

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter, on the Commission’s own motion,)
regarding the regulatory review, revisions,)
determinations, and/or approvals necessary for)
CONSUMERS ENERGY COMPANY to)
comply with Section 61 of Public Act 342 of 2016.)
_____)

Case No. U-21374

At the January 29, 2026 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Daniel C. Scripps, Chair
Hon. Katherine L. Peretick, Commissioner
Hon. Shaquila Myers, Commissioner

ORDER

On December 21, 2016, Public Act 342 of 2016 (Act 342) was signed into law, which became effective on April 20, 2017. Among other things, Act 342 amended Public Act 295 of 2008 (Act 295), MCL 460.1001 *et seq.*, by adding Section 61, MCL 460.1061 (Section 61), which requires electric providers to offer voluntary green pricing (VGP) programs to their customers.

Section 61 states:

An electric provider shall offer to its customers the opportunity to participate in a voluntary green pricing program under which the customer may specify, from the options made available by the electric provider, the amount of electricity attributable to the customer that will be renewable energy. If the electric provider’s rates are regulated by the commission, the program, including the rates paid for renewable energy, must be approved by the commission. The customer is responsible for any additional costs incurred and shall accrue any additional savings realized by the electric provider as a result of the customer’s participation in the program. If an electric provider has not yet fully recovered the incremental costs of

compliance, both of the following apply:

(a) A customer that receives at least 50% of the customer's average monthly electricity consumption through the program is exempt from paying surcharges for incremental costs of compliance.

(b) Before entering into an agreement to participate in a commission-approved voluntary green pricing program with a customer that will not receive at least 50% of the customer's average monthly electricity consumption through the program, the electric provider shall notify the customer that the customer will be responsible for the full applicable charges for the incremental costs of compliance and for participation in the voluntary renewable energy program as provided under this section.

On August 22, 2024, the Commission issued an order in this docket (August 22 order) approving Consumers Energy Company's (Consumers') application for its VGP program. In its August 22 order, the Commission discussed arguments related to the company's Anchor Tenant Pilot program and determined that:

[t]he Commission agrees with the ALJ [Administrative Law Judge James M. Varchetti] that the anchor tenant option should be expanded to include projects other than from municipalities and schools. The Commission further finds that the Staff's [Commission Staff's] review of the company's due diligence for prospective anchor tenants prior to contracting is reasonable and is therefore adopted. The review, as the ALJ concluded, should exclude schools and municipalities unless located in or with subscribers located in EJ [environmental justice] communities. The Commission also agrees with the ALJ's recommendation that the company should encourage outreach to EJ communities but that marketing efforts for subscribers should be led by anchor tenants. *The Commission further agrees with the ALJ that the Staff's position to accept the expanded Anchor Tenant Option, which includes third-party participation along with the enumerated conditions, is reasonable and therefore adopts the recommendation.*

August 22 order, pp. 24-25 (emphasis added).

On October 10, 2024, Consumers filed a tariff sheet following the August 22 order. On January 5, 2026, a Joint Stipulation of the Parties (joint stipulation) was filed addressing Consumers' failure to include all the details, emphasized above, in the company's October 10, 2024 tariff filing (sheet C-54.50) in this docket. The proposed modifications to sheet C-54.50 are

attached to the joint stipulation as Exhibit A, which have also been included in Consumers' proposed tariff sheets attached as Exhibit A-1, p. 2., in the company's application in Case No. U-21972.

The Commission finds that the request of the parties to the joint stipulation to modify sheet C-54.50 as shown in Exhibit A to the joint stipulation is reasonable and should be approved.

THEREFORE, IT IS ORDERED that:

A. The Joint Stipulation of the Parties filed in this docket on January 5, 2026, attached as Attachment A, is approved.

B. Within 30 days from the date of this order, Consumers Energy Company shall file with the Commission a tariff sheet reflecting the modified Tariff C-54.50 consistent with Exhibit A to the Joint Stipulation of the Parties and with this order. After the tariff sheet has been reviewed and accepted by the Commission Staff for inclusion in the company's tariff book, Consumers Energy Company shall promptly file the tariff sheet in this docket and serve all parties.

