q) “Regional transmission organization” means a voluntary organization of electric transmission owners, transmission users, and other entities approved by the federal energy regulatory commission to efficiently coordinate electric transmission planning, operation, and use on a regional and interregional basis.
- (r) “Serious injury” means any injury or illness to an employee, including contract employees, or a non-employee that results in inpatient hospitalization.
- (s) “Service point” means the point of connection between the facilities of the serving electric utility or cooperative and the premises wiring.
- (t) “Solid state meter” means a meter in which current and voltage act on electronic (solid state) elements to produce an output proportional to the energy to be measured.
- (u) “Submit” means to deliver to the commission’s designated representative.
- (v) “Sustained interruption” means any interruption that lasts more than 5 minutes and is not classified as a part of a momentary event. The duration of a customer’s interruption must be measured from the time that the electric utility or cooperative is notified or otherwise becomes aware of the full or partial loss of service to 1 or more customers for longer than 5 minutes.

History: 1983 AACCS; 1996 AACCS; 2019 AACCS; 2023 MR 7, Eff. April 10, 2023.

R 460.3103

Source: 1983 AACCS.

PART 2. RECORDS AND REPORTS

R 460.3201

Source: 1996 AACCS.

R 460.3202

Source: 1983 AACs.

R 460.3203 Documents and information; required submission.

Rule 203. An electric utility or cooperative shall submit all of the following documents and information and maintain the documents and information in a current status:

- (a) A copy of the electric utility's or cooperative's tariff.
- (b) A copy of the electric utility's or cooperative's rules and standards that are made available to the public covering meter and service installation.
- (c) A copy of each type of customer bill form.
- (d) A list of the cities, villages, and townships that the electric utility or cooperative serves. Upon a request by the commission or its designated representative, the electric utility or cooperative shall also provide copies of the associated franchise information.
- (e) The name, title, address, and telephone number of the persons to be contacted in connection with the following matters:
 - (i) General management duties.
 - (ii) Customer relations, including complaints.
 - (iii) Engineering operations.
 - (iv) Meter tests and repairs.
 - (v) Emergencies during non-office hours.
- (f) An annual copy of the electric utility's or cooperative's construction budget, which must be updated for all major changes to generating and transmission facilities.
- (g) An "Electric Service" monthly report, on forms suitable to the commission, that shows information concerning the electric utility's or cooperative's acquisition and disposition of electric energy and other information as required. The reports must be submitted by electric utilities or cooperatives within 50 days after the end of the quarter reported.
- (h) A map or maps that show the electric utility's or cooperative's operating area within this state, including generating stations and transmission lines with their voltage designations. Upon a request by the commission or its designated representative, the electric utility or cooperative shall also make available a map or maps that show all of the following:
 - (i) Distribution lines with the number of phases designated.
 - (ii) State boundary crossings.
 - (iii) Service areas.
- (i) For an electric utility with greater than 100,000 customers, a line clearing quarterly report, on forms suitable to the commission, that shows information concerning line clearing amounts spent, miles or units cleared, and progress toward achieving the targeted line clearing cycle.
- (j) Unless provided through other written reporting to the commission, a solid state meter annual report, on forms suitable to the commission, that shows all of the following:
 - (i) Information the meter infrastructure is capable of collecting.
 - (ii) Information the electric utility or cooperative is collecting from the meter infrastructure.
 - (iii) A description of the electric utility's or cooperative's current use of the information collected.
 - (iv) A description of the electric utility's or cooperative's future plans for information collection and use.

History: 1983 AACs; 1996 AACs; 2023 MR 7, Eff. April 10, 2023.

R 460.3204 Customer records; retention period; content.

Rule 204. (1) An electric utility or cooperative shall retain, either within the electric utility or cooperative or as contracted through a third party with access by the electric utility or cooperative, customer records as necessary to comply with R 460.115a.

An electric utility or cooperative shall retain the records for not less than 3 years.

(2) Records for customers must show, if applicable, all of the following information:

- (a) Kilowatt-hour meter reading.
- (b) Metered kilowatt-hour consumption.
- (c) Kilowatt, kilovolt ampere, and kilovar meter reading.
- (d) Kilowatt, kilovolt ampere, and kilovar measured demand.
- (e) Kilowatt, kilovolt ampere, and kilovar billing demand.
- (f) Total amount of bill.

History: 1983 AACs; 1996 AACs; 2008 AACs; 2019 AACs; 2023 MR 7, Eff. April 10, 2023.

R 460.3205 Security reporting.

Rule 205. (1) To inform the commission regarding matters that may affect the security or safety of persons or property, whether

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public or private, an electric utility or cooperative shall do both of the following:

(a) Provide a written or oral annual report, individually or jointly with other electric utilities or cooperatives, to designated members of the commission staff regarding the electric utility's or cooperative's cybersecurity program and related risk planning. This report on the threat assessment and preparedness strategy must contain all of the following information:

(i) An overview of the program describing the electric utility's or cooperative's approach to cybersecurity awareness and protection.

(ii) A description of cybersecurity awareness training efforts for the electric utility's or cooperative's staff members, specialized cybersecurity training for cybersecurity personnel, and participation by the electric utility's or cooperative's cybersecurity staff in emergency preparedness exercises in the previous calendar year.

(iii) An organizational diagram of the electric utility's or cooperative's cybersecurity organization, including positions and contact information for primary and secondary cybersecurity emergency contacts.

(iv) A description of the electric utility's or cooperative's communications plan regarding unauthorized actions that result in loss of service, financial harm, or breach of sensitive business or customer data, including the electric utility's or cooperative's plan for notifying the commission and customers.

(v) A redacted summary of any unauthorized actions that resulted in loss of service, financial harm, or breach of sensitive business or customer data, including the parties that were notified of the unauthorized action and any remedial actions undertaken.

(vi) A description of the risk assessment tools and methods used to evaluate, prioritize, and improve cybersecurity capabilities.

(vii) General information about current emergency response plans regarding cybersecurity incidents, domestic preparedness strategies, threat assessments, and vulnerability assessments.

(b) In addition to the information required under subdivision (a) of this subrule, an electric utility must include in its annual report to the commission an overview of major investments in cybersecurity during the previous calendar year and plans and rationale for major investments in cybersecurity anticipated for the next calendar year.

(2) As soon as reasonably practicable and before public notification, an electric utility or cooperative must orally report the confirmation of a cybersecurity incident to a designated member of the commission staff and to the Michigan intelligence operations center, unless prohibited by law or court order or instructed otherwise by official law enforcement personnel, if any of the following occurred:

(a) A person intentionally interrupted the production, transmission, or distribution of electricity.

(b) A person extorted money or other thing of value from the electric utility or cooperative through a cybersecurity attack.

(c) A person caused a denial of service in excess of 12 hours.

(d) A security breach, as that term is defined in section 3 of the identity theft protection act, 2004 PA 452, MCL 445.63, before public and customer notification.

(e) At the electric utility's or cooperative's discretion, any other cybersecurity incident, attack, or threat which the electric utility or cooperative deems notable, unusual, or significant.

(3) For purposes of subrule (2) of this rule, "person" means any individual, firm, corporation, educational institution, financial institution, governmental entity, or legal or other entity.

(4) For purposes of subrule (2)(c) of this rule, "denial of service" means, for an electric utility or cooperative, a successful attempt to prevent a legitimate user from accessing electronic information made accessible by the electric utility or cooperative or by another party on the behalf of the electric utility or cooperative.

History: 2019 AACs; 2023 MR 7, Eff. April 10, 2023.

PART 3. METER REQUIREMENTS

R 460.3301 Metered measurement of electricity required; exceptions.

Rule 301. (1) All electricity that is sold by an electric utility or cooperative must be on the basis of meter measurement, except where the consumption can be readily computed or except as provided for in the electric utility's or cooperative's filed rates.

(2) Where practicable, the consumption of electricity within an electric utility or cooperative or by administrative units associated with the electric utility or cooperative must be metered.

(3) Meters must comply with part 6 of these rules.

History: 1983 AACs; 1996 AACs; 2023 MR 7, Eff. April 10, 2023.

R 460.3302

Source: 1997 AACs.

R 460.3303 Meter reading data.

Rule 303. The meter reading data must include all of the following information:

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- (a) A suitable designation identifying the customer.
- (b) An identifying number and description of the meter.
- (c) Meter readings or, if an electric utility or cooperative cannot obtain an actual meter reading, then the electric utility or cooperative shall maintain records of the efforts made to obtain a reading and its reasons for failing to obtain it.
- (d) Any applicable multiplier or constant.

History: 1983 AACS; 1996 AACS; 2019 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3304 Meter data management system.

Rule 304. A meter data management system that takes data from recording meters must indicate all of the following meter information:

- (a) The date of the record.
- (b) The equipment numbers.
- (c) A suitable designation identifying the customer.
- (d) The appropriate multipliers.

History: 1983 AACS; 1996 AACS; 2019 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3305 Meter multiplier.

Rule 305. If it is necessary to apply a multiplier to the meter registration, then the multiplier must be displayed on the meter.

History: 1983 AACS; 1996 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3306

Source: 2008 AACS.

R 460.3307

Source: 1997 AACS.

R 460.3308 Standards of good practice; adoption by reference.

Rule 308. In the absence of specific rules of the commission, an electric utility or cooperative shall apply the provisions of the publications set forth in this rule as standards of accepted good practice. The following standards are available from the American National Standards Institute (ANSI), Customer Service, 25 West 43rd St., 4th floor, New York, New York, 10036, USA, telephone number: 1-212-642-4900 or via the internet at website: <http://webstore.ansi.org> at the cost listed below as of the time of adoption of these rules, plus a handling charge (for paper copies):

- (a) American National Standards Institute standards for electricity meters ANSI C12.1-2014, cost \$362.00, C12.20-2015, cost \$125.00, and C12.22-2012, cost \$264.00.
- (b) American National Standards Institute/American Society for Quality Sampling Procedures and Tables for Inspection by Variables for Percent Nonconforming (ANSI/ASQ Z1.9-2003(R2018)). Cost \$179.00.
- (c) American National Standards Institute IEEE Standard Requirements for Instrument Transformers (IEEE C57.13-2016). Cost \$99.00.
- (d) American National Standards Institute IEEE Standard for High Accuracy Instrument Transformers, IEEE Std. C57.13.6-2005. Cost \$50.00.

History: 1996 AACS; 2008 AACS; 2019 MR 1, Eff. Jan. 9, 2019; 2019 MR 13, Eff. July 16, 2019; 2023 MR 7, Eff. April 10, 2023.

R 460.3309 Rescinded.

History: 1983 AACS; 1996 AACS; 2008 AACS; 2019 AACS; 2023 MR 7, Eff. April 10, 2023.

PART 4. EXTENSION OF SERVICE

R 460.3401

Source: 2008 AACS.

R 460.3402

Source: 2008 AACS.

R 460.3403

Source: 2008 AACS.

R 460.3404

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Source: 2008 AACS.

R 460.3405

Source: 1997 AACS.

R 460.3406

Source: 2008 AACS.

R 460.3407

Source: 2008 AACS.

R 460.3408 Temporary service; cost of installing and removing equipment owned by an electric utility or cooperative.

Rule 408. If an electric utility or cooperative renders temporary service to a customer, it shall require that the customer bear the cost of installing and removing the electric utility- or cooperative-owned equipment in excess of any salvage realized.

History: 1983 AACS; 1996 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3409 Protection of electric utility- or cooperative-owned equipment on customer's premises.

Rule 409. (1) The customer shall use reasonable diligence to protect electric utility- or cooperative-owned equipment on the customer's premises and to prevent tampering or interference with the equipment. The electric utility or cooperative may shut off service pursuant to applicable rules of the commission if the metering or wiring on the customer's premises is unsafe, or has been tampered with or altered in any manner that allows unmetered or improperly metered energy to be used.

(2) If an electric utility or cooperative shuts off service for unauthorized use of service, then both of the following provisions apply:

(a) The electric utility or cooperative may bill the customer for the unmetered energy used and any damages that have been caused to electric utility- or cooperative-owned equipment.

(b) The electric utility or cooperative is not required to restore service until the customer does all of the following:

(i) Makes reasonable arrangements for payment of the charges in subdivision (a) of this subrule.

(ii) Agrees to pay the approved reconnection charges.

(iii) Agrees to make provisions and pay charges for relocating electric utility- or cooperative-owned equipment or making other reasonable changes that may be requested by the electric utility or cooperative to provide better protection for its equipment.

(iv) Provides the electric utility or cooperative with reasonable assurance of the customer's compliance with the electric utility's or cooperative's approved standard rules and regulations.

(3) Failure to comply with the terms of an agreement to restore service after service has been shut off pursuant to subrule (1) of this rule is cause to shut off service pursuant to the rules of the electric utility or cooperative and the commission.

(4) If service is shut off pursuant to subrule (3) of this rule and the electric utility or cooperative must incur extraordinary expenses to prevent the unauthorized restoration of service, the electric utility or cooperative may bill the customer for the expenses, in addition to all other charges that may apply under this rule, and may require that the expenses and other charges be paid before restoring service. A reasonable effort must be made to notify the customer at the time of shutoff that additional charges may apply if an attempt is made to restore service that has been shut off.

(5) The customer of record who benefits from the unauthorized use is responsible for payment to the electric utility or cooperative for the energy consumed.

(6) The electric utility or cooperative may bill the customer for the reasonable actual cost of the tampering investigation.

History: 1983 AACS; 1996 AACS; 2019 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3410 Extension of facilities plan.

Rule 410. An electric utility or cooperative shall develop a plan, approved by the commission, for the extensions of facilities where the investment is in excess of that included in the regular rates for service and for which the customer is required to pay all or part of the cost.

History: 1983 AACS; 1996 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3411 Extension of electric service in areas served by 2 or more electric utilities or cooperatives.

Rule 411. (1) As used in this rule:

(a) "Customer" means the buildings and facilities served rather than the individual, association, partnership, or corporation served.

