

Code of Conduct

Summary of View Points

Rule 1	<b>MEGA &amp; MECA</b> generalized the language change and inclusion of reference to MCL 460.10ee jurisdiction. <b>DETROIT THERMAL &amp; ABATE</b> want better clarification
Rule 2	<b>MEGA</b> wants “affiliate” and “control” defined. <b>MEGA &amp; MECA</b> want sec 10a of PA 141 of 2000 emphasized under “Alternative Electric Supplier”. They also want coops removed from “utility” definition. <b>FORNER</b> wants “anti-competitive behavior” defined. <b>DETROIT THERMAL</b> wants “value-added programs and services: further defined to show what it isn’t regulating under code of conduct.
Part 2 Title	<b>MEGA</b> wants it changed to “Cross-Subsidization and Preferential Treatment”
Rule 3	<b>MEGA, MECA &amp; FORNER</b> wants cross-subsidization and preferential treatment and information sharing added. They also want (2) & (4) stricken completely with modification to (3) to remove directly or indirectly. <b>MEECA</b> wants emphasis placed on (3) regarding directly or indirectly. <b>DETROIT THERMAL</b> claims it is vague and goes beyond the scope of MCL 460.10ee. <b>ABATE</b> indicates that it is permissive and could make rules harder to follow.
Rule 4	<b>MEGA &amp; MECA</b> add maintaining books and records separately from the affiliates & the unregulated VAPS. <b>DETROIT THERMAL</b> indicates the rule needs more clarification.
Rule 5	<b>MEGA</b> wants to allow sharing limited to compliance with MCL 460.10ee. & with adoption of measures to prevent cross-subsidization or preferential treatment. <b>MECA</b> wants “operating employees” defined and wants it to apply to companies over 60 employees. <b>MEECA</b> wants educational components added for all employees. <b>FORNER &amp; DETROIT THERMAL</b> want MCL 460.10ee complied with regarding sharing. <b>DIRECT ENERGY</b> wants no cross-subsidization from regulated to unregulated VAPS. <b>ABATE</b> claims “sharing” is vague. Also that it isn’t applicable to utility offering unregulated VAPS as part of regulated services. Also seems to allow transferring of employees with limited disclosure requirements.
Rule 6	<b>MEGA &amp; MECA</b> seek language clarification. <b>MEGA &amp; MEECA</b> want changes regarding utility Brand/Logo. <b>FORNER &amp; DIRECT ENERGY</b> want minor language changes for emphasis. <b>DETROIT THERMAL</b> wants rule to address only the marketing activities addressed in MCL 460.10ee. <b>ABATE</b> questions why prohibition of VAPS but not other ventures.
Rule 7	<b>MEGA &amp; MECA</b> indicate that (1)(a) is vague and already covered in (7)(1) & (7)(1)(b). They wish to have (1)(a) and (2) completely stricken. <b>DETROIT THERMAL</b> wants (7)(2) to have the word “utility” inserted before “corporate structure” for clarification purposes.
Rule 8	<b>MEGA &amp; MECA</b> want “alternative electric provider” inserted in multiple places. <b>MEECA &amp; MIEIBC</b> wants research to determine the appropriate level of unregulated market share. They also want communication to ensure competition and avoid monopolies. <b>FORNER</b> wants no discrimination against any party or person. <b>DIRECT ENERGY</b> wants it to include affiliates. <b>DETROIT THERMAL</b> wants “utility” inserted before “corporate structure”. <b>ABATE</b> wants clarification of “unduly”.
Rule 9	<b>MEGA &amp; MECA</b> wants “compliance with approved tariff” stricken. <b>MEGA</b> wants (4)(5) & (6) completely stricken with (7) complete rewritten and (8) to have “alternative electric provider” added. <b>MECA</b> wants “alternative electric supplier” added to (4)(5)(6)(7)(8). <b>DETROIT THERMAL</b> wants “utility’s” added to (4)(5)(6)(7)(8). <b>ABATE</b> questions if utilities and affiliates are free to transfer personnel back and forth.

Rule 10	<b>MEGA</b> strikes out (1)(b)(d)(e)(2) & (3) completely. <b>MECA</b> strikes out (1)(d)(e) & (3) completely. <b>MEECA</b> endorses concept of 60 or 90 day review period. <b>MEECA &amp; FORNER</b> agree (2) is not a pre-requisite to formal complaint. They also want (1)(f) modified to include a list of zip codes where VAPS will be offered. <b>FORNER</b> wants public notice of waivers. <b>DIRECT ENERGY</b> endorses 60 day filing time with 7 day staff or public dispute. <b>DETROIT THERMAL</b> inserts “utility’s” before “corporate structure”. <b>ABATE</b> indicates that rule needs strict penalties and mandatory audits.
Rule 11	<b>MEGA</b> changes “inhibit” to “unreasonably impair”. <b>MECA</b> adds “affiliate” before “alternative electric supplier”. Also wants “commission” capitalized and change “inhibit” to “impair”. <b>FORNER</b> notes dispute resolution is not pre-requisite to formal complaint. Also those requesting waivers need public notice in the zip codes. <b>DIRECT ENERGY</b> changes wording to reflect affiliates offering unregulated programs or services. <b>ABATE</b> argues that waiver requests will cause an unending string of proceedings & water down the rules promulgated.
Rule 12	<b>MEGA &amp; MECA</b> want (1)(d)(e)(f)(i)(j)(k)(2) & (3) stricken completely. <b>MEGA</b> wants (1)(g) & (h) stricken completely. <b>MECA</b> wants (1)(c) stricken completely. <b>FORNER</b> wants (1)(c) to include “financial and market share expectations”. (1)(d) wants “market share per zip code” included. Wants other minor language changes. <b>DETROIT THERMAL</b> wants (1)(e) to have “affiliate” removed. Also wants “utility” inserted on (1)(i)(j)(k) & (3).
Rule 13	
NEW RULE	<b>FORNER</b> wants a new rule added to address “Utilities Use of Monthly Bills and Call Centers”