

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

In the matter of the application of	)	
UPPER MICHIGAN ENERGY RESOURCES	)	
CORPORATION for approval to implement a	)	Case No. U-21265
power supply cost recovery plan for the	)	
12 months ending December 31, 2023.	)	
_____	)	
	)	
In the matter of the application of	)	
UPPER MICHIGAN ENERGY RESOURCES	)	
CORPORATION for approval of its integrated	)	Case No. U-22175
resource plan pursuant to MCL 460.6t and for	)	
other relief.	)	
_____	)	
	)	
In the matter of the application of	)	
UPPER MICHIGAN ENERGY RESOURCES	)	
CORPORATION requesting approval of an	)	Case No. U-21813
amended renewable energy plan to comply with	)	
Public Act 235 of 2023.	)	
_____	)	
	)	
In the matter, on the Commission's own motion,	)	
regarding the regulatory reviews, revisions,	)	
determinations, and/or approvals necessary for	)	Case No. U-18356
UPPER MICHIGAN ENERGY RESOURCES	)	
CORPORATION to comply with	)	
Section 61 of 2016 PA 342.	)	
_____	)	

At the October 1, 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 September 27, 2022, Upper Michigan Energy Resources Corporation (UMERC) filed an application in Case No. U-21265, with supporting testimony and exhibits, seeking authority to implement a power supply cost recovery plan for the 12-month period ending December 31, 2023, pursuant to Section 6j of Public Act 304 of 1982, MCL 460.6j.

A prehearing conference was held in Case No. U-21265 on November 17, 2022, before Administrative Law Judge (ALJ) Jonathan F. Thoits (ALJ Thoits).¹ At the prehearing conference, ALJ Thoits recognized the intervention of the Michigan Department of Attorney General and granted intervenor status to the Citizens Utility Board of Michigan. UMERC and the Commission Staff also participated in the proceeding. Subsequently, the parties filed a settlement agreement resolving all issues in the case.

On July 26, 2023, the Commission issued an order in Case No. U-21265 approving the settlement agreement.

On September 16, 2025, the parties filed an amended settlement agreement in Case No. U-21265 (September 16 amended settlement agreement). In the September 16 amended settlement agreement, the parties agreed, among other things, to change the filing date for UMERC's next integrated resource plan (IRP) from October 15, 2025, to no later than October 15, 2026.

In the October 9, 2025 order in Case No. U-21265 (October 9 order), the Commission remanded the matter to ALJ Fairrow to address a petition for leave to intervene out of time filed by Tilden Mining Company L.C. (Tilden). As explained in the October 9 order, Tilden sought late

¹ On March 27, 2023, ALJ Lesley C. Fairrow (ALJ Fairrow) was assigned to this case, replacing ALJ Thoits.

intervention to contest certain provisions in the September 16 amended settlement agreement. *See*, October 9 order, p. 2.

Subsequently, on October 20, 2025, the parties filed a revised amended settlement agreement in Case No. U-21265 (October 20 revised amended settlement agreement) that replaced and superseded the September 16 amended settlement agreement. On November 6, 2025, the Commission issued an order in Case No. U-21265 (November 6 order) approving the October 20 revised amended settlement agreement and dismissing Tilden's petition for leave to intervene out of time. *See*, November 6 order, p. 2. The October 20 revised amended settlement agreement, among other things, maintained the change in the filing date for UMEREC's next IRP from October 15, 2025, to no later than October 15, 2026. *See*, November 6 order, Exhibit A, p. 3.

On September 29, 2026, the parties filed a second revised amended settlement agreement in Case No. U-21265 (September 29 second revised amended settlement agreement) that the parties agree supersedes and replaces, in part, the October 20 revised amended settlement agreement. Specifically, in the September 29 second revised amended settlement agreement, the parties agree to change the filing date for UMEREC's IRP from October 15, 2026, to no later than December 1, 2026, contingent on the Commission extending the filing dates for UMEREC's new amended renewable energy plan (REP) and voluntary green pricing (VGP) programs as established in Case Nos. U-21813 and U-18356, respectively. *See*, September 29 second revised amended settlement agreement, p. 3. The parties further agree "that there are no other revisions to the understandings reached in the [October 20 revised amended settlement agreement] approved by the [November 6 order], and these understandings remain in effect." *Id.*, pp. 3-4.

On September 29, 2026, the parties also filed a joint motion to amend the filing dates in Case Nos. U-18356 and U-21813, which seeks to extend the dates for the filing of UMEREC's new amended REP and VGP program to no later than December 1, 2026.

The Commission has reviewed the September 29 second revised amended settlement agreement and finds that the public interest is adequately represented by the parties who entered into the agreement. The Commission further finds that the second revised amended settlement agreement is in the public interest, represents a fair and reasonable resolution of the proceeding, and should be approved. Additionally, the Commission finds the parties' joint motion to amend the filing dates in Cases No. U-18356 and U-21813 to be reasonable and therefore finds that the joint motion should be granted.