(b) "Distances" means measurements that are determined by direct measurement from the closest point of an electric utility's or cooperative's existing distribution facilities to the customer's meter location and that are not determined by the circuit feet involved in any extension.

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- (c) "Distribution facilities" means single-phase, V-phase, and 3-phase facilities and does not include service drops.
- (2) Existing customers shall not transfer from 1 electric utility or cooperative to another.
- (3) Prospective customers for single-phase service that are located within 300 feet of the distribution facilities of 2 or more electric utilities or cooperatives shall have the service of their choice.
- (4) Prospective customers for single-phase service that are located more than 300 feet, but within 2,640 feet, from the distribution facilities of 1 or more electric utilities or cooperatives shall be served by the closest electric utility or cooperative.
- (5) Prospective customers for single-phase service that are located more than 2,640 feet from the distribution facilities of any electric utility or cooperative shall have the service of their choice, subject to the provisions of subrule (10) of this rule.
- (6) Prospective customers for 3-phase service that are located within 300 feet of the 3-phase distribution facilities of 2 or more electric utilities or cooperatives shall have the service of their choice.
- (7) Prospective customers for 3-phase service that are located more than 300 feet, but within 2,640 feet, from the 3-phase distribution facilities of 1 or more electric utilities or cooperatives shall be served by the closest electric utility or cooperative.
- (8) Prospective customers for 3-phase service that are located more than 2,640 feet from the 3-phase distribution facilities of any electric utility or cooperative shall have the service of their choice, subject to the provisions of subrule (10) of this rule.
- (9) Regardless of any other provisions in these rules, a prospective industrial customer, as defined under the industrial classification manual, division D, manufacturing, for 3-phase service that will have a connected load of more than 500 kilowatts shall have its choice of service from any nearby electric utility or cooperative that is willing to construct the necessary facilities. The facilities that are constructed to serve an industrial customer that would otherwise have been served by another electric utility or cooperative shall not qualify as a measuring point in determining which electric utility or cooperative will serve new customers in the future.
- (10) The extension of distribution facilities, except as provided in subrules (3), (4), (6), and (7) of this rule, where an extension will be located within 1 mile of another electric utility's or cooperative's distribution facilities, shall not be made by an electric utility or cooperative without first giving the commission and any affected electric utility or cooperative 10 days' notice of its intention by submitting a map showing the location of the proposed new distribution facilities, the location of the prospective customers, and the location of the facilities of any other electric utility or cooperative in the area. If no objections to the proposed extension of distribution facilities are received by the commission within the 10-day notice period, the electric utility or cooperative may proceed to construct the facilities. If objections are received, the determination of which electric utility or cooperative will extend service may be made the subject of a public hearing and a determination by the commission, upon proper application by any affected party.
- (11) The first electric utility or cooperative serving a customer pursuant to these rules is entitled to serve the entire electric load on the premises of that customer even if another electric utility or cooperative is closer to a portion of the customer's load.
- (12) An electric utility or cooperative may waive its rights to serve a customer or group of customers if another electric utility or cooperative is willing and able to provide the required service and if the commission is notified and has no objections.
- (13) Nothing contained in these rules shall be construed to circumvent the requirements of the certificate of convenience and necessity, 1929 PA 69, MCL 460.501 to 460.506, or to authorize an electric utility or cooperative to extend its service into a municipality then being served by another electric utility or cooperative without complying with the provisions of 1929 PA 69, MCL 460.501 to 460.506.
- (14) Regardless of other provisions of this rule, except subrule (9) of this rule, an electric utility or cooperative shall not extend service to a new customer in a manner that will duplicate the existing electric distribution facilities of another electric utility or cooperative, except where both electric utilities or cooperatives are within 300 feet of the prospective customer. Three-phase service does not duplicate single-phase service when extended to serve a 3-phase customer.
- (15) The first electric utility or cooperative to serve a customer in a new subdivision under the other provisions of this rule has the right to serve the entire subdivision. In extending service to reach the subdivision, the electric utility or cooperative shall not duplicate the existing facilities of another electric utility or cooperative.
- (16) An existing industrial customer that meets the criteria in subdivision (a) of this subrule and that desires to change electric providers is entitled to a 1-hour meeting as set forth in subdivision (b) of this subrule.
- (a) The existing industrial customer shall comply with all of the following:
- (i) Meet the characteristics of the industrial classification manual, division D, manufacturing.
 - (ii) Have a connected load of more than 500 kilowatts.
 - (iii) Be served with 3-phase electric service.
 - (iv) Be located within 5 miles of any 3-phase facilities owned and operated by the non-incumbent electric utility or cooperative.
- (b) The 1-hour meeting must comply with all of the following:
- (i) Occur within 60 days of the customer's request for the meeting.
 - (ii) Include in attendance the customer, the electric utility or cooperative currently serving the customer, and the electric utility or cooperative from whom the customer proposes to take service.
 - (iii) Include a discussion of the customer's proposal to switch providers.

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- (c) If all attendees agree, the meeting may take place via telecommunications.
 - (d) The customer or group of customers are entitled to not less than 1 meeting in a 3-year period. Additional meeting requests during the 3-year period may be approved or denied by the incumbent electric utility or cooperative, the non-incumbent electric utility or cooperative, or both.
 - (17) An incumbent electric utility or cooperative may waive its right to serve a customer or group of customers pursuant to subrule (12) of this rule. The incumbent electric utility's or cooperative's decision must be provided in writing to the customer within 60 days of the meeting described in subrule (16)(b) of this rule. Any facilities that are constructed to serve an existing industrial customer that has switched providers do not qualify as a measuring point in determining which electric utility or cooperative will serve new customers in the future.
- History: 1983 AACS; 1996 AACS; 2023 MR 7, Eff. April 10, 2023.

PART 5. ENGINEERING

R 460.3501 Electric plant; construction, installation, maintenance, and operation pursuant to good engineering practice required.

Rule 501. The electric plant of an electric utility or cooperative must be constructed, installed, maintained, and operated pursuant to accepted good engineering practice in the electric industry to ensure, as far as reasonably possible, continuity of service, uniformity in the quality of service furnished, and the safety of persons and property.

History: 1983 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3502 Standards of good practice; adoption by reference.

Rule 502. In the absence of specific rules of the commission, an electric utility or cooperative shall apply the standards of accepted good practice that are adopted by reference in R 460.811.

History: 1983 AACS; 1988 AACS; 1996 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3503 Electric utility or cooperative plant capacity.

Rule 503. The electric capacity regularly available from all sources must be large enough to meet all normal demands for service and to provide a reasonable reserve for emergencies.

History: 1983 AACS; 1996 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3504 Electric plant inspection program.

Rule 504. An electric utility or cooperative shall adopt a program of inspection of its electric plant to ensure safe and reliable operation. The frequency of the various inspections must be based on the electric utility's or cooperative's experience and accepted good practice. Each electric utility or cooperative shall keep sufficient records to verify compliance with its inspection program.

History: 1983 AACS; 1996 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3505 Electric utility or cooperative line clearance program.

Rule 505. An electric utility or cooperative shall adopt and implement a program of maintaining adequate line clearance through the use of industry-recognized guidelines. A line clearance program must do all of the following:

- (a) Recognize the national electric safety code standards that are adopted by reference in R 460.813.
- (b) Ensure safety and reliability.
- (c) Include tree trimming.
- (d) Provide customer and property owner notifications not less than 3 days and no more than 90 days before planned maintenance tree trimming. Emergent and emergency tree trimming are exempt. Customer and property owner notifications must include all of the following:
 - (i) A customer service phone number.
 - (ii) Personal contact with the customer that includes 1 or more of the following:
 - (A) An in-person visit to the customer's premises with a door hanger.
 - (B) A phone call.
 - (C) Written notification to persons residing within the target area.
 - (iii) Personal contact or written notification to local government officials within the target area.
- (e) Statistically relevant representative inspection after line clearing.

History: 1996 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3506 Cybersecurity program.

Rule 506. (1) An electric utility or cooperative shall develop, implement, and maintain a cybersecurity program. At a minimum,

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the cybersecurity program must include procedures to do all of the following:

- (a) Protect against the unauthorized acquisition, access, use, or disclosure of customer, electric utility, or cooperative information.
- (b) Protect against the unauthorized destruction, degradation, or disruption of electric utility or cooperative information or communication systems, networks, or infrastructure.
- (c) Identify and mitigate software vulnerabilities.
- (d) Implement a least-privileged electronic access approach to electric utility or cooperative assets and information.
- (e) Manage cybersecurity risks relating to vendors and suppliers.
- (f) Respond to and recover from a cybersecurity incident as detailed in a cybersecurity incident response plan.
- (g) Determine appropriate training requirements for cybersecurity staff and ensure they are met.
- (h) Inventory the electric utility's or cooperative's information technology and operations technology hardware and software assets.

(2) In addition to the requirements under subrule (1) of this rule, an electric utility or cooperative shall do all of the following:

- (a) Conduct annual assessments of the cybersecurity program using the United States National Institute of Standards and Technology Cybersecurity Framework, the Department of Energy Cybersecurity Capability Maturity Model, or a similar tool.
- (b) Conduct an annual exercise to test the procedures to ensure the effectiveness of the program.
- (c) At least quarterly, conduct cyber threat simulations, such as phishing, to test employee awareness and responsiveness to cyber threats.
- (d) At least annually, conduct cybersecurity awareness and procedure training.

(3) By March 31 of each year, on forms suitable to the commission, an electric utility or cooperative shall file with the commission a written attestation, signed by an officer of the electric utility or cooperative who is authorized to manage the operations of the cybersecurity program, that the electric utility or cooperative maintains a cybersecurity program in compliance with this rule.

History: 2023 MR 7, Eff. April 10, 2023.

PART 6. METERING EQUIPMENT INSPECTIONS AND TESTS

R 460.3601 Customer-requested meter tests.

Rule 601. (1) Upon request by a customer to an electric utility or cooperative, an electric utility or cooperative shall make a test of the meter serving the customer if the customer does not request more than 1 test in any 12-month period. Any charge to the customer must conform with the electric utility's or cooperative's filed and approved tariff rates and rules.

(2) The customer, or his or her representative, may be present when his or her meter is tested.

(3) A report of the results of the test must be made to the customer within a reasonable time after the completion of the test, and a record of the report, together with a complete record of each test, must be kept on file at the office of the electric utility or cooperative.

History: 1983 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3602 Meter and associated device inspections and tests; certification of accuracy.

Rule 602. Every meter must be inspected and tested, and associated devices must be inspected, in the meter shop of the electric utility or cooperative, or a meter testing facility certified by the electric utility or cooperative, before being placed in service. The accuracy of each meter must be certified to be within the tolerances permitted by these rules, except that the electric utility or cooperative may rely on the certification of accuracy by the manufacturer on all new meters.

History: 1983 AACS; 2008 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3603 Meters with transformers; post-installation inspection; exception.

Rule 603. Meters with associated instrument transformers must be inspected to determine the proper operation and wiring connections. Inspections must be made within 60 days after installation by a qualified person who, when possible, should be someone other than the original installer. Socket-type meter exchanges are excluded from post-installation inspections, except that the original installation must be inspected when the meter is installed.

History: 1983 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3604

Source: 1995 AACS.

R 460.3605 Metering electrical quantities.

Rule 605. (1) All electrical quantities that are to be metered as provided in R 460.3301 must be metered by commercially

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acceptable instruments which are owned and maintained by the electric utility or cooperative.

(2) Every reasonable effort must be made to measure at 1 point all the electrical quantities necessary for billing a customer under a given rate.

(3) For electro-mechanical meters, metering facilities located at any point where energy may flow in either direction and where the quantities measured are used for billing purposes must consist of meters equipped with ratchets or other devices to prevent reverse registration and must be so connected as to separately meter the energy flow in each direction, unless used to implement an electric utility or cooperative tariff approved by the commission for service provided under a net metering program.

(4) For electro-mechanical meters, an electric utility or cooperative shall not employ reactive metering for determining the average power factor for billing purposes where energy may flow in either direction or where the customer may generate an appreciable amount of his or her energy requirements at any time, unless suitable directional relays and ratchets are installed to obtain correct registration under all conditions of operation.

(5) For electro-mechanical meters, all electric service of the same type rendered by an electric utility or cooperative under the same rate schedule must be metered with instruments having like characteristics, except that the commission may be requested to approve the use of instruments of different types if their use does not result in unreasonable discrimination. Either all of the reactive meters which may run backwards or none of the reactive meters used for measuring reactive power under 1 schedule must be ratcheted. This rule is only applicable to equipment owned by the electric utility or cooperative.

History: 1983 AACS; 2008 AACS; 2019 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3606 Meters operating from instrument transformers; marking of multiplier on instruments; watthour constants.

Rule 606. (1) Meters operating from instrument transformers must have the multiplier plainly marked on the nameplate of the instrument or otherwise suitably marked.

(2) The watthour constant ($K_{sub h}$) for the meter itself must be displayed on the watthour meter nameplate.

History: 1983 AACS; 2019 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3607 Watt-hour meter requirements.

Rule 607. (1) Watthour meters that are used for measuring electrical quantities supplied must conform to ANSI C12.1 or C12.20 specifications and meet all of the following requirements:

(a) Be of proper design for the circuit on which the meters are used; be in good mechanical and electrical condition; and have adequate insulation, correct internal connections, and correct register.

(b) For electro-mechanical meters, not creep at no load with all load wires disconnected at a rate of 1 complete revolution of the moving element in 10 minutes when potential is impressed.

(c) Be accurate to within plus or minus 1% for electro-mechanical meters and 0.8% for solid state meters, referred to the portable standard watthour meter as a base, at 2 unity power factor loads: light load (l.l.) and full load (f.l.).

