

*The Farmington Hills Consumer Protection Committee writes a column for the Farmington Observer in which tips and words of caution are offered. For more information, call the committee at 248-426-4456.*

Have you ever been frustrated because you walked into a store, picked up an item, and couldn't determine how much it cost? In Michigan, consumers do not and should not have to suffer this inconvenience. Michigan consumers enjoy the benefits of the Item Pricing Statute.

■ Every item should have a price  
The Michigan Item Pricing law requires all retailers to stamp or affix a price to each product they offer for sale to the public. The price must be "clearly and con-



**FARMINGTON HILLS**  
**Consumer Protection Committee**  
For more information: (248) 426-4455

spicuously\* indicated, so as to be readable and understandable by visual inspection. There are some exceptions to this law, however. Some items are listed in the statute as exempt, such as live plants, live animals, motor vehicle parts, and greeting cards.

Also, a retailer may choose a limited number of items as exemptions. The items selected by the retailer must be posted on a list in the area in which the unmarked items are displayed. If you find a retailer who consistently violates this provision, complain to the retailer or contact the Michigan Attorney General.

**■ What about automatic scanners?**

The fact that a retailer has a scanner system does not exempt him from complying with the Item Pricing Law. In fact, the Item Pricing statute provides immediate remedies for consumers who are overcharged for an item by an automated check-out system. Upon completion of a sale, if a consumer notes and brings an overcharge to the attention of the retailer, the con-

sumer is entitled to a refund of the difference between the affixed price and price charged. In addition, the consumer may be entitled to 10 times the difference between the price stamped on or affixed to the item and the price charged, not to exceed \$5 or be less than \$1, if all of the following apply:

- There is a price stamped on or affixed to the item.
- The sale is recorded by an automatic checkout system.

- The buyer is given a receipt that describes the item and

states the price charged for the item.

If a consumer is overcharged on two or more identical items, the consumer should receive the difference on each item plus 10 times the difference on the first item (not to exceed \$5 or be less than \$1) and the difference only on the second item.

■ How soon must I notify the retailer?

A consumer may notify a retailer of their loss, providing evidence of their loss, anytime between the completion of the

transaction and 30 days after the transaction. It is not necessary for the consumer to leave the store, but payment must have been made and the transaction complete. The retailer must supply a remedy within two days

If the remedy is not provided within the time frame, the consumer may bring suit to recover actual damages or \$250, whichever is greater, together with reasonable attorneys' fees not to exceed \$300.

The Consumer Protection Division of the Attorney General's Office will send you a pocket-sized reminder of your item pricing bill of rights. Contact them at P.O. Box 30123, Lansing, MI 48909, or at (517) 373-1140.

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## STATE NEWS

A request by Michigan Consolidated Gas to be allowed to change its billing practices — and as a result change the billing practices for all state gas and electric utilities — will proceed this fall despite complaints the proposal was not adequately publicized.

Gary Kitts, Chief Administrative Officer for the Michigan Public Service Commission, said the standard notification procedures were used. He noted that while no comments were made about the plan at a public hearing earlier this year, some 15 state organizations — from the utilities themselves to consumer advocacy groups and environmental organizations — filed written comments about the proposed changes by the deadline in August.

Residents can still submit comments, Kitts said, but the PSC may not consider them in

its deliberations.

Attorney General Jennifer Granholm complained last month that the change hadn't received adequate publicity because it was labeled as just a change in billing practices. Instead, she argued, it was tantamount to a rate increase because the effect would be, in some cases, an increase in fees and deposits by a third to 50 percent of their current rates.

MichCon is asking that due dates for utility bill payments be cut from 21 days to 17. The grace period for late payments, before a late fee is charged, would be cut from five days to one. Reconnect fees would also be increased. If the customer has been disconnected once previously in the last three years, then deposit required for reconnection would increase to three times, rather than two, the amount of the customer's peak monthly

bill, rather than the average bill. Deposits for new customers would increase from twice the average bill to three times the peak monthly bill.

If approved for MichCon, the rule changes would apply for all Michigan gas and electric utilities, including Detroit Edison and Consumers Power.

MichCon spokesperson Amy Messano explained the reason for the change is that some customers have been "gaming the system," taking advantage of the utility's "lax collections," by waiting until just before shut off to pay their bills.

Kitts said the PSC will take up the request this fall. If it agrees to at least some of the changes, it will turn the plan over to the Office of Regulatory Reform and the Secretary of State for review. Sixty days later, the PSC will reach a final conclusion. Approved changes would go into effect by the end of the year.

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