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 and to the Michigan Department of Attorney General - Public Service Division at 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

Daniel C. Scripps, Chair

Katherine L. Peretick, Commissioner

Shaquila Myers, Commissioner

By its action of January 29, 2026.

Lisa Felice, Executive Secretary

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission’s own)
motion, regarding the regulatory reviews,)
revisions, determinations, and/or approvals)
necessary for **Consumers Energy Company** to)
comply with Section 61 of 2016 PA 342.)
_____)

Case No. U-21374

JOINT STIPULATION OF
THE PARTIES

1. On August 22, 2024, the Michigan Public Service Commission (“MPSC” or “Commission”) issued an Order approving Consumers Energy Company’s (“Consumers” or the “Company”) application for its voluntary green pricing program. Included within the Order were the following findings with respect to the Anchor Tenant Pilot:

The Commission agrees with the ALJ that the anchor tenant option should be expanded to include projects other than from municipalities and schools. The Commission further finds that the Staff’s review of the company’s due diligence for prospective anchor tenants prior to contracting is reasonable and is therefore adopted. The review, as the ALJ concluded, should exclude schools and municipalities unless located in or with subscribers located in EJ communities. The Commission also agrees with the ALJ’s recommendation that the company should encourage outreach to EJ communities but that marketing efforts for subscribers should be led by anchor tenants. *The Commission further agrees with the ALJ that the Staff’s position to accept the expanded Anchor Tenant Option, which includes third-party participation along with the enumerated conditions, is reasonable and therefore adopts the recommendation.*

August 22, 2024 Order in Case No. U-21374 at 24–25 (emphasis added).

2. The Company’s tariff filing on October 10, 2024, did not include all of the details in the Company’s tariff sheets, specifically sheet C-54.50, required by the italicized language quoted above.

3. In the course of discussions that occurred between the Company, Staff and intervenors since October 10, 2024, the parties have agreed to this Joint Stipulation to modify the Company's tariff sheet no. C-54.50 to incorporate the terms of the Commission's August 22, 2024 Order.

4. The parties note that the changes reflected in Exhibit A have already been made by the Company in the proposed tariff sheets included within the Company's application in Case No. U-21972. See U-21972, Exhibit A-1 (LM-1), p. 2 of 11. To avoid any further delay in conforming the tariff to the Commission's August 22, 2024 Order, however, and to avoid any confusion as to whether the changes were required by the August 22, 2024 Order or still subject to (re-)litigation in Case No. U-21972, the parties request that the Commission approve the changes in this docket and in advance of the date on which it issues an order in U-21972, which the parties do not anticipate will be before September or October 2026, more than two years after the changes were required by the August 22, 2024 Order.

WHEREFORE, the parties to this proceeding respectfully request that the Commission:

- A. Approve in this docket, pursuant to this Joint Stipulation signed by the Company, the Staff and all intervenors, the modifications to tariff sheet no. C-54.50 as set forth in the excerpted tariff sheet attached hereto as Exhibit A; and
- B. Grant such other and further relief as is just and reasonable.

Respectfully submitted,


MICHIGAN ENERGY INNOVATION
BUSINESS COUNCIL, INSTITUTE FOR
ENERGY INNOVATION, AND ADVANCED
ENERGY UNITED

Justin K. Ooms

Digitally signed by: Justin K. Ooms
DN: CN = Justin K. Ooms email =
JKOoms@varnumlaw.com C = US
Date: 2025.12.23 12:07:12 -05'00'


Justin K. Ooms (P82065)
Laura A. Chappelle (P42052)
333 Bridge Street, N.W., Suite 1700
Grand Rapids, MI 49504
(708) 743-7173