Meter Class Light Load Test Amperes Full Load Test Amperes Inductive Load 50% Lagging Power Factor Test Amperes

Self-Contained 10%

Rated Test Amperes of Meter 100%

Rated Test Amperes of Meter 100% Rated Test Amperes of Meter

Transformer-rated 10%

Rated Test Amperes of Meter 100% Rated Test Amperes of Meter 100% Rated Test Amperes of Meter

(d) Be accurate to within plus or minus 2% for electro-mechanical meters and 1.6% for solid state meters, referred to the portable standard watthour meter as a base, at inductive load (i.l.).

(2) Polyphase meters must have their elements in balance within 2% for electro-mechanical meters and 1.6% for solid state meters at rated test amperes at unity power factor and at approximately 50% lagging power factor.

History: 1983 AACS; 2008 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3608 Rescinded.

History: 1983 AACS; 2019 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3609 Instrument transformers used in conjunction with metering equipment; requirements.

Rule 609. (1) Instrument transformers used in conjunction with metering equipment to measure a customer's service must meet both of the following requirements:

(a) Be in proper mechanical condition and have satisfactory electrical insulation for the service on which used.

(b) Meet minimum metering accuracy class 0.3 as defined in IEEE/ANSI C57.13-2016 or accuracy class 0.15 as defined in IEEE C57.13.6-2005.

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(2) The results of tests of instrument transformers must be kept on record and available for use.

History: 1983 AACS; 2008 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3610 Portable indicating voltmeters; accuracy.

Rule 610. All portable indicating voltmeters that are used for determining the quality of service voltage to customers must be checked against a suitable secondary reference standard at least once every 6 months for electro-mechanical voltmeters, and once every 12 months for solid state voltmeters. The accuracy of these voltmeters must be rated so that the error of the indication is not more than plus or minus 1% of full scale. If the portable indicating voltmeter is found to be in error by more than the rated accuracy at commonly used scale deflections, it must be adjusted.

History: 1983 AACS; 2008 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3611 Meter testing equipment; availability; provision and use of primary standards.

Rule 611. (1) An electric utility or cooperative shall maintain sufficient laboratories, meter testing shops, secondary standards, instruments, and facilities to determine the accuracy of all types of meters and measuring devices used by the electric utility or cooperative. The electric utility or cooperative may, if necessary and with commission approval, have all or part of the required tests made, or its portable testing equipment checked, by another electric utility or cooperative or agency that uses standards with traceable accuracies to the United States National Institute of Standards and Technology (NIST) or National Research Council (NRC) Canada and that has adequate and sufficient testing equipment to comply with these rules.

(2) At a minimum, an electric utility or cooperative shall keep all of the following testing equipment available:

(a) One or more portable standard watt-hour meters that has a capacity and voltage range that is adequate to test all watt-hour meters used by the electric utility or cooperative.

(b) Portable indicating instruments that are necessary to determine the accuracy of all instruments used by the electric utility or cooperative.

(c) One or more secondary standards to check each of the various types of portable standard watt-hour meters used for testing watt-hour meters. Each secondary standard must consist of an approved portable standard watt-hour meter that is kept permanently at 1 point and that is not used for fieldwork. Standards must be well-compensated for both classes of temperature errors, practically free from errors due to ordinary voltage variations, and free from erratic registration due to any cause.

(d) Suitable standards, which are not used for fieldwork, to check portable instruments used in testing.

(3) An electric utility or cooperative shall provide and use primary standards that have accuracies that are traceable to the United States National Institute of Standards and Technology (NIST) or National Research Council (NRC) Canada.

History: 1983 AACS; 1995 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3612 Test standards; accuracy.

Rule 612. (1) The accuracies of all primary reference standards must be certified as traceable to the National Institute of Standards and Technology (NIST) or National Research Council (NRC) Canada, either directly or through other recognized standards laboratories. These standards must have their accuracy certified at the time of purchase. Standard cells must be intercompared regularly and at least 1 standard cell be checked by a standardizing laboratory at intervals of not more than 2 years. Reference standards of resistance, potentiometers, and volt boxes must be checked at intervals of not more than 3 years.

(2) Secondary watt-hour meter standards must not be in error by more than plus or minus 0.3% at loads and voltages at which they are to be used, and must not be used to check or calibrate working standards, unless the secondary standard has been checked and adjusted, if necessary, within the preceding 6 months. Each secondary standard watt-hour meter must have calibration data available and have a history card.

(3) Secondary standards indicating instruments must not be in error by more than plus or minus 0.5% of indication at commonly used scale deflection and must not be used to check or calibrate portable indicating instruments, unless the secondary standard has been checked and adjusted, if necessary, within the preceding 12 months. A calibration record must be maintained for each standard.

(4) Regularly used working portable standard watt-hour meters must be compared with a secondary standard at least once every 6 months. Infrequently used working standards must be compared with a secondary standard before they are used.

(5) Working portable standard watt-hour meters must be adjusted so that their percent registration is within 99.7% and 100.3% at 100% power factor and within 99.5% and 100.5% at 50% lagging power factor at all voltages and loads at which the standard may be used. A history and calibration record must be kept for each working standard.

(6) The meter accuracies required in this rule for all primary, secondary, and working standards must be referred to 100%. Service measuring equipment must be adjusted to within the accuracies required assuming the portable test equipment to be 100% accurate with the calibration correction taken into consideration.

History: 1983 AACS; 1995 AACS; 2008 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3613 Solid state meter and metering equipment testing requirements.

Rule 613. (1) The testing of any unit of metering equipment must consist of a comparison of its accuracy with a standard of known accuracy. Units that are not properly connected or that do not meet the accuracy or other requirements of these meter and metering equipment rules at the time of testing must be reconnected or discontinued.

(2) All solid state single-phase, 3-phase, network, self-contained, and transformer-rated meters must comply with both of the following requirements:

(a) Be checked for accuracy as provided for in R 460.3602.

(b) Notwithstanding the provisions of subdivision (a) of this subrule, the testing of solid state meters in service must be governed by a quality control plan that must test meters for accuracy or rejection pursuant to normal inspection as set forth in subrule (3) of this rule, tightened inspection as set forth in subrule (4) of this rule, or reduced inspection as set forth in subrule (5) of this rule, as applicable.

(3) Normal inspection of in-service solid state meters must include all of the following:

(a) Meters must be divided into homogenous groups by manufacturers' types, and certain manufacturers' types must be further subdivided into separate groups by manufacturers' serial numbers.

(b) The meters in each homogeneous group must then be further subdivided into lots of not less than 301, and not more than 35,000, meters each, except that meters of the most recent design may be combined into lots regardless of manufacturers' type, except that where the number of meters of a single type is 8,001 or more, that number of meters must be segregated by types for the formation of lots.

(c) From each assembled lot, a sample of the size specified in table A-2, ANSI/ASQ Z1.9-2003(R2018) using general inspection level II, must be drawn annually. The sample must be drawn at random.

(d) The meters in each sample must be tested for accuracy as follows:

(i) The test criteria for acceptance or rejection of each lot must be based on the test of the sample at heavy load only and must be that designated for double specification limits and an acceptable quality level (AQL) that is not higher than 2.50 (normal inspection) as set forth in table B-3, ANSI/ASQC Z1.9-2003(R2018).

(ii) The necessary calculations must be made pursuant to Example B-3 of ANSI/ASQC Z1.9. The upper and lower specification limits, U and L, must be 102% and 98%, respectively.

(iii) A lot must be rejected if the total estimated percent defective (p) exceeds the appropriate maximum allowable percent defective (M) as determined from table B-3 as specified in paragraph (i) of this subdivision.

(iv) All meters in a rejected lot must be tested within a maximum period of 60 months and comply with the provisions of R 460.3607 or be replaced with meters that comply with the requirements of R 460.3607.

(v) During each calendar year, new meter samples must be drawn as specified in this subrule from all meters in service, with the exception that lots that have been rejected must be excluded from the sampling procedure until all meters included in the rejected lots have been tested.

(e) The electric utility or cooperative shall complete normal inspection before implementing tightened inspection or reduced inspection.

(4) Tightened inspection of in-service meters may be adopted and must include all of the following:

(a) The meters in rejected lots from the previous year must be tested as follows:

(i) From rejected lots, a sample of the lot size specified in table A-2, ANSI/ASQ Z1.9-2003(R2018) using general inspection level III, must be drawn at random.

(ii) The test criteria for acceptance or rejection of each lot must be based on the test at heavy load and must be that designated for double specification limits and an acceptable quality level (AQL) that is not higher than 2.50 (tightened inspection) as set forth in table B-3 of ANSI/ASQ Z1.9-2003(R2018).

(iii) The necessary calculations must be made pursuant to Example B-3 of ANSI/ASQ Z1.9-2003(R2018). The upper and lower specification limits, U and L, must be 102% and 98% respectively.

(b) A lot must be rejected if the total estimated percent defective (p) exceeds the appropriate maximum allowable percent defective (M) as determined from table B-3 specified in paragraph (ii) of subdivision (a).

(c) If the acceptability criteria of the sampling plan are met, then the lot is considered acceptable and must be returned to the variables sampling plan the following year as required by R 460.3613(3). If the acceptability criteria of the sampling plan are not met, then the electric utility or cooperative shall reject that lot and all meters in that lot must be tested and adjusted or replaced within a maximum period of 48 months after the second rejection.

(5) Reduced inspection of in-service meters may be adopted and must include all of the following:

(a) All meters must be divided into homogenous groups by manufacturers' types, and certain manufacturers' types must be further subdivided into separate groups by manufacturers' serial numbers.

(b) The meters in each homogeneous group must then be further subdivided into lots of not less than 301, and not more than 35,000, meters each, except that meters of the most recent design may be combined into lots regardless of manufacturers' type, except that where the number of meters of a single type is 8,001 or more, that number of meters must be segregated by types

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for the formation of lots.

(c) From each assembled lot, a sample of the lot size specified in table A-2, ANSI/ASQ Z1.9-2003(R2018) using general inspection level I, must be drawn annually. The sample must be drawn at random.

(d) The meters in each sample must be tested for accuracy as follows:

(i) The test criteria for acceptance or rejection of each lot must be based on the test of the sample at heavy load only and must be that designated for double specification limits and an acceptable quality level (AQL) that is not higher than 2.50 (reduced inspection) as set forth in table B-4, ANSI/ASQ Z1.9-2003(R2018).

(ii) The necessary calculations must be made pursuant to Example B-3 of ANSI/ASQ Z1.9-2003(R2018). The upper and lower specification limits, U and L, must be 102% and 98%, respectively.

(iii) A lot must be rejected if the total estimated percent defective (p) exceeds the appropriate maximum allowable percent defective (M) as determined from table B-4 as specified in subrule (5)(d)(i).

(e) When reduced inspection is in effect, the electric utility or cooperative shall return to normal inspection if a lot is rejected and shall adhere to the quality control plan as set forth in subrule (3).

(f) Normal or reduced inspection shall continue unchanged except where the above switching procedures require change.

(g) The electric utility or cooperative may adopt reduced inspection of meters if normal inspection, as set forth in subrule (3) of this rule, has been in effect for the preceding 3 years and all lots of same manufacturer meter type have been accepted on normal inspection in preceding 3 years.

(6) The quality control plan set forth in subrules (3), (4), and (5) of this rule does not alter the rules under which customers may request special tests of meters.

(7) All solid-state meters must comply with all of the following requirements:

(a) Be checked for accuracy in all of the following situations:

(i) When a meter is suspected of being inaccurate or damaged.

(ii) When the accuracy of a meter is questioned by a customer under R 460.3601.

(b) Be inspected for electrical faults when the accuracy of the device is checked.

(c) Have the connections to the customer's circuits checked when the meter is tested on the premises or when removed for testing.

(d) A meter need not be tested or checked for any reason if the device was tested and checked within the previous 12 months except when a complaint is received.

(8) All transformer-rated solid state meters must comply with all of the following requirements:

(a) Be checked for accuracy at unity and 50% power factor on the customer's premises within 60 days after installation, unless the transformers comply with the specifications outlined in the American National Standards Institute standard ANSI C-57.13.

(b) Have the connections to the customer's circuits and multipliers checked when the equipment is tested for accuracy on the premises, when removed for testing, or when instrument transformers are changed.

History: 1983 AACs; 1995 AACs; 2008 AACs; 2019 AACs; 2023 MR 7, Eff. April 10, 2023.

R 460.3613a Electro-mechanical meter and metering equipment testing requirements.

Rule 613a. (1) The testing of any unit of metering equipment must consist of a comparison of its accuracy with a standard of known accuracy. Units that are not properly connected or that do not meet the accuracy or other requirements of these meter and metering equipment rules at the time of testing must be reconnected or rebuilt to meet these requirements and must be adjusted to within the required accuracy and as close to zero error as practicable or must be discontinued.

(2) Self-contained, electro-mechanical, combination electro-mechanical and solid state, single-phase, and network meters must comply with all of the following requirements:

(a) Be checked for accuracy as provided for in R 460.3602.

(b) Notwithstanding the provisions of subdivision (a) of this subrule, the testing of self-contained, electro-mechanical, combination electro-mechanical and solid state, single-phase, and network meters in service must be governed by a quality control plan that complies with all of the following:

(i) Meters must be divided into homogenous groups by manufacturers' types, and certain manufacturers' types must be further subdivided into separate groups by manufacturers' serial numbers.

(ii) The meters in each homogeneous group must then be further subdivided into lots of not less than 301, and not more than 35,000, meters each, except that meters of the most recent design may be combined into lots regardless of manufacturers' type, except that where the number of meters of a single type is 8,001 or more, that number of meters must be segregated by types for the formation of lots.

(iii) From each assembled lot, a sample of the size specified in table A-2, ANSI/ASQ Z1.9-2003(R2018), must be drawn annually. The sample must be drawn at random.

(iv) The meters in each sample must be tested for accuracy pursuant to paragraphs (v) to (xi) of this subdivision.

