

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

In the matter, on the Commission's own motion,	)	
to amend the rules governing the Consumer Standards	)	Case No. U-21939
and Billing Practices for Electric and Natural Gas	)	
Service regarding critical care customer shut off	)	
protection under Mich Admin Code, R 460.130a.	)	
_____	)	

At the October 15, 2026 meeting of the Michigan Public Service Commission in Houghton,
Michigan.

PRESENT: Hon. Daniel C. Scripps, Chair
Hon. Katherine L. Peretick, Commissioner
Hon. Shaquila Myers, Commissioner

ORDER AND NOTICE OF HEARING

On April 8, 2026, the Commission sought permission from the Michigan Office of Administrative Hearings and Rules (MOAHR) to amend Mich Admin Code, R 460.130a, within the Commission's Consumer Standards and Billing Practices for Electric and Natural Gas Service. MOAHR approved the request on April 10, 2026. *See*, MOAHR 2026-28 LR. The Commission thereafter submitted the draft rules to MOAHR and the Legislative Service Bureau for informal approvals, which were approved on May 26, 2026, and July 9, 2026, respectively. The Regulatory Impact Statement was approved on July 14, 2026. The Notice of Public Hearing, attached to this order as Exhibit A, was approved by MOAHR on August 7, 2026. The proposed rules, attached to this order as Exhibit B, were published in the Michigan Register on September 15, 2026.

The primary purpose of these amendments is to encourage customers to be engaged during the critical care shut off protection process by requiring participation in a payment plan or seeking energy assistance while requiring engagement from a utility. The goal of the critical care protection is to ensure utility customers have energy services to meet their medical needs, providing medically vulnerable customers peace of mind that their utility service is protected from disconnection.

To provide the public with an opportunity to comment on the proposed amendments to the rules, the Commission has scheduled a public hearing, which will be held at 10:00 a.m. (Eastern time (ET)) on November 9, 2026, at 7109 W. Saginaw Highway, Lansing, Michigan. The Commission encourages interested persons to become involved and join the proceeding by following the instructions provided in the Notice of Public Hearing attached to this order.

In addition, any person may submit written comments regarding the proposed amendments. The comments should be paginated and reference Case No. U-21939 and must be received no later than 5:00 p.m. (ET) on November 23, 2026. Address mailed comments to: Michigan Public Service Commission, Executive Secretary, Case No: U-21939, 7109 W. Saginaw Hwy., Lansing, MI 48917. Electronic comments may be e-mailed to LARA-MPSC-Edockets@michigan.gov. If assistance is required prior to filing, contact the Commission Staff at (517) 284-8090 or by e-mail at LARA-MPSC-Edockets@michigan.gov. All information submitted to the Commission in this matter will become public information available on the Commission's website and subject to disclosure; and all comments will be filed in Case No. U-21939.

THEREFORE, IT IS ORDERED that:

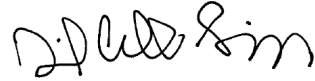
A. A public hearing regarding the amendment of the Consumer Standards and Billing Practices for Electric and Natural Gas Service shall be held at 10:00 a.m. (Eastern time) on November 9, 2026. A Notice of Public Hearing that includes instructions on attending is attached to this order as Exhibit A. A copy of the proposed rulemaking is attached to this order as Exhibit B.

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

C. Any person may file written comments, suggestions, data, views, questions, argument, and modifications concerning the issue. To be considered, all comments must be received at the Commission no later than 5:00 p.m. (Eastern time) on November 23, 2026, and should be paginated and reference Case No. U-21939.

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

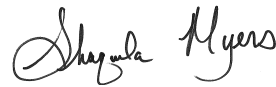
MICHIGAN PUBLIC SERVICE COMMISSION



Daniel C. Scripps, Chair

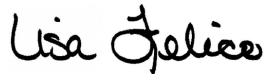


Katherine L. Peretick, Commissioner



Shaquila Myers, Commissioner

By its action of October 15, 2026.



Lisa Felice, Executive Secretary

Department of Licensing and Regulatory Affairs
Public Service Commission
Administrative Rules for Consumer Standards and Billing Practices for Electric and Natural Gas Service
Rule Set 2026-28 LR

NOTICE OF PUBLIC HEARING

**Monday, November 9, 2026
10:00 AM**

**Lake Michigan Room
7109 W Saginaw Hwy, Lansing, MI 48917**

The Department of Licensing and Regulatory Affairs will hold a public hearing to receive public comments on proposed changes to the Consumer Standards and Billing Practices for Electric and Natural Gas Service rule set.

The general purpose of the Consumer Standards and Billing Practices for Electric and Natural Gas Service (Billing Rules) is to provide a regulatory framework with which utilities must comply and that customers may refer to if they are dissatisfied with a utility's actions or wish to learn what their rights are and/or a utility's responsibilities are.

By the authority conferred on the public service commission by section 7 of 1909 PA 106, MCL 460.557, section 2 of 1909 PA 300, MCL 462.2, section 5 of 1919 PA 419, MCL 460.55, sections 4 and 6 of 1939 PA 3, MCL 460.4 and 460.6, and sections 3, 9, and 231 of the executive organization act of 1965, 1965 PA 380, MCL 16.103, 16.109, and 16.331, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030.

