

MIRS Capitol Capsule
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More Staff Needed For P.A. 141 Rewrite

Rep. Mike **NOFS** (R-Battle Creek) asked the Department of Labor and Economic Growth (DLEG) if it had the money to hire up to 25 new Michigan Public Service Commission (MPSC) employees to implement the changes he's calling for in his electric choice reform bill.

Nofs' P.A. 141 reform bill ([HB 5524](#)), which is currently pending in the House, would require the new employees to evaluate rate hikes proposed by Consumers Energy and Detroit Edison (DTE).

[HB 5524](#) is one of the most sweeping issues currently before the legislature. The measure, which is supported by Gov. Jennifer **GRANHOLM** and House Speaker Andy **DILLON** (D-Redford Twp.), would push Consumers and DTE closer to the monopoly status it enjoyed prior to 2000. It's opposed by a coalition that includes alternative energy suppliers, consumer groups and Attorney General Mike **COX**.

In recent days, there has been a renewed push by supporters of [HB 5524](#) to make the legislation appear to be inevitable and even create the impression that it could get to Granholm's desk sooner, rather than later.

However, well-placed sources tell *MIRS* that, although the bill could soon move out of the House, the Senate isn't likely to be ready to digest it, change it, and pass it until June at the earliest. In an election year, that could mean [HB 5524](#) becomes lame duck session fodder.

The question Nofs confronted DLEG with at today's House Appropriations Subcommittee on Investigation hearing shows that there are still loose ends to be tied up before [HB 5524](#) will be ready to be taken up by the full House. Nofs' version would give the MPSC six months to disapprove a proposed utility rate hike or it would go into effect by default.

This morning, House Appropriations Chair George **CUSHINGBERRY** (D-Detroit) initiated the questioning of DLEG spokespersons Greg **WHITE** and Allan **POHL** on the MPSC staffing issue. Basically, MPSC expenses are paid for by a levy on the utilities, which in turn, is passed on to the customers.

"We need to know if there's a way to address the MPSC shortage of workers without amending the budget," Cushingberry said.

The DLEG spokesmen said they didn't know the answer off hand.

The Nofs flat-out tied assurance on the MPSC employee question to his ability to ultimately support [HB 5524](#).

"I'm not going to give that authority to the utilities unless I know the MPSC has the 22 to 25 employees it will needs," Nofs said.

The DLEG spokesmen responded that they were going to be meeting with MPSC representatives to discuss the issue. But this response didn't please Nofs.

"I'm concerned that we've known there was a hiring freeze for some time now and you're just now meeting with the MPSC," Nofs said. "Here we have a brand new commissioner (Orjiakor **ISIOGU**) and it takes five months before he can get an administrative assistant — and this is when he's new and will have a learning curve. I'm working on electric deregulation, where we'd be giving utilities the ability to file and set rates and before I can vote on this bipartisan package I have to have assurances. I can't just have the department saying, 'we'll check on it.'"

Cushingberry explained that the issue was being brought up now because it's timely. He also stressed that he is working in conjunction with the Speaker on this particular issue.

"We're trying to time this with movement of the legislation ([HB 5524](#))," Cushingberry said. "The Senate understands that we're doing this in a comprehensive fashion. I believe that sooner or later some sort of P.A. 141 reform will reach the Governor and she will sign it."

The DLEG spokesmen said they'd have the answers Nofs and Cushingberry sought by this afternoon, and Cushingberry recessed the committee until after session, but session lasted longer than expected and the committee didn't reconvene.