THEREFORE, IT IS ORDERED that:

A. The second revised amended settlement agreement filed on September 29, 2026, in Case No. U-21265, attached as Exhibit A, is approved.

B. The joint motion to amend the filing dates in Case Nos. U-18356 and U-21813 is granted.

C. Upper Michigan Energy Resources Corporation shall file its next integrated resource plan proceeding in Case No. U-22175 no later than December 1, 2026.

D. Upper Michigan Energy Resources Corporation shall file a new amended renewable energy plan in Case No. U-21813 by December 1, 2026, in conjunction with the filing of the company's integrated resource plan. The company is permitted to file a standalone, new amended renewable energy plan prior to this date if the company chooses to do so.

E. Upper Michigan Energy Resources Corporation shall file its voluntary green pricing program filing in Case No. U-18356 no later than December 1, 2026.

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.

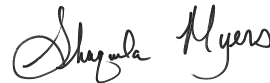
MICHIGAN PUBLIC SERVICE COMMISSION



Daniel C. Scripps, Chair



Katherine L. Peretick, Commissioner



Shaquila Myers, Commissioner

By its action of October 1, 2026.



Lisa Felice, Executive Secretary

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

In the matter of the application of	)	
UPPER MICHIGAN ENERGY RESOURCES	)	
CORPORATION for approval to implement a power	)	Case No. U-21265
supply coast recovery plan for the twelve months ending	)	
<u>December 31, 2023.</u>	)	

SECOND REVISED AMENDED SETTLEMENT AGREEMENT

As provided in Section 78 of the Administrative Procedures Act of 1969 (“APA”), as amended, MCL 24.278, and Rule 431 of the Michigan Administrative Code, Rule 792.10431, Upper Michigan Energy Resources Corporation (“UMERC” or the “Company”), the Michigan Public Service Commission Staff (“Staff”), Attorney General Dana Nessel (“AG”), and the Citizens Utility Board of Michigan (“CUB”) hereby agree as follows:

1. On September 27, 2022, UMERC filed its application with supporting direct testimony and exhibits seeking approval of the Company’s Power Supply Cost Recovery (“PSCR”) plan and factors for the 12-month period ending December 31, 2023, in Case No. U-21265.

2. Following notice, Administrative Law Judge Jonathan Thoits¹ held a prehearing conference on November 17, 2022, with UMERC and Staff participating, and the AG and CUB receiving intervenor-party status.

¹ On March 27, 2023, ALJ Lesley Fairrow was assigned to this case, replacing ALJ Thoits.

3. On March 16, 2023, Staff filed its direct case, and the AG and CUB jointly filed a direct case. Subsequently, on April 13, 2023, UMEREC filed rebuttal testimony.

4. Thereafter, the parties entered into a settlement agreement, resolving all contested issues including approving UMEREC's 2023 PSCR plan, establishing base PSCR factors and an Adjustment Mechanism, and finding the 5-year forecast to comply with the statutory mandates of 1982 PA 304. Finally, the parties agreed UMEREC would file its next Integrated Resource Plan ("IRP") no later than October 15, 2025.

5. On July 26, 2023, the Commission issued its Order Approving Settlement Agreement in Case No. U-21265.

6. As a result of discussions regarding, among other things, the updating of the Michigan Integrated Resource Planning Parameters ("MIRPP") and IRP Filing Requirements and developing Clean Energy Plan ("CEP") Filing Requirements as related to the timing for UMEREC to file its next IRP, the parties filed an Amended Settlement Agreement on September 16, 2025 extending the next IRP filing date to no later than October 15, 2026, setting forth alternative modeling scenarios to be filed by UMEREC, and permitting UMEREC to establish a deferred account for costs related to sharing licensing and providing training relating to PLEXOS to Staff, the AG and CUB.

7. Tilden Mining Company, LC ("Tilden") subsequently filed a petition to intervene out of time asserting harm relating to the binding effect of the alternative modeling scenarios and the deferred accounting approval included in the September 16, 2025 Amended Settlement Agreement, prompting the parties to file an Amended Revised Settlement Agreement on October 20, 2025 to avoid the time and expense associated with a contested proceeding resulting from Tilden's filing. Tilden subsequently withdrew its petition to intervene.

8. On November 6, 2025, the Commission issued an order approving the Revised Amended Settlement Agreement, including the provision changing the Company's IRP filing date from no later than October 15, 2025 to no later than October 15, 2026. Further, on December 18, 2025, in Case No. U-21813, the Commission directed UMERL to "file a new amended renewable energy plan by October 15, 2026, in conjunction with the filing of the Company's integrated resource plan." Additionally, in its April 17, 2026 Order in Case No. U-18356, the Commission directed UMERL to consolidate its voluntary green program plan filing with the new amended renewable energy plan to be filed no later than October 15, 2026.