The proposed rules will take effect immediately after filing with the Secretary of State. The proposed rules are published on the State of Michigan's website at <http://www.michigan.gov/ARD> and in the 9/15/2026 issue of the Michigan Register. Copies of these proposed rules may also be obtained by mail or email at the following email address: wambaugh1@michigan.gov.

Comments on these proposed rules may be made at the hearing, by mail, or by email at the following addresses until 11/23/2026 at 05:00 PM:

Michigan Public Service Commission: Attention Executive Secretary, Case No. U-21939.
7109 W Saginaw Hwy, Lansing MI 48917
LARA-MPSC-Edockets@michigan.gov

The public hearing will be conducted in compliance with the 1990 Americans with Disabilities Act. If the hearing is held at a physical location, the building will be accessible with handicap parking available. Anyone needing assistance to take part in the hearing due to disability may call 517-284-8090 to make arrangements.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

CONSUMER STANDARDS AND BILLING PRACTICES

FOR ELECTRIC AND NATURAL GAS SERVICE

Filed with the secretary of state on

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the public service commission by section 7 of 1909 PA 106, MCL 460.557, section 2 of 1909 PA 300, MCL 462.2, section 5 of 1919 PA 419, MCL 460.55, sections 4 and 6 of 1939 PA 3, MCL 460.4 and 460.6, and sections 3, 9, and 231 of the executive organization act of 1965, 1965 PA 380, MCL 16.103, 16.109, and 16.331, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030)

R 460.130a of the Michigan Administrative Code is amended, as follows:

R 460.130a Critical care customer shut off protection.

Rule 30a. (1) A utility shall restore or refrain from shutting off utility service to a critical care customer ~~due to an inability to pay a utility bill~~ where an interruption of service would be immediately life threatening.

~~(2)(2)~~ On an annual basis, a critical care customer shall provide the utility with ~~an updated commission-approved medical certification form certifying his or her continued status as a critical care customer.~~ **a commission-approved medical certification form that identifies all of the following:**

(a) Name of household member who requires home medical equipment or a life support system.

(b) The medical condition.

(c) Any medical equipment needed for the critical care shut off protection.

(3) If the customer's status as a critical care customer ends, a customer or occupant of the household shall notify the utility of the change in status. The customer is no longer eligible for the critical care payment plan.

(4) A utility shall not require payment of an after-hours reconnect fee or a deposit as a condition of restoring service for a critical care shut off protection hold under this rule.

~~(5) (4)~~ **Upon** On request, a utility shall provide and make available on its website a

commission-approved medical certification form for use in obtaining a physician's or medical facility's certification demonstrating the customer's status as a critical care customer. ~~Upon~~ **On** receipt of the medical certification form, the utility shall notify the customer that ~~it the form has been received. the form.~~

(6)(3) A utility shall provide a critical care customer with a grace period of 3 business days during which it shall postpone the shut off of utility service to the critical care customer to allow the customer time to obtain a completed commission-approved medical certification form.

(7) When a medical certification is accepted, the utility shall do all of the following:

(a) If the household is identified as a low-income customer or the customer's account contains an arrearage, provide a temporary grace period of 60 days during which the utility shall restore utility service or postpone the shut off of utility service. The critical care customer shall enter into a critical care payment plan and attempt to obtain energy assistance from an energy assistance program.

(b) The customer is automatically enrolled in the critical care payment plan, and the household is protected annually if any of the following provisions apply:

(i) The customer is low-income and does not seek energy assistance.

(ii) The customer is low-income and not eligible for energy assistance.

(iii) The customer is not low-income but has an arrearage.

(8) Within 6 months after the effective date of this rule, a utility shall adopt and submit to the commission for approval a critical care payment plan procedure policy for customers that provides, at a minimum, all of the following:

(a) The criteria or factors a utility follows in applying a critical care payment plan to customers during the critical care protection period. The critical care payment plan must outline all of the following:

(i) A minimum monthly payment.

(ii) A default process.

(iii) The minimum payment required to reestablish the protection after a customer has defaulted from the critical care payment plan.

(iv) A communication plan addressing how a customer shall seek energy assistance from an energy assistance program.

(b) A utility shall provide at least 2 critical care payment plans for a customer who defaulted on the terms and conditions of the critical care payment plan within the annual protection period.

(c) If there are any changes to the utility critical care payment plan procedure policy, a utility shall submit those changes to the commission for its review and approval.

(d) The commission may direct a utility to update and resubmit a critical care payment plan procedure policy.

(9) If a critical care customer fails to comply with the terms and conditions of this rule, a utility shall document that the customer has been notified by personal service or first-class mail. The notification must comply with both of the following:

(a) The notification must contain all of the following information:

(i) That the customer has defaulted on the critical care shut off protection.

(ii) The nature of the default.

(iii) That the customer has the right to file a complaint disputing the claim of the utility before the date of the proposed shut off of service by calling the company.

