

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of )	
<b>DTE ELECTRIC COMPANY</b> for )	
approval of special contracts. )	Case No. U-21990
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At the March 27, 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 January 16, 2026, DTE Electric Company (DTE Electric) filed an application (January 16 application), with supporting affidavit and exhibits, requesting *ex parte* approval of the Cold Creek Energy Center, Fish Creek Energy Center, and Pine River Energy Center (collectively, the Projects), and the equipment supply agreements for battery modules and master service agreements for engineering, procurement, and construction (collectively, the Contracts) necessary to develop the Projects, as consistent with the energy storage agreement (ESA) between DTE Electric and Green Chile Ventures LLC (Customer or GCV)<sup>1</sup> and the December 18, 2025 order in this docket (December 18 order) that approved the ESA.

As background, on November 3, 2025, DTE Electric filed an application, with supporting testimony and exhibits, in this docket for *ex parte* approval of special contracts for electric service

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<sup>1</sup> GCV is a subsidiary of Oracle Corporation.

(November 3 application),<sup>2</sup> in which DTE Electric requested approval of a primary supply agreement (PSA) and the ESA (together, the special contracts) with the Customer. In the December 18 order, the Commission approved the special contracts subject to DTE Electric's acceptance of certain conditions. December 18 order, pp. 43-45. On January 15, 2026, the company filed a letter in this docket accepting the conditions set forth in the December 18 order.

DTE Electric's January 16 application seeks approval of the Projects and the related Contracts intended to fulfill the ESA approved in the December 18 order. The December 18 order conditionally authorized DTE Electric to deploy 1.383 gigawatts of energy storage resources to be fully funded by the Customer as set forth in the ESA. December 18 order, pp. 43-45. DTE Electric explains that the Projects included for approval in the January 16 application constitute the first 332 megawatts (MW) of company-owned projects under the ESA. January 16 application, p. 2. The company intends to file for approval of third-party projects and additional company-owned projects to fulfill the remaining capacity needed to support the ESA. *Id.*, Exhibit 1, p. 5.

Specifically, the company's January 16 application seeks approval for the construction of the Cold Creek Energy Center, Fish Creek Energy Center, and Pine River Energy Center to fulfill the ESA. As detailed in the affidavit of Luisa M. Dunlap in support of the January 16 application (attached to the January 16 application as Exhibit 1), the Cold Creek Energy Center will be sited in Branch County, Michigan, and is anticipated to provide 100 MW of dispatchable energy storage capacity. January 16 application, Exhibit 1, p. 4. The Fish Creek Energy Center will be sited in Montcalm County, Michigan, and is anticipated to provide 132 MW of dispatchable energy storage capacity. *Id.* The Pine River Energy Center will be sited in Gratiot County, Michigan, and

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<sup>2</sup> DTE Electric initially filed an application on October 31, 2025, but that application was removed from the docket at the company's request per filing #U-21990-0001.

is anticipated to provide 100 MW of dispatchable energy storage capacity. The expected commercial operation dates for the Projects are expected to occur no later than the second quarter of 2027. *Id.*

With respect to the Contracts necessary to develop the Projects, DTE Electric represents that it has entered into three equipment supply agreements for battery modules with LG Energy Solution Vertech, Inc., as well as master service agreements for engineering, procurement, and construction with Roncelli, Inc., J. Ranck Electric, Inc., and Burns & McDonnell Michigan, Inc. January 16 application, p. 2; *see also, id.*, Exhibit 1, pp. 3-4.

DTE Electric states that the Projects were competitively sourced through its 2025 Energy Storage Request for Proposal (RFP) that adhered to the Competitive Procurement Guidelines for Rate-Regulated Electric Utilities adopted by the Commission and the terms of the company's integrated resource plan (IRP) settlement agreement approved in the July 26, 2023 order in Case No. U-21193. January 16 application, pp. 2-3. DTE Electric avers that although the RFP was intended for storage needs arising from the IRP settlement agreement, additional viable projects were identified in the RFP responses that could support the ESA. *Id.* The company clarifies that it first selected the highest scoring projects from the RFP to meet its needs under the IRP settlement agreement, then selected remaining cost competitive Projects for deployment under the ESA from the remaining projects bid into the RFP. *Id.*

