



July 26, 2021

Ms. Lisa Felice  
Executive Secretary  
Michigan Public Service Commission  
7109 W. Saginaw Highway  
Lansing, MI 48917

Re: In the matter of the application of DTE Electric Company for the approval of a partial waiver of the Consumer Standards and Billing Practices for Electric Residential Service and approval of a Voluntary Prepay Billing Program  
Case No. U-21087

Dear Ms. Felice:

Enclosed for filing in the above-referenced matter, please find the Comments of the Citizens Utility Board of Michigan. If you have any questions, please do not hesitate to contact me.

Sincerely,

Amy Bandyk  
Executive Director  
Citizens Utility Board of Michigan

Enclosure

**STATE OF MICHIGAN**

**BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

In the matter of the application of DTE Electric Company for the approval of a partial waiver of the Consumer Standards and Billing Practices for Electric Residential Service and approval of a Voluntary Prepay Billing Program

Case No. U-21087

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**COMMENTS OF THE CITIZENS UTILITY BOARD OF MICHIGAN**

The Citizens Utility Board of Michigan ("CUB") files this Objection to DTE Electric Company's ("DTE" or the "Company") application requesting ex parte approval of a waiver of the Company's obligations to comply with certain requirements of the Consumer Standards and Billing Practices for Electric and Natural Gas Service Rules ("Billing Rules"), Mich Admin Code, R 460.101 et seq., and approve the Company's proposal to implement a program offering a prepaid electric customer billing option.

CUB fully supports the objection to the application filed by the Environmental Law & Policy Center, the Ecology Center, the Great Lakes Renewable Energy Association, Soulardarity, the Union of Concerned Scientists, and Vote Solar ("Joint Objectors") and agrees with the Joint Objectors that DTE's ex parte application should be denied.

The objectors' comments, however, do not fully capture how unreasonable, inappropriate and dangerous DTE's proposal is. The request for ex parte approval makes DTE's application doubly inappropriate because the health and well-being of customers would be at risk if the 24-hour disconnection window that DTE is proposing is put into effect. Such serious matters deserve the fullest hearing possible, not an ex parte process.

If DTE's position prevails, it is not an exaggeration to say the Commission will be setting what could end up being a deadly precedent.

Specifically, DTE is proposing that it be granted the ability to disconnect service to customers enrolled in the prepaid billing option within only 24 hours of nonpayment ("Customers enrolled in Prepay upon reaching a zero balance with no pending payment will be scheduled for disconnection the next day based upon the existing and approved disconnection calendar.")

This timeframe is outright dangerous for customers. 24 hours is an unreasonably short amount of grace period before customers are disconnected from essential services. In no other context that CUB is aware of does state law or Commission practice allow a utility to deny service in such a short timeframe. There is a good reason for the precedent that DTE wants to overturn. Utility service upon which a customer's life might literally depend, such as a customer with an electric home medical device, should not be cut off with just a day's warning.

There are countless reasons why a customer may not pay within 24 hours. Due to work, school, family events or poor Internet service, a customer can easily miss the "email only" notification proposed by DTE. That customer could then face potentially life-threatening impacts based on an email that was unread for one day.

The degree to which DTE's proposal is a wild departure from current consumer protections is clear when comparing this proposed 24-hour timeframe to the 10-day grace period before shutoff, as required in the rules DTE is seeking to waive. Even allowing that this grace period might not be a full 10 days due to time for the notification to arrive by first-class mail or personal service, the standard grace period before disconnection is several times longer than the 24-hour period proposed by DTE.

While DTE does propose "low balance electronic communications five, three and one day prior to reaching zero balance," these "electronic communications" as a method of notice are not nearly as robust as those required by the current rules, in which the utility must not only provide a 10-day mail notice, but it also must make a second attempt through telephone or notice left on the physical premises of the customer's residence. Requiring different forms of communication makes it less likely that a customer can miss one of the notices. If the utility only uses one medium for notifications, in this case DTE's "electronic communications," the customer does not get the same level of protection.

In short, DTE's proposal is an extreme deviation from the minimum standards for consumer protection that the MPSC has historically maintained, and that statement would be true even if this were not an ex parte application. The fact that DTE wants a speedy approval of its proposal without a full and public hearing should make this application a nonstarter for the Commission.

Thank you for the opportunity to comment.