(iv) That the customer has the right to request a hearing before a hearing officer if the complaint cannot be otherwise resolved and that the customer shall pay to the utility the portion of the bill that is not in dispute within 7 business days after the date that the customer requests a hearing.

(v) That the customer has the right to represent themselves, be represented by counsel, or be assisted by other individuals of the customer's choice in the complaint process.

(vi) That the utility shall not shut off service pending the resolution of a complaint that is filed with the utility or the commission under these rules.

(vii) The telephone number and address of the utility where the customer may make an inquiry, enter into a critical care payment plan or settlement agreement, or file a complaint.

(viii) That the customer shall contact a social services agency immediately if the customer believes the customer may be eligible for emergency economic assistance.

(b) A utility may shut off service after providing notification to the customer by personal service or first-class mail, in addition to leaving a notice at the premise advising the customer that service will be shut off. A utility shall maintain a record of the date the notice was sent. The final notice must contain all information required by subrule (9)(a) of this rule and both of the following:

(i) That unless the customer makes a minimum critical care payment, as specified in subrule (8)(a)(iii) of this rule onto the account, within 10 days of the date of notification, the utility may shut off service.

(ii) The date on or after which the utility may shut off service, unless the customer takes appropriate action.

(10) ~~(5)~~ A utility shall maintain a special file on critical care customers, **for the duration of the approved medical certification form, to identify critical care customers.** ~~and an appropriate identification of such customers for the purpose of ensuring that utility service is provided for as long as the customer remains a critical care customer and the customer's inability to pay continues.~~

(11) ~~(6)~~ When a utility has notice of a critical care customer for whom a planned service interruption would be immediately life threatening, the utility shall notify the customer of the planned service interruption and shall not shut off service ~~using remote shut off capability~~ without first initiating person-to-person contact with the customer.

(12) ~~(7)~~ Nothing in this rule relieves the customer of ~~his or her~~ **the customer's** obligation to pay for utility service. ~~A utility may require that the customer enter into a reasonable payment plan.~~

(13) ~~(8)~~ Nothing in this rule shall prohibit a utility that observes an unsafe connection at a customer's location caused by unauthorized use of electric or natural gas service, from implementing measures to cure or address the unsafe connection ~~pursuant to~~ **under** section 9d(1) of 1939 PA 3, MCL 460.9d~~(1)~~.

PROOF OF SERVICE

STATE OF MICHIGAN)

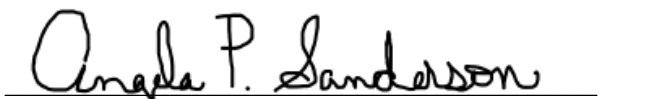
Case No. U-21939

County of Ingham)

Brianna Brown being duly sworn, deposes and says that on October 15, 2026 A.D. she electronically notified the attached list of this **Commission Order via e-mail transmission**, to the persons as shown on the attached service list (Listserv Distribution List).


Brianna Brown

Subscribed and sworn to before me
this 15th day of October 2026.


Angela P. Sanderson
Notary Public, Shiawassee County, Michigan
As acting in Eaton County
My Commission Expires: May 21, 2030

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DTE Energy
Eligo Energy MI, LLC
Eligo Energy MI, LLC
Energy Harbor
Energy International Power Marketing d/b/a PowerOne
Energy Michigan
Engie Gas & Power LLC
ENGIE Gas & Power f/k/a Plymouth Energy
Everyday Energy, LLC d/b/a Energy Rewards
Felice, Lisa
First Energy
Forner, Phil
Great Lakes Energy
Great Lakes Energy
Great Lakes Energy
Great Lakes Energy
Great Lakes Energy
Great Lakes Energy Cooperative
Great Lakes Energy Cooperative
Greenlight Energy Inc.
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HomeWorks Tri-County Electric Cooperative
HomeWorks Tri-County Electric Cooperative
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Realgy Corp.
Realgy Energy Services
Residents Energy LLC
RPA Energy d/b/a Green Choice Energy
Santana Energy
Santana Energy
Santanna Natural Gas Corporation
SouthStar d/b/a Grand Rapids Energy
Spark Energy Gas, LP
Spartan Renewable Energy, Inc. (Wolverine Power Marketing Corp)
Stephenson Utilities Department
Superior Energy Company
Symmetry Energy Solutions, LLC
Texas Retail Energy, LLC
Tital Gas, LLC d/b/a CleanSkyEnergy
Thumb Electric Cooperative
Tomorrow Energy Corporation
Tri-County Electric
Tri-County Electric
Tri-County Electric
Tri-County Electric
United Energy Trading d/b/a Kratos Gas & Power
Upper Michigan Energy Resources Corporation
Upper Michigan Energy Resources Corporation
Upper Michigan Energy Resources Corporation
Upper Michigan Energy Resources Corporation
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Upper Peninsula Power Company
Upper Peninsula Power Company
Upper Peninsula Power Company
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Wisconsin Public Service

Wolverine Power

Wolverine Power

Wolverine Power

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Wolverine Power

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Xcel Energy

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