(v) The test criteria for acceptance or rejection of each lot must be based on the test at heavy load only and must be that

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designated for double specification limits and an acceptable quality level (AQL) that is not higher than 2.50 (normal inspection) as set forth in table B-3, ANSI/ASQ Z1.9-2003(R2018).

(vi) The necessary calculations must be made pursuant to Example B-3 of ANSI/ASQ Z1.9-2003(R2018). The upper and lower specification limits, U and L, must be 102% and 98%, respectively.

(vii) A lot must be rejected if the total estimated percent defective (p) exceeds the appropriate maximum allowable percent defective (M) as determined from table B-3 as specified in paragraph (v) of this subdivision.

(viii) All meters in a rejected lot must be tested within a maximum period of 60 months and be adjusted pursuant to the provisions of R 460.3607 or be replaced with meters that comply with the requirements of R 460.3607.

(ix) During each calendar year, new meter samples must be drawn as specified in this subdivision from all meters in service, with the exception that lots that have been rejected must be excluded from the sampling procedure until all meters included in the rejected lots have been tested.

(x) The electric utility or cooperative may elect to adopt the following sample plan for lots that have been rejected the previous year:

(A) From each rejected lot, a sample of the lot size specified in table A-2, ANSI/ASQ Z1.9-2003(R2018) using general inspection level III, must be drawn at random.

(B) The test criteria for acceptance or rejection of each lot must be based on the test at heavy load and must be that designated for double specification limits and an acceptable quality level (AQL) that is not higher than 2.50 (tightened inspection) as set forth in table B-3 of ANSI/ASQ Z1.9-2003(R2018).

(C) The necessary calculations must be made pursuant to Example B-3 of ANSI/ASQ Z1.9-2003(R2018). The upper and lower specification limits, U and L, must be 102% and 98% respectively.

(D) A lot must be rejected if the total estimated percent defective (p) exceeds the appropriate maximum allowable percent defective (M) as determined from table B-3 specified in paragraph (B) of this subdivision. If the acceptability criteria of the sampling plan are met, then the lot is considered acceptable and must be returned to the variables sampling plan the following year. If the acceptability criteria of the sampling plan are not met, then the electric utility or cooperative shall reject that lot and all meters in that lot must be tested and adjusted or replaced within a maximum period of 48 months after the second rejection.

(xi) The plan specified in paragraph (x) of this subdivision does not alter the rules under which customers may request special tests of meters.

(c) Be checked for accuracy in both of the following situations:

(i) When a meter is suspected of being inaccurate or damaged.

(ii) When the accuracy of a meter is questioned by a customer under R 460.3601.

(d) Be inspected for mechanical and electrical faults when the accuracy of the device is checked.

(e) Have the register and the internal connections checked before the meter is first placed in service and when the meter is repaired.

(f) Have the connections to the customer's circuits checked when the meter is tested on the premises or when removed for testing.

(g) A meter may not be tested or checked for any reason if the device was tested, checked, and adjusted within the previous 12 months except when a complaint is received.

(3) All single-phase transformer-rated electro-mechanical meters must comply with all of the following requirements:

(a) Be checked for accuracy at unity power factor at the point where a meter is installed, at a central testing point, or in a mobile testing laboratory when any of the following occurs:

(i) Not later than 9 months after 144 months of service for a surge-resistant meter and not later than 9 months after 96 months of service for a non-surge-resistant meter.

(ii) When a meter is suspected of being inaccurate or damaged.

(iii) When the accuracy of a meter is questioned by a customer under R 460.3601.

(iv) Before use when a meter has been inactive for more than 1 year after having been in service.

(b) Be inspected for mechanical and electrical faults when the accuracy of the device is checked.

(c) Have the register and the internal connections checked before the meter is first placed in service and when the meter is repaired.

(d) Have the connections to the customer's circuits checked when the meter is tested on the premises or when removed for testing.

(e) Be checked for accuracy at 50% power factor when purchased and after rebuilding.

(f) A meter may not be tested or checked for any reason if the device was tested, checked, and adjusted within the previous 12 months except when a complaint is received.

(4) All self-contained electro-mechanical, combination electro-mechanical meters, solid-state 3-phase meters, and associated equipment must comply with all of the following requirements:

(a) Be tested for accuracy at unity and 50% power factor when any of the following occur:

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- (i) Before being placed in service.
 - (ii) Not later than 9 months after 120 months of service.
 - (iii) When a meter is suspected of being inaccurate or damaged.
 - (iv) When the accuracy of a meter is questioned by a customer under R 460.3601.
 - (v) When a meter is removed and put back in service.
 - (b) Be inspected for mechanical and electrical faults when the accuracy is checked.
 - (c) Have the register and internal connections checked before the meter is first installed, when repaired, and when the register is changed.
 - (d) Have the connections to the customer's circuits and multipliers checked when the equipment is tested for accuracy on the customer's premises.
 - (5) An electric utility or cooperative may elect to include self-contained solid state 3-phase meters in service in its quality control plan as provided for in subrule (2)(b) of this rule. An electric utility or cooperative may be exempt from the periodic meter test requirements as provided in subdivision (a)(ii) of subrule (4).
 - (6) All transformer-rated electro-mechanical 3-phase meters, all combination electro-mechanical and solid state 3-phase meters, and associated equipment must comply with all of the following requirements. However, an electric utility or cooperative may elect to include transformer-rated solid state 3-phase meters in service in its quality control plan as set forth in subrule (2)(b) of this rule. Therefore, an electric utility or cooperative may be exempt from the periodic meter test requirements as provided in subdivision (a)(iii) of this subrule.
 - (a) Be checked for accuracy at unity and 50% power factor when any of the following occur:
 - (i) Before being placed in service.
 - (ii) On the customer's premises within 60 days after installation, unless the transformers comply with the specifications outlined in the American National Standards Institute standard ANSI C-57.13, and unless the meter adjustment limits do not exceed plus or minus 1.5% at 50% power factor.
 - (iii) Not later than 9 months after 72 months of service.
 - (iv) When a meter is suspected of being inaccurate or damaged.
 - (v) When the accuracy is questioned by a customer under R 460.3601.
 - (vi) When a meter is removed and put back in service.
 - (b) Be inspected for mechanical and electrical faults when the accuracy is checked.
 - (c) Have the register and internal connections checked before the meter is first placed in service and when the meter is repaired.
 - (d) Have the connections to the customer's circuits and multipliers checked when the equipment is tested for accuracy on the premises, when removed for testing, or when instrument transformers are changed.
 - (e) Be checked for accuracy at 50% power factor when purchased and after rebuilding.
- History: 2023 MR 7, Eff. April 10, 2023.

R 460.3614 Standards check by the commission.

Rule 614. (1) Upon request of the commission, an electric utility or cooperative shall submit 1 of its portable standard watthour meters and 1 portable indicating voltmeter, ammeter, and wattmeter to a commission-approved standards laboratory for checking of their accuracy.

(2) An electric utility or cooperative shall normally check its own working portable standard watthour meters or instruments against primary or secondary standards and shall calibrate these working standards or instruments before they are submitted with a record of such calibration attached to each of the working standards or instruments.

History: 1983 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3615 Metering equipment records.

Rule 615. (1) An electric utility or cooperative shall maintain a complete record of the most recent test of all metering equipment. The record must show all of the following information:

- (a) Identification and location of unit.
- (b) Equipment with which the device is associated.
- (c) The date of test.
- (d) Reason for the test.
- (e) Readings before and after the test.
- (f) For electro-mechanical meters, a statement as to whether or not the meter creeps and, in case of creeping, the rate.
- (g) A statement of meter accuracies before and after adjustment sufficiently complete to permit checking of the calculations employed.
- (h) Indications showing that all required checks have been made.
- (i) A statement of repairs made, if any.

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- (j) Identification of the testing standard and the person making the test.
 - (k) Communications type.
 - (l) Firmware.
 - (2) The electric utility or cooperative shall also keep a record of each unit of metering equipment which shows all of the following information:
 - (a) When the unit was purchased.
 - (b) The unit's cost.
 - (c) The company's identification.
 - (d) Associated equipment.
 - (e) Essential nameplate data.
 - (f) The date of the last test. The record must also show either the present service location with the date of installation or, if removed from service, the service location from which the unit was removed with the date of removal.
 - (3) An electric utility or cooperative shall maintain records of the necessary calculations made pursuant to Example B-3 of ANSI/ASQ Z1.9 for each sample or resample drawn. In addition to the actual computation, the data must include all of the following:
 - (a) The type of meter.
 - (b) The number of meters in the lot.
 - (c) The meter numbers of sample meters.
 - (d) The actual prior-to-adjustment test data of each meter tested.
 - (e) The number of months since the last test for each meter in the sample.
- History: 1983 AACS; 2019 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3616

Source: 1983 AACS.

R 460.3617 Reports to be filed with the commission.

Rule 617. An electric utility or cooperative shall file, with the commission, on or before April 1 of each year, all of the following information covering the 12-month period ending December 31:

- (a) A statement from an officer of the electric utility or cooperative or from the vendor, supplier, or contractor who provides the metering equipment that certifies that the metering equipment complies with the requirements set forth in the rules relating to meter standardizing equipment.
- (b) A meter test report summarizing all rejected lots tested as part of the sampling plan during the preceding calendar year. The report must include all of the following information for each rejected lot:
 - (i) Meter manufacturer.
 - (ii) Meter type.
 - (iii) Average months in service since the last test.
 - (iv) Meter lots in tightened inspection.
- (c) A meter test report summarizing all rejected lots not tested as part of the sampling plan during the preceding calendar year. The report must include all of the following information for each rejected lot:
 - (i) Meter manufacturer.
 - (ii) Meter type.
 - (iii) Purchase year.
 - (iv) As found accuracy or accuracy range.

History: 1983 AACS; 1995 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3618

Source: 1983 AACS.

PART 7. STANDARDS OF QUALITY OF SERVICES

R 460.3701 Alternating current systems; standard frequency.

Rule 701. The standard frequency for alternating current systems is 60 hertz. The frequency must be maintained within limits as administered by the regional transmission organization.

History: 1983 AACS; 1996 AACS; 2023 MR 7, Eff. April 10, 2023.

R 460.3702 Standard nominal service voltage; limits; exceptions.

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Rule 702. (1) Each electric utility or cooperative shall adopt and submit standard nominal service voltages.

(2) With respect to secondary voltages, the following provisions shall apply:

(a) For all retail service, the variations of voltage must not be more than 5% above or below the standard nominal voltage as submitted pursuant to subrule (1) of this rule, except as noted in subrule (4) of this rule.

(b) Where 3-phase service is provided, the electric utility or cooperative shall exercise reasonable care to ensure that the phase voltages are balanced within practical tolerances.

(3) With respect to primary voltages, the following provisions apply:

(a) For service rendered principally for industrial or power purposes, the voltage variation must not be more than 5% above or below the standard nominal voltages as submitted pursuant to subrule (1) of this rule, except as noted in subrule (4) of this rule.

(b) The limitations in subdivision (a) of this subrule do not apply to special contracts in which the customer specifically agrees to accept service with unregulated voltage.

(4) Voltages above or below the limits specified in subrules (2) and (3) of this rule may not be considered a violation if the variations are infrequent fluctuations or occur from adverse weather conditions, service interruptions, causes beyond the control of the electric utility or cooperative, or voltage reductions that are required to reduce system load at times of supply deficiency or loss of supply.

History: 1983 AACs; 1996 AACs; 2023 MR 7, Eff. April 10, 2023.

R 460.3703 Voltage measurements and records.

Rule 703. (1) An electric utility or cooperative shall make voltage measurements at the electric utility's or cooperative's substation service terminals and, where permissible, at the electric utility's or cooperative's service points.

(2) Each electric utility or cooperative shall make a sufficient number of voltage measurements, using recording voltmeters, to determine if voltages comply with the requirements stated in R 460.3702. For installations in which the meter measures voltage, measurements using recording voltmeters are not necessary unless records of the measurements through the meter are not available.

(3) All records obtained under subrule (2) of this rule must be retained by the electric utility or cooperative for not less than 2 years and must be available for inspection by the commission's representatives. The records must indicate all of the following information:

(a) The location where the voltage was measured.

(b) The time and date of the measurement.

(c) For installations without meters that measure voltage variations, the results of the comparison with an indicating voltmeter at the time a recording meter is set.

(d) Number of customers impacted.

History: 1983 AACs; 1996 AACs; 2019 AACs; 2023 MR 7, Eff. April 10, 2023.

R 460.3704 Voltage measurements; required equipment; periodic checks; certificate or calibration card for standards.

Rule 704. (1) An electric utility or cooperative shall have access to at least 1 indicating voltmeter that has a stated accuracy within 0.25% of full scale. The instrument must be maintained within its stated accuracy.

(2) Each electric utility or cooperative shall have not less than 2 indicating voltmeters that have a stated accuracy within 1% of full scale.

(3) Each electric utility or cooperative shall have not less than 2 portable recording voltmeters, or their electronic equivalent, with a stated accuracy within 1.5% of full scale.

(4) Standards must be checked pursuant to R 460.3612.

(5) Working instruments must be checked pursuant to R 460.3610.

(6) Each standard must be accompanied at all times by a certificate or calibration card, duly signed and dated, on which the corrections required to compensate for errors found at the customary test points at the time of the last test are recorded.

History: 1983 AACs; 1996 AACs; 2023 MR 7, Eff. April 10, 2023.

R 460.3705 Interruptions of service; records; planned interruption; notice to commission.

Rule 705. (1) An electric utility or cooperative shall make a reasonable effort to avoid interruptions of service. When interruptions occur, service must be restored within the shortest time practical, consistent with safety.

(2) An electric utility or cooperative shall keep records of sustained interruptions of service to its customers and make an analysis of the records for the purpose of determining steps to be taken to prevent recurrence of the interruptions. The records must include the following information concerning the interruptions:

(a) Cause.

(b) Date and time.

(c) Duration.

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(3) Planned interruptions must be made at a time that will not cause unreasonable inconvenience to customers and be preceded, if feasible, by adequate notice to persons who will be affected.