CONSUMERS ENERGY COMPANY

 Digitally signed by Gary
A. Gensch, Jr.
Date: 2025.12.23
11:09:10 -05'00'

Gary A. Gensch, Jr. (P66912)
One Energy Plaza
Jackson, Michigan 49201
Attorneys for Consumers Energy Company
(517) 788-0698

MICHIGAN PUBLIC SERVICE
COMMISSION STAFF

 HeatherMSDurian
2025.12.23 11:39:41
-05'00'

Heather M. S. Durian (P67587)
Anna B. Stirling (P84919)
Assistant Attorneys General
Public Service Division
7109 W Saginaw Hwy
Lansing, MI 48917
(517) 284-8140

THE ECOLOGY CENTER, THE
ENVIRONMENTAL LAW & POLICY
CENTER, AND VOTE SOLAR



Nicholas Wallace (P-85745)
35 E Wacker Dr., Ste. 1600
Chicago, IL 60601
(312) 673-6500

28335673.4

(Continued from Sheet No. C-54.00)

C10. RENEWABLE ENERGY PLAN (REP) (Contd)**C10.5 Pilot Solar Gardens Program (Contd)****A. Pilot Anchor Tenant Option****(1) Availability**

The Pilot Anchor Tenant Option provides opportunities for Full-Service customers to be the subscriber of last resort as an anchor tenant of a designated community solar facility. The participating anchor tenant will conduct marketing and outreach activities to encourage subscriptions, which may include low-income customers through the MI Sunrise Solar option, subject to the Company's review and approval of any marketing materials.

The participating anchor tenant can identify subscribers for SolarBlocks and MicroBlocks in the designated community solar facility, which must be to Full-Service customers. All subscriptions will be administered through the Company, and the anchor tenants and subscribers must adhere to the Solar Gardens Program terms and conditions. The cost of the designated community solar facility will be used to develop a specific per SolarBlock and MicroBlock cost which will be applicable only to subscribers of the specific anchor tenant option.

Third-parties may own the solar resources in the Pilot Anchor Tenant Option and must comply with the following: (1) set aside funding to cover the costs of decommissioning the project and returning the site to its original condition at the end of project life; (2) agree to participate in an informal customer complaint resolution process with MPSC Staff; (3) submit marketing materials and customer contracts to the MPSC Staff for review prior to presenting to potential customers and agree to address MPSC Staff's concerns; (4) agree to the terms of the power purchase contract and subscription activities with the utility; and (5) provide updated subscriber information to the utility within 30 days of subscribing a new customer.

The Anchor Tenant agrees that it will be subject to a due diligence review to be presented to the MPSC Staff Commission. An Anchor Tenant that is a school or municipality is not subject to this due diligence review unless the school or municipality is located in or with has subscribers within an environmental justice community.

(i) Second Solar Resource Option

A behind-the-meter solution

will also be available per the settlement agreement in Case No. U-21134 approved on July 27, 2022. This solution will be available to the anchor tenant as a second solar resource option for the following:

- (a) to offset on-site electricity use of the anchor tenant, or
- (b) to offset a customer's electricity use at its own facilities served through its own distribution system.

The anchor tenant will be required to pay for all costs of this behind the meter facility pursuant to a contract to be negotiated with the Company. The behind-the-meter system will be sized to minimize export and is available only in addition to the primary designated solar facility.

The community solar option must be at least as large as any behind-the-meter option. Only the designated community solar facility component will receive the Solar Energy Credit as currently defined in this rule.

(2) Subscription Payments

Under the Pilot Anchor Tenant Option, pricing and subscription details will be developed on a case-by-case basis with the anchor tenant, as the subscriber of last resort, paying all costs except for any portion of the facility that is otherwise subscribed.

(3) Terms

Customers that participate in the Pilot Anchor Tenant Option must contract with the Company for the life of the resource. The anchor tenant will bear all costs and will receive all credits for the portions of the project where there is not another participant during the life of the project. Residential and Non-

Residential Customers may enroll to a month-to-month (for the remaining life of the resource) subscription through the Company. Subscribing Customers, including the anchor tenant, would receive monthly Solar Energy Credits for the duration of their participation term for the community solar generation from the designated community solar facility only.