9. As a result of the multiple IRP filings expected in the Fall of 2026, the parties evaluated the practicability of the Company's updated October 15, 2026 IRP filing deadline and agreed to a modest extension of the filing deadline established in the November 6, 2025 order in Case No. U-21265 and to seek by motion in Case Nos. U-21813 and U-18356 corresponding deadline extensions established in the orders issued therein. The parties, therefore, agree as follows:

- A. Contingent on the Commission extending the filing dates for UMERL's new amended renewable energy plan and its voluntary green pricing program as established in Case Nos. U-21813 and U-18356, the date for filing UMERL's next IRP should be changed from no later than October 15, 2026 to no later than December 1, 2026.
- B. The parties agree that this Second Revised Amended Settlement Agreement supersedes and replaces Paragraph 7.A of the Revised Amended Settlement Agreement filed on October 20, 2025, and that there are no other revisions to the understandings reached in the Revised Amended Settlement Agreement approved

by the November 6, 2025 Order in Case No. U-21265, and these understandings remain in effect.

10. All of the signatories are of the opinion that this Second Revised Amended Settlement Agreement Amendment is reasonable, prudent, in the public interest, and represents a fair and reasonable resolution of the proceeding.

11. This Second Revised Amended Settlement Agreement Amendment is intended for a final disposition of this proceeding, and the parties join in respectfully requesting that the Commission grant prompt approval. The parties agree not to appeal, challenge, or contest the Commission's order accepting and approving this Second Revised Amended Settlement Agreement Amendment without modification. If the Commission does not accept the Second Revised Amended Settlement Agreement Amendment without modification, or does not extend the filing deadlines as established in its orders in Case Nos. U-21813 and U-18356 so that UMEREC's new amended renewable energy plan and voluntary green pricing plan are due to be filed no later than December 1, 2026, the agreement shall be withdrawn and shall not constitute any part of the record in this proceeding or be used for any other purpose whatsoever.

12. This Second Revised Amended Settlement Agreement Amendment has been made for the sole and express purpose of settling this case, and all discussions relating hereto are and shall be privileged and shall not be used in any manner or be admissible for any other purpose in connection with this proceeding or any other proceeding, except as necessary to enforce the provisions hereof. This Second Revised Amended Settlement Agreement Amendment, and the understandings reflected therein, shall not constitute a precedent in any other case or proceeding, either in Michigan or otherwise, except as necessary to carry out its terms.

13. The parties agree to waive Section 81 of the Administrative Procedures Act of 1969, MCL 24.281, as it applies to this proceeding, if the Commission approves this Second Revised Settlement Agreement Amendment without modification.

UPPER MICHIGAN ENERGY RESOURCES CORPORATION

Dated: September 28, 2026

By: Sherri A. Wellman
Digitally signed by: Sherri A. Wellman
DN: CN = Sherri A. Wellman email =
Wellmans@millercanfield.com C = US O = Miller
Canfield
Date: 2026.09.28 10:54:30 -04'00'
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MICHIGAN PUBLIC SERVICE COMMISSION STAFF

Dated: September 25, 2026

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Public Service Division
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ATTORNEY GENERAL DANA NESSEL

Dated: _____, 2025

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Digitally signed by Michael
Moody
Date: 2026.09.28 09:28:34 -04'00'
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CITIZENS UTILITY BOARD OF MICHIGAN

Dated: _____, 2025

By: **John R Liskey** Digitally signed by John R Liskey
Date: 2026.09.25 09:40:26 -04'00'

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PROOF OF SERVICE

STATE OF MICHIGAN)

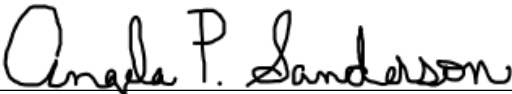
Case No. U-21265 *et al.*

County of Ingham)

Brianna Brown being duly sworn, deposes and says that on October 1, 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 1st day of October 2026.


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

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Service List for Case: U-21813

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RPA Energy d/b/a Green Choice Energy
Santana Energy
Santana Energy
Santanna Natural Gas Corporation
SouthStar d/b/a Grand Rapids Energy
Spark Energy Gas, LP
Spartan Renewable Energy, Inc. (Wolverine Power Marketing Corp)
Stephenson Utilities Department
Superior Energy Company
Symmetry Energy Solutions, LLC
Texas Retail Energy, LLC
Tital Gas, LLC d/b/a CleanSkyEnergy
Thumb Electric Cooperative
Tomorrow Energy Corporation
Tri-County Electric
Tri-County Electric
Tri-County Electric
Tri-County Electric
United Energy Trading d/b/a Kratos Gas & Power
Upper Michigan Energy Resources Corporation
Upper Michigan Energy Resources Corporation
Upper Michigan Energy Resources Corporation
Upper Michigan Energy Resources Corporation
Upper Peninsula Power Company
Upper Peninsula Power Company
Upper Peninsula Power Company
Upper Peninsula Power Company
Village of Baraga
Village of Clinton
Viridian Energy PA, LLC
Volunteer Energy Services
Wabash Valley Power
We Energies
We Energies
Wisconsin Public Service

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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