(4) An electric utility or cooperative shall promptly notify the commission of any major interruption of service to its customers.

History: 1983 AACCS; 1996 AACCS; 2023 MR 7, Eff. April 10, 2023.

PART 8. SAFETY

R 460.3801 Protective measures.

Rule 801. An electric utility or cooperative shall exercise reasonable care to reduce the hazards to which its employees, its customers, and the general public may be subjected.

History: 1983 AACCS; 2023 MR 7, Eff. April 10, 2023.

R 460.3802 Safety program.

Rule 802. An electric utility or cooperative shall comply with the provisions of the occupational safety and health act, 29 USC 1970, and the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1001 to 408.1094, and shall operate under applicable federal and state health and safety laws and regulations.

History: 1983 AACCS; 1996 AACCS; 2023 MR 7, Eff. April 10, 2023.

R 460.3803 Energizing services.

Rule 803. When energizing services, an electric utility or cooperative shall comply with the provisions of all applicable codes and statutory requirements, unless otherwise specified by the commission. The electric utility or cooperative may refuse to energize a service if an unsafe condition is observed.

History: 1983 AACCS; 1996 AAC; 2023 MR 7, Eff. April 10, 2023.

R 460.3804 Accidents; notice to commission.

Rule 804. An electric utility or cooperative shall promptly notify the commission of fatalities and serious injuries that are substantially related to the facilities or operations of the facilities.

History: 1996 AACCS; 2023 MR 7, Eff. April 10, 2023.

PART 9. COMMERCIAL AND INDUSTRIAL STANDARDS AND BILLING PRACTICES

R 460.3901

Source: 2008 AACCS.

R 460.3902

Source: 2008 AACCS.

R 460.3903

Source: 2008 AACCS.

R 460.3904

Source: 2008 AACCS.

R 460.3905

Source: 2008 AACCS.

R 460.3906

Source: 2008 AACCS.

R 460.3907

Source: 2008 AACCS.

R 460.3908

Source: 2008 AACCS.

**UNIFORM SYSTEM OF ACCOUNTS FOR MAJOR
AND NONMAJOR ELECTRIC UTILITIES**

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R 460.9001
Source: 2011 AACS.

R 460.9002
Source: 2011 AACS.

R 460.9003
Source: 2011 AACS.

**UNIFORM SYSTEM OF ACCOUNTS FOR MAJOR
AND NONMAJOR ELECTRIC UTILITIES**

R 460.9019
Source: 1997 AACS.

**UNIFORM SYSTEM OF ACCOUNTS FOR MAJOR
AND NONMAJOR GAS UTILITIES**

R 460.9021
Source: 2011 AACS.

R 460.9022
Source: 2011 AACS.

**UNIFORM SYSTEM OF ACCOUNTS FOR MAJOR
AND NONMAJOR GAS UTILITIES**

R 460.9039
Source: 1988 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

PUBLIC SERVICE COMMISSION

UNIFORM SYSTEM OF ACCOUNTS FOR CLASS A AND B WATER UTILITIES

R 460.9081
Source: 1998-2000 AACS.

R 460.9099
Source: 1998-2000 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

CODE OF CONDUCT

PART 1. GENERAL PROVISIONS

R 460.10101
Source: 2019 AACS.

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R 460.10102
Source: 2019 AACS.

PART 2. CROSS-SUBSIDIZATION AND PREFERENTIAL TREATMENT

R 460.10103
Source: 2019 AACS.

R 460.10104
Source: 2019 AACS.

R 460.10105
Source: 2019 AACS.

R 460.10106
Source: 2019 AACS.

R 460.10107
Source: 2019 AACS.

PART 3. DISCRIMINATION

R 460.10108
Source: 2019 AACS.

PART 4. INFORMATION SHARING

R 460.10109
Source: 2019 AACS.

PART 5. REPORTING, OVERSIGHT, AND PENALTIES

R 460.10110
Source: 2019 AACS.

R 460.10111
Source: 2019 AACS.

R 460.10112
Source: 2019 AACS.

R 460.10113
Source: 2019 AACS.

SERVICES SUPPLIED BY WATER UTILITIES

R 460.13101
Source: 2005 AACS.

R 460.13102
Source: 2005 AACS.

R 460.13103
Source: 2005 AACS.

R 460.13104
Source: 2005 AACS.

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R 460.13105

Source: 2005 AACS.

R 460.13106

Source: 2005 AACS.

R 460.13107

Source: 2005 AACS.

200. RECORDS AND REPORTS

R 460.13201

Source: 2005 AACS.

R 460.13202

Source: 2005 AACS.

R 460.13203

Source: 2005 AACS.

R 460.13204

Source: 2005 AACS.

R 460.13205

Source: 2005 AACS.

R 460.13206

Source: 2005 AACS.

R 460.13207

Source: 2005 AACS.

300. GENERAL REQUIREMENTS

R 460.13301

Source: 2005 AACS.

R 460.13302

Source: 2005 AACS.

R 460.13303

Source: 2005 AACS.

R 460.13304

Source: 2005 AACS.

R 460.13305

Source: 2005 AACS.

R 460.13306

Source: 2005 AACS.

400. CUSTOMER RELATIONS

R 460.13401

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Source: 2005 AACS.

R 460.13402

Source: 2005 AACS.

R 460.13403

Source: 2005 AACS.

R 460.13404

Source: 2005 AACS.

R 460.13405

Source: 2005 AACS.

R 460.13406

Source: 2005 AACS.

R 460.13407

Source: 2005 AACS.

R 460.13408

Source: 2005 AACS.

R 460.13409

Source: 2005 AACS.

R 460.13410

Source: 2005 AACS.

500. ENGINEERING

R 460.13501

Source: 2005 AACS.

R 460.13502

Source: 2005 AACS.

600. METER INSPECITONS AND TESTS

R 460.13601

Source: 2005 AACS.

R 460.13602

Source: 2005 AACS.

R 460.13603

Source: 2005 AACS.

R 460.13604

Source: 2005 AACS.

R 460.13605

Source: 2005 AACS.

R 460.13606

Source: 2005 AACS.

700. STANDARDS OF QUALITY OF SERVICES

R 460.13701

Source: 2005 AACS.

R 460.13702

Source: 2005 AACS.

R 460.13703

Source: 2005 AACS.

R 460.13704

Source: 2005 AACS.

R 460.13705

Source: 2005 AACS.

R 460.13706

Source: 2005 AACS.

R 460.13707

Source: 2005 AACS.

MICHIGAN GAS SAFETY CODE

PART 1. GENERAL PROVISIONS

R 460.14001

Source: 1998-2000 AACS.

R 460.14003

Source: 1998-2000 AACS.

R 460.14004

Source: 1998-2000 AACS.

R 460.14005

Source: 1998-2000 AACS.

R 460.14006

Source: 1998-2000 AACS.

R 460.14008

Source: 1998-2000 AACS.

R 460.14009

Source: 1998-2000 AACS.

R 460.14011

Source: 1998-2000 AACS.

R 460.14012

Source: 1998-2000 AACS.

R 460.14013

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Source: 1998-2000 AACS.

R 460.14015

Source: 1998-2000 AACS.

R 460.14017

Source: 1998-2000 AACS.

R 460.14018

Source: 1998-2000 AACS.

**PART 2. ANNUAL REPORTS, INCIDENT REPORTS, AND SAFETY-RELATED CONDITION
REPORTS**

R 460.14021

Source: 1998-2000 AACS.

R 460.14025

Source: 1998-2000 AACS.

R 460.14026

Source: 1998-2000 AACS.

R 460.14027

Source: 1998-2000 AACS.

R 460.14029

Source: 1998-2000 AACS.

R 460.14031

Source: 1998-2000 AACS.

R 460.14033

Source: 1998-2000 AACS.

R 460.14035

Source: 1998-2000 AACS.

R 460.14037

Source: 1998-2000 AACS.

R 460.14038

Source: 1998-2000 AACS.

R 460.14039

Source: 1998-2000 AACS.

R 460.14040

Source: 1998-2000 AACS.

PART 3. SAFETY STANDARDS

R 460.14041

Source: 1998-2000 AACS.

R 460.14045

Source: 1998-2000 AACS.

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R 460.14047
Source: 1998-2000 AACS.

R 460.14049
Source: 1998-2000 AACS.

R 460.14051
Source: 1998-2000 AACS.

R 460.14053
Source: 1998-2000 AACS.

R 460.14054
Source: 1998-2000 AACS.

R 460.14057
Source: 1998-2000 AACS.

R 460.14059
Source: 1998-2000 AACS.

PART 4. MATERIALS

R 460.14061
Source: 1998-2000 AACS.

R 460.14063
Source: 1998-2000 AACS.

R 460.14064
Source: 1998-2000 AACS.

R 460.14065
Source: 1998-2000 AACS.

R 460.14069
Source: 1998-2000 AACS.

R 460.14073
Source: 1998-2000 AACS.

R 460.14075
Source: 1998-2000 AACS.

PART 5. PIPE DESIGN

R 460.14101
Source: 1998-2000 AACS.

R 460.14103
Source: 1998-2000 AACS.

R 460.14105
Source: 1998-2000 AACS.

R 460.14107
Source: 1998-2000 AACS.

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R 460.14109
Source: 1998-2000 AACS.

R 460.14111
Source: 1998-2000 AACS.

R 460.14113
Source: 1998-2000 AACS.

R 460.14115
Source: 1998-2000 AACS.

R 460.14117
Source: 1998-2000 AACS.

R 460.14119
Source: 1998-2000 AACS.

R 460.14121
Source: 1998-2000 AACS.

R 460.14123
Source: 1998-2000 AACS.

R 460.14125
Source: 1998-2000 AACS.

PART 6. PIPELINE COMPONENTS DESIGN

R 460.14141
Source: 1998-2000 AACS.

R 460.14143
Source: 1998-2000 AACS.

R 460.14144
Source: 1998-2000 AACS.

R 460.14145
Source: 1998-2000 AACS.

R 460.14147
Source: 1998-2000 AACS.

R 460.14149
Source: 1998-2000 AACS.

R 460.14150
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R 460.14151
Source: 1998-2000 AACS.

R 460.14153
Source: 1998-2000 AACS.

R 460.14155
Source: 1998-2000 AACS.

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R 460.14157
Source: 1998-2000 AACS.

R 460.14159
Source: 1998-2000 AACS.

R 460.14161
Source: 1998-2000 AACS.

R 460.14163
Source: 1998-2000 AACS.

R 460.14165
Source: 1998-2000 AACS.

R 460.14167
Source: 1998-2000 AACS.

R 460.14169
Source: 1998-2000 AACS.

R 460.14171
Source: 1998-2000 AACS.

R 460.14173
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R 460.14174
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R 460.14175
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R 460.14177
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R 460.14179
Source: 1998-2000 AACS.

R 460.14181
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R 460.14183
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R 460.14185
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R 460.14187
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R 460.14189
Source: 1998-2000 AACS.

R 460.14191
Source: 1998-2000 AACS.

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R 460.14193
Source: 1998-2000 AACS.

R 460.14195
Source: 1998-2000 AACS.

R 460.14197
Source: 1998-2000 AACS.

R 460.14199
Source: 1998-2000 AACS.

R 460.14201
Source: 1998-2000 AACS.

R 460.14203
Source: 1998-2000 AACS.

PART 7. WELDING STEEL IN PIPELINES

R 460.14221
Source: 1998-2000 AACS.

R 460.14223
Source: 1998-2000 AACS.

R 460.14225
Source: 1998-2000 AACS.

R 460.14227
Source: 1998-2000 AACS.

R 460.14229
Source: 1998-2000 AACS.

R 460.14230
Source: 1998-2000 AACS.

R 460.14231
Source: 1998-2000 AACS.

R 460.14233
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R 460.14235
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R 460.14237
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R 460.14239
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R 460.14241
Source: 1998-2000 AACS.

R 460.14243
Source: 1998-2000 AACS.

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R 460.14245
Source: 1998-2000 AACS.

PART 8. JOINING OF MATERIALS OTHER THAN BY WELDING

R 460.14271
Source: 1998-2000 AACS.

R 460.14273
Source: 1998-2000 AACS.

R 460.14275
Source: 1998-2000 AACS.

R 460.14277
Source: 1998-2000 AACS.

R 460.14279
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R 460.14281
Source: 1998-2000 AACS.

R 460.14283
Source: 1998-2000 AACS.

R 461.14285
Source: 1998-2000 AACS.

R 460.14287
Source: 1998-2000 AACS.

PART 9. GENERAL CONSTRUCTION REQUIREMENTS FOR TRANSMISSION LINES AND MAINS

R 460.14301
Source: 1998-2000 AACS.

R 460.14303
Source: 1998-2000 AACS.

R 460.14305
Source: 1998-2000 AACS.

R 460.14307
Source: 1998-2000 AACS.

R 460.14309
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R 460.14311
Source: 1998-2000 AACS.

R 460.14313
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R 460.14317
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R 460.14319
Source: 1998-2000 AACS.

R 460.14321
Source: 1998-2000 AACS.

R 460.14323
Source: 1998-2000 AACS.

R 460.14325
Source: 1998-2000 AACS.

R 460.14327
Source: 1998-2000 AACS.

PART 10. CUSTOMER METERS; SERVICE REGULATORS; SERVICE LINES

R 460.14351
Source: 1998-2000 AACS.

R 460.14353
Source: 1998-2000 AACS.

R 460.14355
Source: 1998-2000 AACS.

R 460.14357
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R 460.14359
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R 460.14361
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R 460.14363
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R 460.14365
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R 460.14367
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R 460.14369
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R 460.14371
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R 460.14373
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R 460.14375
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R 460.14377

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R 460.14379

Source: 1998-2000 AACS.

PART 11. CORROSION CONTROL

R 460.14451

Source: 1998-2000 AACS.