A customer that ceases to be a Full-Service customer or elects to terminate their subscription early will be subject to an early termination fee per the customer's Anchor Tenant contract.

(4) Execution of Contract

The Company has complete discretion whether to proceed with entering a contract with an anchor tenant and constructing a project. In making such a determination, the Company will consider, but is not limited to, the following:

- (i) the ability to reach acceptable terms with an anchor tenant,
- (ii) the environmental feasibility of the project,
- (iii) the credit worthiness of the anchor tenant,
- (iv) the funding availability, and
- (v) any other financial considerations regarding cost and scope of the project.

(Continued on Sheet No. C-55.00)

PROOF OF SERVICE

STATE OF MICHIGAN)

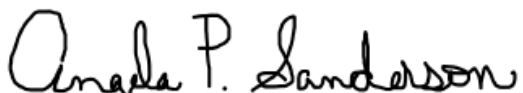
Case No. U-21374

County of Ingham)

Brianna Brown being duly sworn, deposes and says that on January 29, 2026 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 29th day of January 2026.


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

Service List for Case: U-21374

Name	On Behalf Of	Email Address
Alena M. Clark	MPSC Staff	clarka55@michigan.gov
Anna B. Stirling	MPSC Staff	stirlinga1@michigan.gov
Anne M. Uitvlugt	Consumers Energy Company	anne.uitvlugt@cmsenergy.com
Consumers Energy Company (1 of 2)	Consumers Energy Company	mpsc.filings@cmsenergy.com
Consumers Energy Company (2 of 2)	Consumers Energy Company	kelly.hall@cmsenergy.com
Evan B. Keimach	Consumers Energy Company	evan.keimach@cmsenergy.com
Gary A. Gensch Jr.	Consumers Energy Company	gary.genschjr@cmsenergy.com
Heather M.S. Durian	MPSC Staff	durianh@michigan.gov
Jonathan F. Thoits	ALJs - MPSC	thoitsj@michigan.gov
Justin K. Ooms	Advanced Energy United	jkooms@varnumlaw.com
Justin K. Ooms	Institute for Energy Innovation	jkooms@varnumlaw.com
Justin K. Ooms	Michigan Energy Innovation Business Council	jkooms@varnumlaw.com
Laura A. Chappelle	Michigan Energy Innovation Business Council	lachappelle@varnumlaw.com
Laura A. Chappelle	Institute for Energy Innovation	lachappelle@varnumlaw.com
Laura A. Chappelle	Advanced Energy United	lachappelle@varnumlaw.com
Nicholas N. Wallace	Environmental Law & Policy Center	nwallace@elpc.org
Nicholas N. Wallace	Vote Solar	nwallace@elpc.org
Nicholas N. Wallace	The Ecology Center	nwallace@elpc.org
Timothy J. Lundgren	Michigan Energy Innovation Business Council	tjlundgren@varnumlaw.com
Timothy J. Lundgren	Advanced Energy United	tjlundgren@varnumlaw.com
Timothy J. Lundgren	Institute for Energy Innovation	tjlundgren@varnumlaw.com

