

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of	)	
<b>SEMCO PIPELINE COMPANY</b>	)	
for a certificate of public convenience and necessity	)	Case No. U-21785
to construct and operate the Belle River Pipeline	)	
in St. Clair County, Michigan, pursuant to Act 9.	)	
_____	)	

At the December 19, 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 September 11, 2024, SEMCO Pipeline Company (SPC), a wholly owned subsidiary of SEMCO Energy, Inc., filed an application, with supporting exhibits, pursuant to Public Act 9 of 1929 (Act 9), MCL 483.101 *et seq.*, and Mich Admin Code, R 460.868 and R 792.10447, requesting that the Commission grant *ex parte* approval of the construction and operation of a natural gas transmission line (the Belle River Pipeline), an approximate 4,000-foot, 24-inch outside diameter, steel pipeline located in St. Clair County, Michigan. Exhibits to the application include a map showing the location of the Belle River Pipeline and related facilities; general engineering specifications; an environmental assessment report; a cost estimate for the pipeline; an estimate of the anticipated revenue, expenses, and income of the pipeline for a five-year period; an

agreement between DTE Electric Company (DTE Electric) and SPC to place and operate the pipeline on DTE Electric's property; and a letter of support from DTE Electric.

In its application, SPC states that the Belle River Pipeline will provide natural gas transportation service to DTE Electric's Belle River Power Plant, which is being converted from a coal-fired plant to a natural gas-fired plant, in accordance with DTE Electric's recently approved integrated resource plan in Case No. U-21193. The pipeline will begin south of Remer Road, located in the Northeast ¼ of Section 24, Town 4 North, Range 16 East, East China Township and then proceed north/northeast to the point of ending in the Southeast ¼ of Section 13, Town 4 North, Range 16 East, East China Township, all within St. Clair County, Michigan. SPC further states that related facilities for the pipeline include one station, which is a metering addition to the existing station that currently supplies the Belle River Power Plant. SPC further provides that the proposed pipeline will be constructed entirely within property owned by DTE Electric, by way of easement agreed to by DTE Electric and SPC; will have no significant adverse impact on the environment, per an environmental assessment for the pipeline; will be used to transport natural gas, as the most direct, reasonable, and economical route to the Belle River Power Plant for the sole use of DTE Electric in its generation of electric service to its customers; and will be constructed and operated in accordance with the requirements of all applicable federal, state, and local laws, rules, and regulations, including the Michigan Gas Safety Standards. Application, pp. 2-4. SPC states that the total cost for the Belle River Pipeline is estimated to be \$9.4 million, with financing of the pipeline from funds generated by internal sources and with completion of the proposed pipeline anticipated in the third quarter of 2025. *Id.*, p. 4.

The Commission has reviewed the application and exhibits, including the environmental assessment report, and finds that the map, route, and type of construction are reasonable and

should be approved, subject to such minor changes in location as SPC may find necessary upon actual construction. The Commission finds that the proposed pipeline, when constructed and in operation, will serve the convenience and necessity of the public.

According to the environmental assessment report, attached to the application as Exhibit A-3, the proposed pipeline will run entirely through land owned by DTE Electric; trees and brush will be cleared as needed for heavy equipment to move freely, with only a limited number of trees expected to be cut overall to provide adequate working space for the pipeline installation equipment; the pipeline will be installed using directional drilling for wetland areas as a mitigating measure to assure that any adverse effects on wetland areas will be minimized; trenched areas, by way of open-cut trenching, will be backfilled to original grade, compacted, and reseeded; all necessary and prudent steps will be taken to reduce erosion potential during and after installation; with the exception of tree species, the pipeline right-of-way will be allowed to return to its previous plant habitat setting after installation; and habitat for threatened and endangered species is not present along the pipeline route, which mostly contains upland disturbed fields, mowed lawn associated with the power plant, and developed land. Application, Exhibit A-3.