R 460.14452

Source: 1998-2000 AACS.

R 460.14453

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R 460.14454

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R 460.14455

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R 460.14457

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R 460.14459

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R 460.14461

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R 460.14463

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R 460.14465

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R 460.14467

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R 460.14469

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R 460.14471

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R 460.14472

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R 460.14473

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R 460.14475

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R 460.14477

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R 460.14479

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Source: 1998-2000 AACS.

R 460.14481

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R 460.14483

Source: 1998-2000 AACS.

R 460.14485

Source: 1998-2000 AACS.

R 460.14487

Source: 1998-2000 AACS.

R 460.14489

Source: 1998-2000 AACS.

PART 12. TEST REQUIREMENTS

R 460.14501

Source: 1998-2000 AACS.

R 460.14503

Source: 1998-2000 AACS.

R 460.14505

Source: 1998-2000 AACS.

R 460.14507

Source: 1998-2000 AACS.

R 460.14509

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R 460.14511

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R 460.14513

Source: 1998-2000 AACS.

R 460.14515

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R 460.14517

Source: 1998-2000 AACS.

PART 13. UPDATING

R 460.14551

Source: 1998-2000 AACS.

R 460.14553

Source: 1998-2000 AACS.

R 460.14555

Source: 1998-2000 AACS.

R 460.14557

Source: 1998-2000 AACS.

PART 14. OPERATIONS

R 460.14601
Source: 1998-2000 AACS.

R 460.14603
Source: 1998-2000 AACS.

R 460.14605
Source: 1998-2000 AACS.

R 460.14606
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R 460.14607
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R 460.14609
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R 460.14611
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R 460.14616
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R 460.14617
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R 460.14619
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R 460.14621
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R 460.14623
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R 460.14625
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R 460.14627
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R 460.14629
Source: 1998-2000 AACS.

R 460.14630

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Source: 1998-2000 AACS.

PART 15. MAINTENANCE

R 460.14701

Source: 1998-2000 AACS.

R 460.14703

Source: 1998-2000 AACS.

R 460.14705

Source: 1998-2000 AACS.

R 460.14706

Source: 1998-2000 AACS.

R 460.14707

Source: 1998-2000 AACS.

R 460.14709

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R 460.14711

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R 460.14713

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R 460.14715

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R 460.14731

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R 460.14733

Source: 1998-2000 AACS.

R 460.14735

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Source: 1998-2000 AACs.

R 460.14736

Source: 1998-2000 AACs.

R 460.14737

Source: 1998-2000 AACs.

R 460.14739

Source: 1998-2000 AACs.

R 460.14741

Source: 1998-2000 AACs.

R 460.14743

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R 460.14745

Source: 1998-2000 AACs.

R 460.14747

Source: 1998-2000 AACs.

R 460.14749

Source: 1998-2000 AACs.

R 460.14751

Source: 1998-2000 AACs.

R 460.14753

Source: 1998-2000 AACs.

R 460.14755

Source: 1998-2000 AACs.

PART 16. RECORDS AND REPORTS

R 460.14801

Source: 1998-2000 AACs.

R 460.14803

Source: 1998-2000 AACs.

R 460.14805

Source: 1998-2000 AACs.

PART 19. APPENDIXES AND RESCISSION

R 460.14901

Source: 1998-2000 AACs.

R 460.14902

Source: 1998-2000 AACs.

R 460.14903

Source: 1998-2000 AACs.

R 460.14904

Source: 1998-2000 AACs.

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R 460.14905
Source: 1998-2000 AACS.

R 460.14906
Source: 1998-2000 AACS.

R 460.14909
Source: 1998-2000 AACS.

R 460.14910
Source: 1998-2000 AACS.

R 460.14911
Source: 1998-2000 AACS.

R 460.14912
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R 460.14921
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R 460.14922
Source: 1998-2000 AACS.

R 460.14923
Source: 1998-2000 AACS.

R 460.14924
Source: 1998-2000 AACS.

R 460.14931
Source: 1998-2000 AACS.

R 460.14941
Source: 1998-2000 AACS.

R 460.14959
Source: 1998-2000 AACS.

R 460.14961
Source: 1998-2000 AACS.

R 460.14965
Source: 1998-2000 AACS.

R 460.14966
Source: 1998-2000 AACS.

R 460.14967
Source: 1998-2000 AACS.

R 460.14999
Source: 1998-2000 AACS.

DEPARTMENT OF STATE POLICE
MOTOR CARRIER DIVISION

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MOTOR CARRIER SAFETY

PART 1. GENERAL PROVISIONS

R 460.16101
Source: 1997 AACS.

R 460.16105
Source: 1997 AACS.

R 460.16110
Source: 1997 AACS.

R 460.16112
Source: 1997 AACS.

R 460.16114
Source: 1997 AACS.

R 460.16115
Source: 1997 AACS.

R 460.16120
Source: 1997 AACS.

PART 2. QUALIFICATIONS OF DRIVERS

R 460.16201
Source: 1997 AACS.

R 460.16202
Source: 1997 AACS.

R 460.16203
Source: 1997 AACS.

R 460.16204
Source: 1997 AACS.

QUALIFICATION AND DISQUALIFICATION OF DRIVERS

R 460.16205
Source: 1997 AACS.

R 460.16205a
Source: 1997 AACS.

R 460.16206
Source: 1997 AACS.

R 460.16207
Source: 1997 AACS.

R 460.16208
Source: 1997 AACS.

R 460.16209
Source: 1997 AACS.

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R 460.16210
Source: 1997 AACS.

R 460.16211
Source: 1997 AACS.

R 460.16212
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R 460.16213
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R 460.16214
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R 460.16215
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R 460.16216
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R 460.16217
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R 460.16218
Source: 1997 AACS.

R 460.16218a
Source: 1997 AACS.

R 460.16218b
Source: 1997 AACS.

FILES AND RECORDS

R 460.16219
Source: 1997 AACS.

R 460.16220
Source: 1997 AACS.

R 460.16221
Source: 1997 AACS.

R 460.16222
Source: 1997 AACS.

R 460.16223
Source: 1997 AACS.

PART 3. DRIVING OF MOTOR VEHICLES

R 460.16301
Source: 1997 AACS.

R 460.16302
Source: 1997 AACS.

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R 460.16303
Source: 1997 AACS.

R 460.16304
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R 460.16320
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R 460.16321
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R 460.16322
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R 460.16323
Source: 1997 AACS.

R 460.16324
Source: 1997 AACS.

USE OF LIGHTED LAMPS AND REFLECTORS

R 460.16325
Source: 1997 AACS.

R 460.16326
Source: 1997 AACS.

R 460.16327
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R 460.16335a
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R 460.16336
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R 460.16337
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R 460.16338
Source: 1997 AACS.

PART 4. PARTS AND ACCESSORIES FOR SAFE OPERATION

R 460.16401
Source: 1997 AACS.

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R 460.16402
Source: 1997 AACS.

R 460.16403
Source: 1997 AACS.

R 460.16404
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R 460.16406
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R 460.16422
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R 460.16435
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R 460.16436
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GLAZING AND WINDOW CONSTRUCTION

R 460.16437
Source: 1997 AACS.

R 460.16438
Source: 1997 AACS.

R 460.16439
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R 460.16440
Source: 1997 AACS.

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R 460.16441
Source: 1997 AACS.

R 460.16442
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R 460.16443
Source: 1997 AACS.

MISCELLANEOUS PARTS AND ACCESSORIES

R 460.16444
Source: 1997 AACS.

R 460.16445
Source: 1997 AACS.

R 460.16446
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R 460.16447
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R 460.16457
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R 460.16458
Source: 1997 AACS.

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EMERGENCY EQUIPMENT

R 460.16459
Source: 1997 AACS.

PROTECTION AGAINST SHIFTING OR FALLING CARGO

R 460.16460
Source: 1997 AACS.

R 460.16461
Source: 1997 AACS.

R 460.16462
Source: 1997 AACS.

R 460.16463
Source: 1997 AACS.

PART 5. NOTIFICATION, REPORTING, AND RECORDING OF ACCIDENTS

R 460.16501
Source: 1997 AACS.

R 460.16510
Source: 1997 AACS.

R 460.16515
Source: 1997 AACS.

R 460.16520
Source: 1997 AACS.

R 460.16525
Source: 1997 AACS.

R 460.16530
Source: 1997 AACS.

PART 6. HOURS OF SERVICE OF DRIVERS

R 460.16601
Source: 1997 AACS.

R 460.16605
Source: 1997 AACS.

R 460.16610
Source: 1997 AACS.

R 460.16615
Source: 1997 AACS.

R 460.16620
Source: 1997 AACS.

R 460.16625
Source: 1997 AACS.

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R 460.16630
Source: 1997 AACS.

R 460.16635
Source: 1997 AACS.

R 460.16640
Source: 1997 AACS.

R 460.16645
Source: 1997 AACS.

PART 7. INSPECTION AND MAINTENANCE

R 460.16701
Source: 1997 AACS.

R 460.16705
Source: 1997 AACS.

R 460.16710
Source: 1997 AACS.

R 460.16715
Source: 1997 AACS.

R 460.16720
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R 460.16725
Source: 1997 AACS.

R 460.16730
Source: 1997 AACS.

R 460.16735
Source: 1997 AACS.

R 460.16740
Source: 1997 AACS.

PART 8. TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND PARKING RULES

R 460.16801
Source: 1997 AACS.

R 460.16810
Source: 1997 AACS.

R 460.16815
Source: 1997 AACS.

R 460.16820
Source: 1997 AACS.

R 460.16825
Source: 1997 AACS.

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R 460.16830
Source: 1997 AACS.

R 460.16835
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R 460.16840
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R 460.16845
Source: 1997 AACS.

R 460.16850
Source: 1997 AACS.

R 460.16855
Source: 1997 AACS.

R 460.16860
Source: 1997 AACS.

R 460.16865
Source: 1997 AACS.

R 460.16870
Source: 1997 AACS.

PART 9. APPENDIX A

R 460.16901
Source: 1997 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION
PRACTICE AND PROCEDURE BEFORE THE COMMISSION
PART 1. GENERAL PROVISIONS

R 460.17101
Source: 2015 AACS.

R 460.17103
Source: 2015 AACS.

R 460.17105
Source: 2015 AACS.

R 460.17107
Source: 2015 AACS.

R 460.17109
Source: 2015 AACS.

R 460.17111
Source: 2015 AACS.

R 460.17113
Source: 2015 AACS.

R 460.17115
Source: 2015 AACS.

R 460.17117
Source: 1992 AACS.

PART 2. INTERVENTIONS

R 460.17201
Source: 2015 AACS.

R 460.17203
Source: 2015 AACS.

R 460.17205
Source: 2015 AACS.

R 460.17207
Source: 2015 AACS.

R 460.17209
Source: 2015 AACS.

R 460.17301
Source: 2015 AACS.

R 460.17303
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R 460.17305
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R 460.17307
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R 460.17309
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R 460.17311
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R 460.17317
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R 460.17319
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R 460.17321

Source: 2015 AACS.

R 460.17323

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R 460.17325

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R 460.17327

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R 460.17339

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R 460.17341

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R 460.17401

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R 460.17403

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R 460.17405

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R 460.17501

Source: 2015 AACS.

R 460.17503

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R 460.17505

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R 460.17507

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R 460.17509

Source: 2015 AACS.

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R 460.17511
Source: 2015 AACS.

R 460.17513
Source: 2015 AACS.

R 460.17515
Source: 2015 AACS.

R 460.17601
Source: 2015 AACS.

R 460.17603
Source: 1997 AACS.

R 460.17605
Source: 1997 AACS.

R 460.17607
Source: 1997 AACS.

PART 7. DECLARATORY RULINGS

R 460.17701
Source: 2015 AACS.

DEPARTMENT OF STATE POLICE

COMMERCIAL VEHICLE ENFORCEMENT DIVISION

MOTOR CARRIERS

PART 1. GENERAL PROVISIONS

R 460.18101
Source: 2018 AACS.

R 460.18105
Source: 2018 AACS.

R 460.18106
Source: 2018 AACS.

R 460.18199
Source: 2018 AACS.

PART 2. APPLICATION FOR CARRIER CERTIFICATE OF AUTHORITY

R 460.18201
Source: 2018 AACS.

R 460.18202
Source: 2018 AACS.

R 460.18203
Source: 2018 AACS.

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R 460.18204
Source: 2018 AACS.

R 460.18205
Source: 2018 AACS.

R 460.18206
Source: 2018 AACS.

R 460.18207
Source: 1997 AACS.

R 460.18208
Source: 2018 AACS.

R 460.18209
Source: 2018 AACS.

R 460.18212
Source: 2018 AACS.

PART 3. MODIFIED PROCEDURE

R 460.18301
Source: 2018 AACS.

R 460.18302
Source: 2018 AACS.

R 460.18303
Source: 2018 AACS.

R 460.18304
Source: 2018 AACS.

R 460.18307
Source: 2018 AACS.

R 460.18308
Source: 2018 AACS.

PART 4. AUTHORITY AND PERMITS

R 460.18401
Source: 2018 AACS.

R 460.18402
Source: 2018 AACS.

R 460.18403
Source: 2018 AACS.

R 460.18404
Source: 2018 AACS.

R 460.18405

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Source: 2018 AACS.

R 460.18406

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R 460.18407

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R 460.18408

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R 460.18409

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R 460.18410

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R 460.18411

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R 460.18412

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R 460.18413

Source: 2018 AACS.

PART 5. IDENTIFICATION OF VEHICLE

R 460.18501

Source: 2018 AACS.

R 460.18502

Source: 2018 AACS.

R 460.18503

Source: 2018 AACS.

R 460.18504

Source: 2018 AACS.

R 460.18505

Source: 2018 AACS.

PART 6. TRANSFER OF AUTHORITY

R 460.18601

Source: 2018 AACS.

R 460.18602

Source: 2018 AACS.