The blended levelized cost of storage of the Projects is \$14.40/kilowatt-month. January 16 application, p. 3. DTE Electric states that the Projects will be eligible for the federal 30% Investment Tax Credit (ITC) and are expected to meet the Domestic Content Bonus requirements necessary to qualify for the 10% ITC adder. *Id.*, Exhibit 1, p. 7. DTE Electric further states that the Cold Creek Energy Center and Pine River Energy Center also qualify for the 10% ITC adder

related to the Energy Community tax credit bonus. The company asserts that it reasonably and prudently safe-harbored the Projects in 2025 to ensure the ITC is not impacted by any changes to the final Foreign Entity of Concern guidance. *Id.*

DTE Electric consulted with the Commission Staff (Staff) on December 18, 2025, and January 16, 2026, to provide an overview and review of the Projects and Contracts.

DTE Electric confirms that the Projects will be fully paid for by the Customer under the ESA and therefore will not increase rates or the cost of service for other customers. January 16 application, p. 4. DTE Electric acknowledges that, pursuant to the December 18 order, cost recovery methods regarding the ESA will be fully addressed and decided in future rate cases.<sup>3</sup>

### Discussion

The Commission has reviewed the January 16 application and supporting affidavit and exhibits and finds that the Projects and Contracts should be approved. The Commission finds that the Projects and Contracts are consistent with the December 18 order and the terms of the ESA.

DTE Electric's submission of the Projects and Contracts intended to fulfill the ESA for *ex parte* review and approval is consistent with the December 18 order. December 18 order, pp. 7, 37-45. DTE Electric's November 3 application, as reflected in the supporting testimony of Neal Foley, p. 15, confirmed that the company would submit each energy storage project deployed under the ESA to the Commission for review and approval prior to construction. Applications for approval of projects and related contracts that do not result in an increase to rates or the cost of service, including those intended to fulfill special contracts, are routinely addressed through *ex parte* proceedings before the Commission. *See*, March 27, 2026 order in Case No. U-21990

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<sup>3</sup> *See*, DTE Electric's Answer Opposing Attorney General's Motion for a Contested Proceeding, p. 6, note 9 (filing #U-21990-0042).

(addressing petitions for rehearing/reopening/clarification/contested proceeding). The Commission also notes that the projects associated with the storage needs arising from the IRP settlement agreement are approved in the March 27, 2026 order in Case No. U-21193.

With respect to the ESA, the conditions set forth in the December 18 order remain applicable and the Commission makes clear that no cost allocation or cost recovery methods are approved as a result of this *ex parte* order. As to cost recovery of the costs associated with the Projects and Contracts, the Commission will review such costs in the appropriate rate case following commercial operation. The Commission further finds that *ex parte* review and approval are appropriate because approval of the Projects and Contracts will not result in an increase to rates or rate schedules, or to the cost of service to customers. MCL 460.6a(3); *see*, March 27, 2026 order in Case No. U-21990 (addressing petitions for rehearing/reopening/clarification/contested proceeding), pp. 19-23.

THEREFORE, IT IS ORDERED that the January 16, 2026 application filed by DTE Electric Company seeking *ex parte* approval of the Cold Creek Energy Center, Fish Creek Energy Center, and Pine River Energy Center projects, as well as the equipment supply agreements for battery modules and master service agreements for engineering, procurement, and construction associated with the three projects, is approved.

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 [SheaCI@michigan.gov](mailto:SheaCI@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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Shaquila Myers, Commissioner

By its action of March 27, 2026.

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Lisa Felice, Executive Secretary

# PROOF OF SERVICE

STATE OF MICHIGAN )

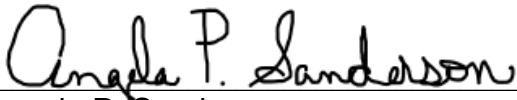
Case No. U-21990

County of Ingham )

Brianna Brown being duly sworn, deposes and says that on March 27, 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 27<sup>th</sup> day of March 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-21990**

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<b>Name</b>	<b>On Behalf Of</b>	<b>Email Address</b>
Andrea E. Hayden	DTE Electric Company	andrea.hayden@dteenergy.com
DTE Electric Company	DTE Electric Company	mpscfilings_account@dteenergy.com
Joel B. King	Department of Attorney General	kingj38@michigan.gov
John A. Janiszewski	DTE Electric Company	john.janiszewski@dteenergy.com
Lucas Wollenzien	Department of Attorney General	wollenzienl@michigan.gov
Michael E. Moody	Department of Attorney General	moodym2@michigan.gov