Having reviewed the application and environmental assessment report, the Commission concludes that, given the proposed route and construction methods SPC has agreed to employ to minimize adverse environmental impacts when constructing the pipeline, any environmental impairment caused by the proposed pipeline is *de minimis* and “consistent with the promotion of the public health, safety and welfare in light of the state’s paramount concern for the protection of its natural resources from pollution, impairment or destruction.” *Mich State Hwy Comm v Vanderkloot*, 392 Mich 159, 185; 220 NW2d 416 (1974) (quoting MCL 691.1203, which has been replaced by MCL 324.1703). The Commission finds that although there will be minor impairment

to the environment if the pipeline is constructed as proposed, there is no other feasible and prudent alternative to this impairment.

The Commission finds that the filed application and exhibits support the required agency review and environmental obligations of the Commission that arise from Michigan's Environmental Protection Act, MCL 324.1701 *et seq.* The Commission notes, however, that a finding of public convenience and necessity pursuant to Act 9 does not determine that the proposed project complies with any other applicable statutes or environmental reviews.

The Commission further finds that *ex parte* review and approval are appropriate because the application does not seek to increase rates and does not require the acquisition of any new rights-of-way. *See*, application, pp. 3-4. The Commission additionally notes that, consistent with the Commission's Tribal Involvement Guide, the Commission's Tribal Liaison sent an application overview and invitation for informal consultation to all of Michigan's federally recognized Tribes, and no Michigan Tribe requested an informal consultation regarding this application. Finally, because the pipeline will be constructed entirely within property owned by DTE Electric, no cultural resource review was performed; however, a discovery plan was provided by SPC to the Commission Staff detailing appropriate steps for any unanticipated discovery of human remains and/or archaeological or paleontological resources.

THEREFORE, IT IS ORDERED that:

A. SEMCO Pipeline Company is authorized to construct and operate the Belle River Pipeline as proposed in the company's application filed on September 11, 2024, and subject to the requirements of Public Act 9 of 1929, MCL 483.101 *et seq.*

B. The map, route, and type of construction of the Belle River Pipeline are approved, allowing for minor route deviations where necessary; however, SEMCO Pipeline Company shall not begin construction until all necessary permits have been acquired.

C. Within 60 days after completion of construction, SEMCO Pipeline Company shall file with the Commission a completion report, including pressure test data and a map of the pipeline as constructed.

D. If SEMCO Pipeline Company provides transportation for others, it shall file with the Commission signed transportation contracts and shall provide transportation in a nondiscriminatory manner.

E. Upon abandonment or deactivation, the pipeline shall be abandoned in accordance with the Michigan Gas Safety Standards, MCL 483.151 *et seq.*

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 [LARA-MPSC-Edockets@michigan.gov](mailto:LARA-MPSC-Edockets@michigan.gov) and to the Michigan Department of Attorney General - Public Service Division at [sheacl@michigan.gov](mailto:sheacl@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

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Daniel C. Scripps, Chair

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Katherine L. Peretick, Commissioner

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Alessandra R. Carreon, Commissioner

By its action of December 19, 2024.

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Lisa Felice, Executive Secretary


# PROOF OF SERVICE

STATE OF MICHIGAN )

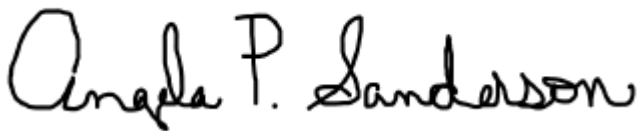
Case No. U-21785

County of Ingham )

Brianna Brown being duly sworn, deposes and says that on December 19, 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 19<sup>th</sup> day of December 2024.



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

**Service List for Case: U-21785**

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<b>Name</b>	<b>On Behalf Of</b>	<b>Email Address</b>
Hannah E. Buzolits	SEMCO Energy, Inc.	hbuzolits@dykema.com
Jason T. Hanselman	SEMCO Energy, Inc.	jhanselman@dykema.com
Richard J. Aaron	SEMCO Energy, Inc.	raaron@dykema.com
SEMCO Pipeline Company	SEMCO Pipeline Company	tim.lubbers@semcoenergy.com
Theresa A. Staley	SEMCO Energy, Inc.	tastaley@dykema.com