GEMOTION DISTRIBUTION SERVICE LIST

kabraham@mpower.org	Abraham,Katie - MMEA
mkuchera@AEPENERGY.COM	AEP Energy
mfurmanski@algerdelta.com	Alger Delta Cooperative
akellen@wppienergy.org	Alger Delta Cooperative
kd@alpenapower.com	Alpena Power
dgreen@alpenapower.com	Alpena Power
VSTRetailReg@VistraCorp.com	Ambit Midwest, LLC
kerdmann@atcllc.com	American Transmission Company
acotter@atcllc.com	American Transmission Company
john.calhoun@ardentnaturalgas.com	Ardent Natural Gas, LLC
awebster@baycitymi.gov	Bay City Electric Light & Power
sara.anderson@bayfieldelectric.com	Bayfield Electric
rbishop@BISHOPENERGY.COM	Bishop Energy
braukerL@MICHIGAN.GOV	Brauker, Linda
cherie.fuller@bp.com	BP Energy Retail Company, LLC
christine.hughey@bp.com	BP Energy Retail Company LLC
greg.bass@calpinesolutions.com	Calpine Energy Solutions
lachappelle@varnumlaw.com	Chappelle, Laura
manderson@wpsci.com	Cherryland Electric
mengels@wpsci.com	Cherryland Electric
cdrys@wpsci.com	Cherryland Electric
ljohnson@wpsci.com	Cherryland Electric
rjohnson@cherrylandelectric.coop	Cherryland Electric Cooperative
frucheyb@DTEENERGY.COM	Citizens Gas Fuel Company
crystalfallsmgr@HOTMAIL.COM	City of Crystal Falls
gpirkola@escanaba.org	City of Escanaba
jolson@gladstonemi.gov	City of Gladstone
kmaynard@cityofmarshall.com	City of Marshall
tdavlin@portland-michigan.org	City of Portland
cwilson@cloverland.com	Cloverland Electric
mheise@cloverland.com	Cloverland Electric
todd.mortimer@CMSENERGY.COM	CMS Energy
Kenneth.Johnston@cmsenergy.com	Consumers Energy
Yong.Keyes@cmsenergy.com	Consumers Energy
chibuzo.obikwelu@cmsenergy.com	Consumers Energy
sarah.jorgensen@cmsenergy.com	Consumers Energy Company
Michael.torrey@cmsenergy.com	Consumers Energy Company
CANDACE.GONZALES@cmsenergy.com	Consumers Energy Company
mpsc.filings@CMSENERGY.COM	Consumers Energy Company
mpsc.filings@CMSENERGY.COM	Consumers Energy Company
david.fein@CONSTELLATION.COM	Constellation Energy
kate.stanley@CONSTELLATION.COM	Constellation Energy
kate.fleche@CONSTELLATION.COM	Constellation New Energy

GEMOTION DISTRIBUTION SERVICE LIST

choicecompliance@constellation.com	Constellation New Energy Inc
lpage@dickinsonwright.com	Dickinson Wright
shaundillon@dillonenergy.com	Dillon Energy Services
info@dillonpower.com	Dillon Power, LLC
Neal.fitch@nrg.com	Direct Energy
Kara.briggs@nrg.com	Direct Energy
Ryan.harwell@nrg.com	Direct Energy
bryce.mckenney@nrg.com	Direct Energy
stephen.lindeman@dteenergy.com	DTE Energy
karl.lievense@dteenergy.com	DTE Energy
konstantin.korolyov@dteenergy.com	DTE Energy
mpscfilings@DTEENERGY.COM	DTE Energy
joyce.leslie@dteenergy.com	DTE Energy
karen.vucinaj@dteenergy.com	DTE Energy
customerservice@eligoenergy.com	Eligo Energy MI, LLC
regulatory@eligoenergy.com	Eligo Energy MI, LLC
frank.travaglione@vistracorp.com	Energy Harbor
rfawaz@energyintl.com	Energy International Power Marketing d/b/a PowerOne
sejackinchuk@varnumlaw.com	Energy Michigan
michael.reiss@engie.com	Engie Gas & Power LLC
customercare@plymouthenergy.com	ENGIE Gas & Power f/k/a Plymouth Energy
VSTRetailReg@VistraCorp.com	Everyday Energy, LLC d/b/a Energy Rewards
felice@MICHIGAN.GOV	Felice, Lisa
bgorman@FIRSTENERGYCORP.COM	First Energy
phil@allendaleheating.com	Forner, Phil
dburks@glenergy.com	Great Lakes Energy
manderson@wpsci.com	Great Lakes Energy
mengels@wpsci.com	Great Lakes Energy
cdrys@wpsci.com	Great Lakes Energy
ljohnson@wpsci.com	Great Lakes Energy
slamp@glenergy.com	Great Lakes Energy Cooperative
sculver@glenergy.com	Great Lakes Energy Cooperative
johnm@gogreenlightenergy.com	Greenlight Energy Inc.
lrgustafson@CMSENERGY.COM	Gustafson, Lisa
jhammel@hillsdalebpu.com	Hillsdale Board of Public Utilities
coneill@homeworks.org	HomeWorks Tri-County Electric Cooperative
psimmer@HOMWORKS.ORG	HomeWorks Tri-County Electric Cooperative
bmcbride@aep.com	Indiana Michigan Power
mgobrien@aep.com	Indiana Michigan Power Company
dan@megautilities.org	Integritys Group
daustin@IGSENERGY.COM	Interstate Gas Supply Inc
michael.nugent@igs.com	Interstate Gas Supply d/b/a IGS Energy
general@itctransco.com	ITC Holdings
cmarshall@itctransco.com	ITC Holdings
apascaris@itctransco.com	ITC Holdings

