

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of	)	
ALPENA POWER COMPANY	)	
for approval of its integrated resource plan	)	Case No. U-20300
pursuant to MCL 460.6t and for other relief.	)	
_____	)	

At the March 15, 2024 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Daniel C. Scripps, Chair
Hon. Katherine L. Peretick, Commissioner
Hon. Alessandra R. Carreon, Commissioner

ORDER

On January 24, 2024, Alpena Power Company (Alpena) filed an application, with a supporting affidavit, requesting *ex parte* approval of its amended integrated resource plan (IRP) including its proposed course of action (PCA) as the most reasonable and prudent means of meeting the company’s energy and capacity needs, in compliance with the July 18, 2019 order in this case (July 18 order) and pursuant to MCL 460.6t and other applicable statutes and rules.

In its application, Alpena recaps prior Commission approvals set forth in the November 21, 2018 order in this case (approval of a waiver of IRP filing requirements); the July 18 order (approval of a settlement agreement resolving all issues in the company’s first IRP proceeding); the May 12, 2022 order in this case (approval of an agreement to extend Alpena’s purchase of capacity from Wolverine Power Supply Cooperative, Inc.); and the March 24, 2023 order in this case (approval of agreements with CMS Energy Resource Management Company (CMS ERM) to

address Alpena's long-term energy and capacity needs in accordance with the company's PCA in its current IRP).

Alpena states that its requested relief in the instant case is in accordance with the settlement agreement approved by the July 18 order; that the company does not seek any further waiver of IRP filing requirements; that all of its IRP issues have been effectively resolved through the prior orders in this case; and that its proposed IRP amendment does not seek any changes. Alpena asserts that its PCA reflects "continuing compliance with its current IRP, Commission Orders, and MCL 460.6t . . . and [that] [t]here is no revision, let alone anything that is 'substantial or inconsistent with the original integrated resource plan' (MCL 460.6t(9)), so approval under MCL 460.6t(19) is appropriate." Alpena's application, pp. 4, 10. Alpena further asserts that *ex parte* approval is lawful and appropriate pursuant to statute and therefore may be granted without notice or hearing.

Discussion

Paragraph 6 of the settlement agreement approved by the July 18 order provided:

Alpena will either file its next IRP pursuant to MCL 460.6t(20) or an amendment to this IRP pursuant to MCL 460.6t(19) on or before January 31, 2024. This filing will re-evaluate the Company's PCA to determine if it continues to represent the most reasonable and prudent means of meeting Alpena's energy and capacity needs. The Company agrees to include the results of its competitive bidding process into its next IRP to aid in the identification and evaluation of its PCA adequately meeting the energy and capacity needs for its customers beyond December 31, 2024.

July 18 order, Exhibit A, p. 4.

MCL 460.6t(19) states:

An electric utility may seek to amend an approved integrated resource plan. Except as otherwise provided under this subsection, the commission shall consider the amendments under the same process and standards that govern the review and approval of a revised integrated resource plan under subsection (9). The

commission may order an electric utility that seeks to amend an approved integrated resource plan under this subsection to file a plan review under subsection (21).

And MCL 460.6t(9) provides:

If the commission denies a utility's integrated resource plan, the utility, within 60 days after the date of the final order denying the integrated resource plan, may submit revisions to the integrated resource plan to the commission for approval. The commission shall commence a new contested case hearing under chapter 4 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.271 to 24.288. Not later than 90 days after the date that the utility submits the revised integrated resource plan to the commission under this subsection, the commission shall issue an order approving or denying, with recommendations, the revised integrated resource plan if the revisions are not substantial or inconsistent with the original integrated resource plan filed under this section. If the revisions are substantial or inconsistent with the original integrated resource plan, the commission has up to 150 days to issue an order approving or denying, with recommendations, the revised integrated resource plan.

Considering the above, the Commission finds that Alpena's amended IRP should be approved. The Commission finds that Alpena's amended IRP is consistent with the company's existing IRP and its previously approved agreements with CMS ERM, to which the company seeks no changes. The Commission further finds *ex parte* review and approval to be appropriate because approval of Alpena's amended IRP will not affect rates or rate schedules resulting in an increase in the cost of service to the company's customers. *See*, MCL 460.6a(3).

The Commission also recognizes that, as part of the February 8, 2024 order in Case No. U-21568, Alpena was directed to file a new renewable energy plan (REP) to satisfy the requirements of Public Act 295 of 2008, as amended by Public Act 235 of 2023. In addition, Section 51(2)(a) of Public Act 235 of 2023 requires that all investor-owned utilities file a clean energy plan (CEP) as part of their IRP. *See*, MCL 460.1051(2)(a). Taking into consideration these filings and their connected nature, the Commission thus finds it appropriate for Alpena to file

its next IRP or IRP amendment on or before December 31, 2027, and for this filing to include the company's CEP and also incorporate the results of its most recent REP at that time.

THEREFORE, IT IS ORDERED that:

A. Alpena Power Company's amended integrated resource plan is approved.

B. Alpena Power Company shall file its next integrated resource plan or integrated resource plan amendment by December 31, 2027. This filing shall comply with the requirements of Public Act 341 of 2016, as amended by Public Act 231 of 2023, and Public Act 295 of 2008, as amended by Public Act 235 of 2023.

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

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel.

Electronic notifications should be sent to the Executive Secretary at mpscedockets@michigan.gov and to the Michigan Department of Attorney General - Public Service Division at pungpl@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

Daniel C. Scripps, Chair

Katherine L. Peretick, Commissioner

Alessandra R. Carreon, Commissioner

By its action of March 15, 2024.

Lisa Felice, Executive Secretary

PROOF OF SERVICE

STATE OF MICHIGAN)

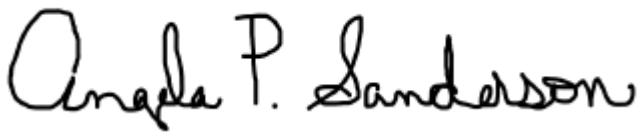
Case No. U-20300

County of Ingham)

Brianna Brown being duly sworn, deposes and says that on March 15, 2024 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 March day of 15th 2024.



Angela P. Sanderson
Notary Public, Shiawassee County, Michigan
As acting in Eaton County
My Commission Expires: May 21, 2024

Service List for Case: U-20300

Name	On Behalf Of	Email Address
Alpena Power Company	Alpena Power Company	kd@alpenapower.com
Gary D. Graham	Alpena Power Company	gdg@alpenapower.com
Heather M.S. Durian	MPSC Staff	durianh@michigan.gov
James D. Florip	Alpena Power Company	jdflorip@gillardlaw.com
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