R 460.18603

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R 460.18604

Source: 2018 AACS.

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R 460.18605
Source: 2018 AACS.

R 460.18606
Source: 2018 AACS.

R 460.18607
Source: 2018 AACS.

R 460.18609
Source: 2018 AACS.

R 460.18610
Source: 2018 AACS.

R 460.18611
Source: 2018 AACS.

PART 7. SHIPPING DOCUMENTS AND PAYMENT OF FREIGHT CHARGES

R 460.18701
Source: 2018 AACS.

R 460.18703
Source: 2018 AACS.

R 460.18705
Source: 2018 AACS.

R 460.18706
Source: 2018 AACS.

R 460.18707
Source: 2018 AACS.

R 460.18708
Source: 2018 AACS.

R 460.18710
Source: 2018 AACS.

R 460.18711
Source: 2018 AACS.

PART 8. ACCOUNTING AND REPORTING PROCEDURES

R 460.18801
Source: 2018 AACS.

R 460.18802
Source: 2018 AACS.

PART 9. EMERGENCY-TEMPORARY AND TEMPORARY AUTHORITY

R 460.18901
Source: 2018 AACS.

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R 460.18902
Source: 2018 AACS.

R 460.18903
Source: 2018 AACS.

R 460.18904
Source: 2018 AACS.

R 460.18906
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R 460.18907
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R 460.18909
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R 460.18910
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R 460.18911
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R 460.18912
Source: 2018 AACS.

PART 10. COLLECTIVE RATE MAKING BETWEEN OR AMONG CARRIERS

R 460.19001
Source: 2018 AACS.

R 460.19002
Source: 2018 AACS.

R 460.19003
Source: 2018 AACS.

R 460.19004
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R 460.19005
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R 460.19006
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R 460.19007
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R 460.19008
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R 460.19009
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R 460.19010
Source: 2018 AACS.

R 460.19011
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R 460.19012
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R 460.19013
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R 460.19014
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R 460.19016
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R 460.19018
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R 460.19019
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R 460.19020
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R 460.19021
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R 460.19022
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PART 11. INSURANCE

R 460.19101
Source: 2018 AACS.

R 460.19102
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R 460.19103
Source: 2018 AACS.

R 460.19104
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R 460.19105
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R 460.19106
Source: 2018 AACS.

PART 12. RATES AND TARIFFS

R 460.19201

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Source: 2018 AACS.

R 460.19202

Source: 2018 AACS.

R 460.19203

Source: 2018 AACS.

R 460.19204

Source: 2018 AACS.

RATE JUSTIFICATION

R 460.19205

Source: 2018 AACS.

R 460.19206

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R 460.19207

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R 460.19209

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R 460.19218

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R 460.19219

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R 460.19220

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Source: 1984 AACS.

R 460.19221

Source: 1984 AACS.

R 460.19222

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R 460.19223

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R 460.19224

Source: 2018 AACS.

R 460.19225

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R 460.19226

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R 460.19227

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R 460.19228

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TARIFF COMPILATION

R 460.19229

Source: 2018 AACS.

R 460.19230

Source: 2018 AACS.

R 460.19231

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R 460.19232

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R 460.19233

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R 460.19239
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R 460.19250
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R 460.19251
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R 460.19252
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R 460.19253
Source: 2018 AACS.

PART 13. FORMS

R 460.19301
Source: 2018 AACS.

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PUBLIC SERVICE COMMISSION

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GAS SAFETY

PART 1. GENERAL PROVISIONS

R 460.20101
Source: 2014.

R 460.20102
Source: 1998-2000 AACS.

R 460.20103
Source: 1998-2000 AACS.

R 460.20104
Source: 2022 AACS.

PART 2. SAFETY STANDARDS AND TESTING REQUIREMENTS

R 460.20201
Source: 2019 AACS.

R 460.20202
Source: 1998-2000 AACS.

PART 3. ADDITIONAL MINIMUM SAFETY STANDARDS

R 460.20301
Source: 1998-2000 AACS.

R 460.20302
Source: 2009 AACS.

R 460.20303
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R 460.20304
Source: 2019 AACS.

R 460.20305
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R 460.20306
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R 460.20307
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R 460.20308
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R 460.20309
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R 460.20310
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R 460.20312
Source: 2019 AACS.

R 460.20313
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R 460.20314
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R 460.20315
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R 460.20316
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R 460.20319
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R 460.20320
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R 460.20321
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R 460.20322
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R 460.20323
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R 460.20324
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R 460.20325
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R 460.20326
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R 460.20327
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R 460.20328
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R 460.20329
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R 460.20330
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R 460.20331
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R 460.20332
Source: 2019 AACS.

R 460.20335 M
Source: 2019 AACS.

R 460.20338
Source: 2019 AACS.

PART 4. SOUR GAS PIPELINES

R 460.20401
Source: 2003 AACS.

R 460.20402
Source: 2022 AACS.

R 460.20403
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R 460.20404
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R 460.20405
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R 460.20406
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R 460.20407
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R 460.20408
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R 460.20409
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R 460.20410
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R 460.20415
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R 460.20417
Source: 2003 AACS.

R 460.20418
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R 460.20419
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R 460.20420
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R 460.20421
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R 460.20422
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R 460.20424
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R 460.20426
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R 460.20427
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R 460.20428
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R 460.20429
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R 460.20430
Source: 2009 AACS.

R 460.20431
Source: 2003 AACS.

PART 5. RECORDS AND REPORTS

R 460.20501
Source: 2022 AACS.

R 460.20502
Source: 2019 AACS.

R 460.20503
Source: 2022 AACS.

R 460.20504

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Source: 2022 AACS.

PART 6. ADOPTION OF STANDARDS

R 460.20601

Source: 2019 AACS.

R 460.20602

Source: 2022 AACS.

R 460.20603

Source: 2022 AACS.

R 460.20604

Source: 2019 AACS.

R 460.20605

Source: 2019 AACS.

R 460.20606 Pipeline and hazardous materials safety administration standards; adoption by reference.

Rule 606. (1) The following pipeline and hazardous materials safety administration standard is adopted by reference in these rules and is available from the U.S. Government Publishing Office via the internet at www.ecfr.gov at no charge at the time of adoption of these rules and is also available for public inspection from the Michigan Public Service Commission, 7109 West Saginaw Highway, Lansing, Michigan 48917: 49 CFR part 40 entitled "Procedures for Transportation Workplace Drug and Alcohol Testing Programs," (revised October 1, 2023 edition).

(2) The following Office of Pipeline and Hazardous Materials Safety Administration standards are adopted by reference in these rules and may be ordered from the U.S. Government Publishing Office via the internet at www.ecfr.gov at no charge at the time of adoption of these rules and are also available for public inspection from the Michigan Public

Service Commission, 7109 West Saginaw Highway, Lansing, Michigan 48917:

(a) 49 CFR part 191 entitled "Transportation of Natural and Other Gas by Pipeline: Annual Reports, Incident, and Other Reporting," (October 1, 2023 edition).

(b) 49 CFR part 192 entitled "Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards," (October 1, 2023 edition).

(c) 49 CFR part 199 entitled "Drug and Alcohol Testing," (October 1, 2023 edition).

History: 1998-2000 AACS; 2001 AACS; 2003 AACS; 2006 AACS; 2009 AACS; 2010 AACS; 2014 AACS; 2019 AACS; 2022 AACS; 2023 MR 22, Eff. Nov. 30, 2023.

DEPARTMENT OF TRANSPORTATION

BUREAU OF URBAN AND PUBLIC TRANSPORTATION

MOTOR BUS TRANSPORTATION

R 474.1

Source: 2019 AACS.

R 474.2

Source: 2019 AACS.

R 474.3

Source: 2019 AACS.

R 474.4

Source: 2019 AACS.

R 474.5

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Source: 2019 AACS.

R 474.6

Source: 2019 AACS.

R 474.7

Source: 2019 AACS.

DEPARTMENT OF TRANSPORTATION

BUREAU OF URBAN AND PUBLIC TRANSPORTATION

STATE RAIL LINE DIVESTITURE

R 474.51

Source: 1998-2000 AACS.

R 474.52

Source: 1998-2000 AACS.

R 474.53

Source: 1998-2000 AACS.

R 474.54

Source: 1998-2000 AACS.

R 474.55

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R 474.56

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R 474.57

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R 474.58

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R 474.59

Source: 1998-2000 AACS.

DEPARTMENT OF TRANSPORTATION

BUREAU OF URBAN AND PUBLIC TRANSPORTATION

MOTOR BUS TRANSPORTATION

R 474.101

Source: 2018 AACS.

R 474.102

Source: 2018 AACS.

R 474.103

Source: 2018 AACS.

R 474.104

Source: 2018 AACS.

R 474.105
Source: 2018 AACS.

R 474.106
Source: 2018 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
PUBLIC SERVICE COMMISSION
TELECOMMUNICATION SERVICES

PART 1. GENERAL PROVISIONS

R 484.1
Source: 2005 AACS.

R 484.2
Source: 2005 AACS.

PART 2. RECORDS AND REPORTS

R 484.21
Source: 2005 AACS.

R 484.22
Source: 2005 AACS.

R 484.23
Source: 2005 AACS.

R 484.24
Source: 2005 AACS.

PART 3. CUSTOMER RELATIONS

R 484.31
Source: 2005 AACS.

R 484.32
Source: 2005 AACS.

R 484.33
Source: 2005 AACS.

R 484.34
Source: 2005 AACS.

PART 4. ENGINEERING

R 484.41
Source: 2005 AACS.

R 484.42
Source: 2005 AACS.

R 484.43
Source: 2005 AACS.

R 484.44
Source: 2005 AACS.

PART 5. MAINTENANCE

R 484.51
Source: 2005 AACS.

R 484.52
Source: 2005 AACS.

R 484.53
Source: 2005 AACS.

R 484.54
Source: 2005 AACS.

PART 6. QUALITY OF SERVICE

R 484.61
Source: 2005 AACS.

R 484.62
Source: 2005 AACS.

R 484.63
Source: 2005 AACS.

R 484.64
Source: 2005 AACS.

R 484.65
Source: 2005 AACS.

R 484.66
Source: 2005 AACS.

R 484.67
Source: 2005 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

UNBUNDLED NETWORK ELEMENT AND LOCAL INTERCONNECTION SERVICES

PART 1. GENERAL PROVISIONS

R 484.71
Source: 2022 AACS.

R 484.72
Source: 2022 AACS.

R 484.73
Source: 2022 AACS.

PART 2. PROVISION OF UNBUNDLED NETWORK ELEMENTS AND LOCAL INTERCONNECTION

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R 484.74
Source: 2022 AACS.

R 484.75
Source: 2022 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION
BASIC LOCAL EXCHANGE SERVICE CUSTOMER MIGRATION
PART 1. GENERAL PROVISIONS

R 484.81
Source: 2022 AACS.

R 484.82
Source: 2022 AACS.

R 484.83
Source: 2022 AACS.

R 484.84
Source: 2022 AACS.

PART 2. TRANSFER OF END USER BY PROVIDERS

R 484.85
Source: 2022 AACS.

R 484.86
Source: 2022 AACS.

R 484.87
Source: 2022 AACS.

R 484.88
Source: 2022 AACS.

PART 3. REMEDIES, WAIVER, AND GENERAL EXEMPTIONS

R 484.89
Source: 2022 AACS.

R 484.90
Source: 2022 AACS.

OPERATOR SERVICE PROVIDERS

R 484.101
Source: 1996 AACS.

R 484.102

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Source: 1996 AACS.

R 484.103

Source: 1996 AACS.

R 484.104

Source: 1996 AACS.

R 484.105

Source: 1996 AACS.

R 484.106

Source: 1996 AACS.

R 484.107

Source: 1996 AACS.

R 484.108

Source: 1996 AACS.

R 484.109

Source: 1996 AACS.

R 484.110

Source: 1996 AACS.

R 484.111

Source: 1996 AACS.

R 484.112

Source: 1996 AACS.

PAYPHONE SERVICE

R 484.151

Source: 1996 AACS.

R 484.152

Source: 1996 AACS.

R 484.153

Source: 1996 AACS.

R 484.154

Source: 1996 AACS.

R 484.155

Source: 1996 AACS.

R 484.156

Source: 1996 AACS.

R 484.157

Source: 1996 AACS.

R 484.158

Source: 1996 AACS.

PRIVACY STANDARDS FOR TELECOMMUNICATION SERVICES

R 484.201
Source: 2011 AACS.

R 484.202
Source: 2011 AACS.

R 484.203
Source: 2011 AACS.

R 484.204
Source: 2011 AACS.

R 484.205
Source: 2011 AACS.

R 484.206
Source: 2011 AACS.

R 484.207
Source: 2011 AACS.

R 484.208
Source: 2011 AACS.

BILLING STANDARDS FOR BASIC RESIDENTIAL TELECOMMUNICATION SERVICE

PART 1. GENERAL PROVISIONS

R 484.301
Source: 2011 AACS.

R 484.302
Source: 2011 AACS.

R 484.303
Source: 1996 AACS.

PART 2. PROHIBITED ACTIVITIES

R 484.321
Source: 2011 AACS.

R 484.322
Source: 2011 AACS.

PART 3. BILLING AND PAYMENT STANDARDS

R 484.331
Source: 2011 AACS.

R 484.332
Source: 2011 AACS.

R 484.333
Source: 2011 AACS.

R 484.334

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Source: 2011 AACS.

R 484.335

Source: 2011 AACS.

R 484.336

Source: 2011 AACS.

R 484.337

Source: 2011 AACS.

PART 4. SECURITY DEPOSITS, SERVICE OBLIGATIONS, AND PREPAYMENT OF SERVICES

R 484.341

Source: 2011 AACS.

R 484.342

Source: 2011 AACS.

PART 5. CUSTOMER ACCESS TO INFORMATION

R 484.351

Source: 2011 AACS.

R 484.352

Source: 2011 AACS.