GEMOTION DISTRIBUTION SERVICE LIST

vanesetti@justenergy.com	Just Energy of Michigan Corporation
jgoodman@commerceenergy.com	Just Energy Solutions
krichel@DLIB.INFO	Krichel, Thomas
dbodine@LIBERTYPOWERCORP.COM	Liberty Power
ham557@GMAIL.COM	Lowell S.
tjlundgren@varnumlaw.com	Lundgren, Timothy
tcarpenter@mblp.org	Marquette Board of Light & Power
regulatory@medianenergy.com	Median Energy Corporation
suzy@megautilities.org	MEGA
dan@megautilities.org	MEGA
mmann@USGANDE.COM	Michigan Gas & Electric
VSTRetailReg@VistraCorp.com	Michigan Gas & Electric (US Gas & Electric)
shannon.burzycki@wecenergygroup.com	Michigan Gas Utilities Corporation
mrzwiwers@INTEGRYSGROUP.COM	Michigan Gas Utilities/Upper Penn Power/Wisconsin
kabraham@mpower.org	Michigan Public Power Agency
info@michigannaturalgasllc.com	Michigan Natural Gas, LLC
JHDillavou@midamericanenergyservices.com	MidAmerican Energy Services, LLC
JCAltmayer@midamericanenergyservices.com	MidAmerican Energy Services, LLC
LMLann@midamericanenergyservices.com	MidAmerican Energy Services, LLC
manderson@wpsci.com	Midwest Energy
mengels@wpsci.com	Midwest Energy
cdrys@wpsci.com	Midwest Energy
ljohnson@wpsci.com	Midwest Energy
dave.allen@TEAMMIDWEST.COM	Midwest Energy Cooperative
terry.rubenthaler@teammidwest.com	Midwest Energy Cooperative
kerri.wade@teammidwest.com	Midwest Energy Cooperative
Marie-Rose.Gatete@teammidwest.com	Midwest Energy Cooperative
meghan.tarver@teammidwest.com	Midwest Energy Cooperative
d.motley@COMCAST.NET	Motley, Doug
rarchiba@FOSTEROIL.COM	My Choice Energy
customerservice@nordicenergy-us.com	Nordic Energy Services, LLC
regulatory@nordicenergy-us.com	Nordic Energy Services, LLC
karl.j.hoesly@xcelenergy.com	Northern States Power
sarah.m.fraze@xcelenergy.com	Northern States Xcel
kbeattie@ntherm.com	nTherm, LLC
daho@ontorea.com	Ontonagon County Rural
esoumis@ontorea.com	Ontonagon County Rural Electric
regulatory@indraenergy.com	PALMco Energy MI, LLC d/b/a Indra Energy
mpauley@GRANGER.NET	Pauley, Marc
mmpeck@fischerfranklin.com	Peck, Matthew
bschlansker@PREMIERENERGYLLC.COM	Premier Energy Marketing LLC
manderson@wpsci.com	Presque Isle

