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Attorney general, governor disagree on future of Public Act 141

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By **BARRIE BARBER**

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State Attorney General Mike Cox said the state should not repeal a law that would take away consumer choice to pick their utility power provider.

But Gov. Jennifer M. Granholm said she backs altering the rules, known as Public Act 141, although without an outright ban on competition.

"You have to slice 141 with a scalpel and not with an ax," she said, later adding, "We want to preserve some aspect of choice. We want to preserve the ability of alternative renewable energy companies to come and flourish, but we also have to provide some stability with respect to rates and some stability with respect to capacity."

Granholm and Cox had separate interviews last week with The Saginaw News Editorial Board.

Consumers Energy and DTE Energy have sought to overturn Public Act 141, which critics say would allow the utility giants to re-monopolize the state's energy generation market. The two companies have said \$6 billion in new utility investments hangs in the balance.

Consumers wants the law repealed or "significantly reformed," said company spokesman Jeff Holyfield.

The Jackson-headquartered utility needs a guaranteed customer base to secure financing to build a \$2 billion, 800-megawatt coal-fired plant next to its Karn-Weadock power generation complex on Saginaw Bay next to the Saginaw River in Hampton Township, he said.

"The reason for that is the way the law is now is it creates a huge uncertainty in the electric marketplace that makes it impossible to fund a project of that size," he said.

"We have 1.8 million customers and every one of them could leave tomorrow to go to an alternative electric supplier."

The work would create 1,800 construction jobs and 80 permanent operator jobs in 2015.

Michigan should keep the law despite a movement in the Legislature to repeal or modify it, Cox said. To do otherwise would not only sell consumers short, but discourage manufacturers from building factories in Michigan because they won't have the right to shop around for the lowest energy costs.

"It's not only anti-competitive, it's anti-consumer," he said. "It's a bad deal for job creators in Michigan."

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