R 484.353

Source: 2011 AACS.

PART 6. INVESTIGATIONS AND INFORMAL COMPLAINT PROCEDURES

R 484.361

Source: 2011 AACS.

R 484.362

Source: 2011 AACS.

PART 7. FORMAL COMPLAINTS

R 484.371

Source: 2011 AACS.

R 484.372

Source: 2011 AACS.

R 484.373

Source: 2011 AACS.

PART 8. SHUTOFF OF SERVICE

R 484.381

Source: 2011 AACS.

R 484.382

Source: 2011 AACS.

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R 484.383
Source: 2011 AACS.

R 484.384
Source: 2011 AACS.

R 484.385
Source: 2011 AACS.

R 484.386
Source: 2011 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

PUBLIC SERVICE COMMISSION

TELECOMMUNICATION SERVICES

PART 1. GENERAL PROVISIONS

R 484.401
Source: 2005 AACS.

R 484.402
Source: 2005 AACS.

PART 2. RECORDS, REPORTS, AND TARIFFS

R 484.421
Source: 2005 AACS.

R 484.422
Source: 2005 AACS.

R 484.423
Source: 2005 AACS.

R 484.424
Source: 2005 AACS.

R 484.425
Source: 2005 AACS.

PART 3. CUSTOMER RELATIONS

R 484.431
Source: 2005 AACS.

R 484.434
Source: 2005 AACS.

R 484.435
Source: 2005 AACS.

R 484.438
Source: 2005 AACS.

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R 484.439

Source: 2005 AACS.

R 484.440

Source: 2005 AACS.

R 484.440a

Source: 2005 AACS.

R 484.440b

Source: 2005 AACS.

R 484.440c

Source: 2005 AACS.

PART 4. ENGINEERING AND PLANNING

R 484.441

Source: 2005 AACS.

R 484.442

Source: 2005 AACS.

R 484.443

Source: 2005 AACS.

R 484.444

Source: 2005 AACS.

R 484.445

Source: 2005 AACS.

R 484.446

Source: 2005 AACS.

PART 5. REPAIR AND INSTALLATION

R 484.451

Source: 2005 AACS.

R 484.452

Source: 2005 AACS.

R 484.453

Source: 2005 AACS.

R 484.454

Source: 2005 AACS.

R 484.455

Source: 2005 AACS.

R 484.456

Source: 2005 AACS.

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R 484.457

Source: 2005 AACS.

R 484.458

Source: 2005 AACS.

R 484.459

Source: 2005 AACS.

PART 6. MONITORING

R 484.460

Source: 2005 AACS.

R 484.461

Source: 2005 AACS.

PART 7. WAIVERS AND EXCEPTIONS

R 484.471

Source: 2005 AACS.

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

DIRECTOR'S OFFICE

MICHIGAN CHILDREN'S PROTECTION REGISTRY RULES

R 484.501

Source: 2005 AACS.

R 484.502

Source: 2005 AACS.

R 484.503

Source: 2005 AACS.

R 484.504

Source: 2005 AACS.

R 484.505

Source: 2005 AACS.

R 484.506

Source: 2005 AACS.

R 484.507

Source: 2005 AACS.

R 484.508

Source: 2005 AACS.

R 484.509

Source: 2005 AACS.

R 484.510

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Source: 2006 AACS.

R 484.511

Source: 2005 AACS.

R 484.512

Source: 2005 AACS.

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

PUBLIC SERVICE COMMISSION

TELECOMMUNICATION SERVICES

PART 1.GENERAL PROVISIONS

R 484.519

Source: 2011 AACS.

R 484.520

Source: 2011 AACS.

PART 2. RECORDS, REPORTS, AND TARIFFS

R 484.521

Source: 2011 AACS.

R 484.522

Source: 2011 AACS.

R 484.523

Source: 2011 AACS.

R 484.524

Source: 2011 AACS.

R 484.525

Source: 2011 AACS.

PART 3. CUSTOMER RELATIONS

R 484.531

Source: 2011 AACS.

R 484.534

Source: 2011 AACS.

R 484.535

Source: 2011 AACS.

R 484.538

Source: 2011 AACS.

R 484.539

Source: 2011 AACS.

R 484.540

Source: 2011 AACS.

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R 484.540a
Source: 2011 AACS.

R 484.540b
Source: 2011 AACS.

R 484.540c
Source: 2011 AACS.

PART 4. ENGINEERING AND PLANNING

R 484.541
Source: 2011 AACS.

R 484.542
Source: 2011 AACS.

R 484.543
Source: 2011 AACS.

R 484.544
Source: 2011 AACS.

R 484.545
Source: 2011 AACS.

R 484.546
Source: 2011 AACS.

PART 5. REPAIR AND INSTALLATION

R 484.551
Source: 2011 AACS.

R 484.552
Source: 2011 AACS.

R 484.553
Source: 2011 AACS.

R 484.554
Source: 2011 AACS.

R 484.555
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R 484.556
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R 484.558
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R 484.559
Source: 2011 AACS.

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R 484.560
Source: 2011 AACS.

PART 6. MONITORING

R 484.561
Source: 2011 AACS.

R 484.561
Source: 2011 AACS.

PART 7. WAIVERS AND EXCEPTIONS

R 484.571
Source: 2011 AACS.

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

PUBLIC SERVICE COMMISSION

TELECOMMUNICATION SERVICES – LICENSE TRANSFER PROCEDURES

R 484.601
Source: 2008 AACS.

DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

MICHIGAN PUBLIC SERVICE COMMISSION

PROCEDURES FOR TELECOMMUNICATIONS ARBITRATIONS AND MEDIATIONS

PART 1. GENERAL PROVISIONS

R 484.701
Source: 2011 AACS.

R 484.702
Source: 2011 AACS.

PART 2. ARBITRATION

R 484.703
Source: 2011 AACS.

R 484.704
Source: 2011 AACS.

R 484.705
Source: 2011 AACS.

R 484.706
Source: 2011 AACS.

PART 3. MEDIATION

R 484.707
Source: 2011 AACS.

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R 484.708
Source: 2011 AACS.

R 484.709
Source: 2011 AACS.

R 484.710
Source: 2011 AACS.

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EMERGENCY 9-1-1 SERVICE STANDARDS OF TRAINING

PART 1: GENERAL PROVISIONS

R 484.801
Source: 2012 AACS.

R 484.802
Source: 2012 AACS.

PART 2: TRAINING REQUIREMENTS

R 484.803
Source: 2012 AACS.

R 484.804
Source: 2012 AACS.

R 484.805
Source: 2012 AACS.

PART 3: EXCEPTIONS

R 484.806
Source: 2012 AACS.

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EMERGENCY 9-1-1 SERVICES MULTILINE TELEPHONE SYSTEMS

PART 1. GENERAL PROVISIONS

R 484.901
Source: 2019 AACS.

R 484.902
Source: 2019 AACS.

R 484.903
Source: 2019 AACS.

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R 484.904
Source: 2019 AACS.

R 484.905
Source: 2019 AACS.

R 484.906
Source: 2019 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

**RESPONSIBILITIES OF PROVIDERS OF BASIC LOCAL EXCHANGE SERVICE THAT CEASE TO PROVIDE
THE SERVICE**

PART 1. GENERAL PROVISIONS

R 484.1001
Source: 2020 AACS.

R 484.1002
Source: 2020 AACS.

R 484.1003
Source: 2020 AACS.

**PART 2. RESPONSIBILITIES OF PROVIDERS AND WHOLESALE PROVIDERS INVOLVED IN A
DISCONNECTION DISPUTE**

R 484.1004
Source: 2020 AACS.

R 484.1005
Source: 2020 AACS.

R 484.1006
Source: 2020 AACS.

R 484.1007
Source: 2020 AACS.

R 484.1008
Source: 2020 AACS.

PART 3. REMEDIES

R 484.1009
Source: 2020 AACS.

BANKS

PART 1. GENERAL PROVISIONS

R 487.1101
Source: 1998-2000 AACS.

R 487.1102

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Source: 1998-2000 AACS.

PART 2. ADMINISTRATION

R 487.1201

Source: 1998-2000 AACS.

R 487.1202

Source: 1998-2000 AACS.

R 487.1203

Source: 1998-2000 AACS.

R 487.1204

Source: 1998-2000 AACS.

R 487.1210

Source: 1998-2000 AACS.

PART 4. POWERS

R 487.1410

Source: 1998-2000 AACS.

R 487.1420

Source: 1998-2000 AACS.

R 487.1421

Source: 1998-2000 AACS.

R 487.1422

Source: 1998-2000 AACS.

R 487.1423

Source: 1998-2000 AACS.

R 487.1424

Source: 1998-2000 AACS.

R 487.1425

Source: 1998-2000 AACS.

R 487.1426

Source: 1998-2000 AACS.

R 487.1427

Source: 1998-2000 AACS.

R 487.1430

Source: 1998-2000 AACS.

PART 5. REGULATION

R 487.1501

Source: 1998-2000 AACS.

R 487.1502

Source: 1998-2000 AACS.

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R 487.1503
Source: 1998-2000 AACS.

DEPARTMENT OF TREASURY
BUREAU OF MANAGEMENT SERVICES
STATE DIRECT DEPOSIT PROCESS

R 487.2101
Source: 1994 AACS.

R 487.2102
Source: 1994 AACS.

R 487.2103
Source: 1994 AACS.

R 487.2104
Source: 1994 AACS.

R 487.2105
Source: 1994 AACS.

R 487.2106
Source: 1994 AACS.

R 487.2107
Source: 1994 AACS.

R 487.2108
Source: 1994 AACS.

R 487.2109
Source: 1994 AACS.

R 487.2110
Source: 1994 AACS.

DEPARTMENT OF LABOR AND ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE SERVICES
DEFERRED PRESENTMENT STATEWIDE DATABASE

R 487.2121
Source: 2007 AACS.

R 487.2122
Source: 2007 AACS.

R 487.2123
Source: 2007 AACS.

CREDIT UNIONS

R 490.1
Source: 2005 AACS.

R 490.2

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Source: 2005 AACs.

R 490.4

Source: 2005 AACs.

R 490.5

Source: 2005 AACs.

R 490.6

Source: 2005 AACs.

R 490.9

Source: 2005 AACs.

R 490.10

Source: 2005 AACs.

R 490.11

Source: 1997 AACs.

R 490.11a

Source: 2005 AACs.

R 490.12

Source: 2005 AACs.

R 490.15

Source: 1997 AACs.

R 490.15a

Source: 2005 AACs.

R 490.16

Source: 2005 AACs.

R 490.17

Source: 2005 AACs.

R 490.21

Source: 1997 AACs.

R 490.22

Source: 1997 AACs.

R 490.23

Source: 1997 AACs.

R 490.24

Source: 1979 AC.

R 490.25

Source: 1997 AACs.

R 490.31

Source: 1997 AACs.

R 490.41

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Source: 2005 AACs.

R 490.51

Source: 2005 AACs.

R 490.52

Source: 2005 AACs.

R 490.81

Source: 2005 AACs.

R 490.82

Source: 2005 AACs.

R 490.94

Source: 2005 AACs.

R 490.95

Source: 2005 AACs.

R 490.96

Source: 2005 AACs.

R 490.97

Source: 2005 AACs.

R 490.98

Source: 2005 AACs.

R 490.99

Source: 2005 AACs.

R 490.101

Source: 1997 AACs.

R 490.102

Source: 1997 AACs.

R 490.103

Source: 1997 AACs.

R 490.104

Source: 1997 AACs.

R 490.105

Source: 1997 AACs.

R 490.111

Source: 2017 AACs.

R 490.112

Source: 2017 AACs.

R 490.113

Source: 2013 AACs.

R 490.114

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Source: 2013 AACs.

R 490.115

Source: 2017 AACs.

R 490.116

Source: 2017 AACs.

R 490.117

Source: 2013 AACs.

R 490.118

Source: 2013 AACs.

SAVINGS AND LOAN ASSOCIATIONS

R 491.101

Source: 2013 AACs.

R 491.110

Source: 2013 AACs.

R 491.115

Source: 2013 AACs.

R 491.120

Source: 2013 AACs.

R 491.125

Source: 2013 AACs.

R 491.130

Source: 2013 AACs.

R 491.135

Source: 2013 AACs.

R 491.140

Source: 2013 AACs.

R 491.145

Source: 2013 AACs.

R 491.150

Source: 2013 AACs.

R 491.155

Source: 2013 AACs.

R 491.160

Source: 2013 AACs.

R 491.165

Source: 2013 AACs.

R 491.170

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Source: 2013 AACS.

R 491.175

Source: 2013 AACS.

R 491.180

Source: 2013 AACS.

R 491.185

Source: 2013 AACS.

R 491.190

Source: 2013 AACS.

R 491.195

Source: 2013 AACS.

R 491.197

Source: 2013 AACS.

DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

FINANCIAL INSTITUTIONS BUREAU

REGULATORY LOAN LICENSEES

R 493.1

Source: 2020 AACS.

R 493.5

Source: 2020 AACS.

R 493.10

Source: 2020 AACS.

R 493.11

Source: 2020 AACS.

R 493.12

Source: 2020 AACS.

R 493.13

Source: 1983 AACS.

R 493.14

Source: 2020 AACS.

R 493.15

Source: 2020 AACS.

R 493.16

Source: 2020 AACS.

R 493.20

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R 493.22
Source: 2020 AACS.

R 493.24
Source: 2020 AACS.

R 493.95
Source: 2020 AACS.

SECONDARY MORTGAGE LICENSEES

R 493.101
Source: 1998-2000 AACS.

R 493.102
Source: 1998-2000 AACS.

R 493.110
Source: 1998-2000 AACS.

R 493.111
Source: 1998-2000 AACS.

R 493.112
Source: 1998-2000 AACS.

R 493.113
Source: 1998-2000 AACS.

R 493.114
Source: 1998-2000 AACS.

R 493.120
Source: 1998-2000 AACS.