GEMOTION DISTRIBUTION SERVICE LIST

mengels@wpsci.com	Presque Isle
cdrys@wpsci.com	Presque Isle
ljohnson@wpsci.com	Presque Isle
MVanschoten@pieg.com	Presque Isle Electric & Gas Cooperative, INC
aberg@pieg.com	Presque Isle Electric & Gas Cooperative, INC
yesterdae@getprovision.com	Provision Power & Gas, LLC
johnbistranin@realgy.com	Realgy Corp.
BusinessOffice@REALGY.COM	Realgy Energy Services
akeilson@genieretail.com	Residents Energy LLC
btrombino@rpaenergy.com	RPA Energy d/b/a Green Choice Energy
mvorabout@ses4energy.com	Santana Energy
rabaey@SES4ENERGY.COM	Santana Energy
ttynes@ses4energy.com	Santanna Natural Gas Corporation
trish.mcfadin@southstarenergy.com	SouthStar d/b/a Grand Rapids Energy
kejoseph@sparkenergy.com	Spark Energy Gas, LP
cborr@WPSCI.COM	Spartan Renewable Energy, Inc. (Wolverine Power Marketing Corp)
jbelec@stephenson-mi.org	Stephenson Utilities Department
kay8643990@YAHOO.COM	Superior Energy Company
legal@symmetryenergy.com	Symmetry Energy Solutions, LLC
regulatory@texasretailenergy.com	Texas Retail Energy, LLC
agilbert@cleanskyenergy.com	Tital Gas, LLC d/b/a CleanSkyEnergy
bessenmacher@tecmi.coop	Thumb Electric Cooperative
president@tomorrowenergy.com	Tomorrow Energy Corporation
manderson@wpsci.com	Tri-County Electric
mengels@wpsci.com	Tri-County Electric
cdrys@wpsci.com	Tri-County Electric
ljohnson@wpsci.com	Tri-County Electric
mlindsay@uetllc.com	United Energy Trading d/b/a Kratos Gas & Power
colleen.sipiorski@wecenergygroup.com	Upper Michigan Energy Resources Corporation
djmier@integrysgroup.com	Upper Michigan Energy Resources Corporation
James.Beyer@wecenergygroup.com	Upper Michigan Energy Resources Corporation
Richard.Stasik@wecenergygroup.com	Upper Michigan Energy Resources Corporation
nbell@upppo.com	Upper Peninsula Power Company
jformol@upppo.com	Upper Peninsula Power Company
ghaehnel@upppo.com	Upper Peninsula Power Company
estocking@upppo.com	Upper Peninsula Power Company
manager@villageofbaraga.org	Village of Baraga
Villagemanager@villageofclinton.org	Village of Clinton
VSTRetailReg@VistraCorp.com	Viridian Energy PA, LLC
jeinstein@volunteerenergy.com	Volunteer Energy Services
leew@WVPA.COM	Wabash Valley Power
melissa.schauer@wecenergygroup.com	We Energies
andrew.miller1@wecenergygroup.com	We Energies
melissa.schauer@wecenergygroup.com	Wisconsin Public Service

GEMOTION DISTRIBUTION SERVICE LIST

andrew.miller1@wecenergygroup.com

tking@WPSCI.COM

jbaumann@wpsci.com

cborr@wpsci.com

ddecouer@wpsci.com

bvalice@wpsci.com

Amanda@misostates.org

Deborah.e.erwin@xcelenergy.com

Michelle.Schlosser@xcelenergy.com

bryce.mckenney@nrg.com

Wisconsin Public Service

Wolverine Power

Wolverine Power

Wolverine Power

Wolverine Power

Wolverine Power

Wood, Amanda

Xcel Energy

Xcel Energy

Xoom Energy Michigan, LLC d/b/a Xoom Energy