

MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES ON MARCH 15, 2018

Commission Chairman Sally A. Talberg called the meeting to order at 1:31 p.m.
Executive Secretary Kavita Kale called the roll and declared there was a quorum.

PRESENT

Commission: Sally A. Talberg, Chairman
Norman J. Saari, Commissioner
Rachael A. Eubanks, Commissioner

Staff: Blair Renfro
Nick Assendelft
Kavita Kale
Lisa Felice
Al Freeman
Jill Rusnak
Matt Donahue
Josh Towslee
Kelly Barber-Dodge
Gary Kitts
Dan Blair

Public: Donald Hazzard
Arloa Kaiser
Candace Gonzales, Consumers Energy
Suzy Westmoreland, MEGA
Yvette Collins, AT&T

- I.** Commissioner Saari moved to approve today's agenda, Commissioner Eubanks seconded.

Vote: Yeas – Talberg, Saari, Eubanks
Nays – None

The agenda was approved.

- II.** Commissioner Saari moved to approve the minutes of the Regular Commission Meeting of February 22, 2018, Commissioner Eubanks seconded.

Vote: Yeas – Talberg, Saari, Eubanks
Nays – None

The minutes were approved.

III. CONSENTED ORDERS

A. COMMUNICATIONS

1. U-13124 IN THE MATTER OF THE REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN MCLEODUSA TELECOMMUNICATIONS SERVICES, INC. AND VARIOUS SBC COMMUNICATIONS, INC. OWNED COMPANIES, INCLUDING AT&T MICHIGAN
(twenty-second amendment/application)
- U-13580 IN THE MATTER OF THE REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN SPRINT COMMUNICATIONS COMPANY, L.P. AND AMERITECH MICHIGAN
(eleventh amendment/application)
- U-14176 IN THE MATTER OF THE REQUEST FOR COMMISSION APPROVAL OF A MULTI-STATE INTERCONNECTION AGREEMENT BETWEEN CINERGY COMMUNICATIONS COMPANY AND VARIOUS SBC COMMUNICATIONS, INC. OWNED COMPANIES, INCLUDING SBC MICHIGAN
(sixth amendment/application)
- U-14398 IN THE MATTER OF THE REQUEST FOR COMMISSION APPROVAL OF A MULTI-STATE INTERCONNECTION AGREEMENT BETWEEN NORLIGHT TELECOMMUNICATIONS, INC. AND VARIOUS SBC COMMUNICATIONS, INC. OWNED COMPANIES, INCLUDING SBC MICHIGAN d/b/a AT&T MICHIGAN
(thirteenth amendment/application)
- U-14398 IN THE MATTER OF THE REQUEST FOR COMMISSION APPROVAL OF A MULTI-STATE INTERCONNECTION AGREEMENT BETWEEN NORLIGHT TELECOMMUNICATIONS, INC. AND VARIOUS SBC COMMUNICATIONS, INC. OWNED COMPANIES, INCLUDING SBC MICHIGAN d/b/a AT&T MICHIGAN
(fourteenth amendment/application)
- U-15302 IN THE MATTER OF THE REQUEST FOR APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN WINDSTREAM KDL, INC., f/k/a KENTUCKY DATA LINK, INC. AND AT&T MICHIGAN

- (ninth amendment/application)
- U-16121 IN THE MATTER OF THE REQUEST FOR APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN TALK AMERICA, INC., d/b/a CAVALIER TELEPHONE AND LDMI TELECOMMUNICATIONS, INC., AND MICHIGAN BELL TELEPHONE COMPANY, d/b/a AT&T MICHIGAN
- (twenty-second amendment/application)
- U-17504 IN THE MATTER OF THE REQUEST FOR COMMISSION APPROVAL OF A MULTI-STATE INTERCONNECTION AGREEMENT BETWEEN ZAYO GROUP, LLC AND VARIOUS AT&T INC. OWNED COMPANIES, INCLUDING AT&T MICHIGAN (first amendment/application)
2. U-18454 IN THE MATTER OF THE APPLICATION OF IM TELECOM, LLC d/b/a. INFINITI MOBILE FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER IN THE STATE OF MICHIGAN (withdrawal/final order)
3. U-20048 IN THE MATTER OF THE APPLICATION OF VERO FIBER NETWORKS' APPLICATION FOR CLEC LICENSE (interim order)
4. U-20053 IN THE MATTER OF THE APPLICATION OF NORTH AMERICAN LOCAL, LLC FOR DESIGNATION AS A WIRELESS ELIGIBLE TELECOMMUNICATIONS CARRIER IN THE STATE OF MICHIGAN (final order)
5. U-20096 IN THE MATTER OF THE APPLICATION OF CAMPUS COMMUNICATIONS GROUP, INC. FOR A LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE (interim order)
- B. ELECTRIC**
1. U-18470 IN THE MATTER OF THE COMPLAINT OF RICKY LEE JACKSON AGAINST DTE ENERGY COMPANY (final order)
2. U-20042 IN THE MATTER OF THE COMPLAINT OF LARRY SARGENT AGAINST DTE ENERGY COMPANY (final order)
3. MINUTE ACTION INTERVENTION BEFORE FEDERAL ENERGY REGULATORY COMMISSION AND COMMENTS IN DOCKET NO. ER18-783-000,

CERTAIN MISO TRANSMISSION OWNERS, PETITION FOR
WAIVER OF TARIFF PROVISIONS

C. GAS

1. U-17940-R IN THE MATTER OF THE APPLICATION OF MICHIGAN GAS UTILITIES CORPORATION FOR A GAS COST RECOVERY RECONCILIATION PROCEEDING FOR THE 12-MONTH PERIOD ENDED MARCH 31, 2017
(final order)
2. U-17942-R IN THE MATTER OF THE APPLICATION OF SEMCO ENERGY GAS COMPANY FOR RECONCILIATION OF THE GAS COST RECOVERY PLAN FOR THE 12-MONTH PERIOD ENDED MARCH 31, 2017
(final order)
3. U-18458 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR APPROVAL OF A NATURAL GAS RATE CASE SELF-IMPLEMENTATION RECONCILIATION
(final order)

D. VIDEO/CABLE

1. U-18492 IN THE MATTER OF THE COMPLAINT OF JOHN D. DUPES AGAINST COMCAST
(final order)

Commissioner Saari moved that the Commission approve all the orders and the minute on the consent agenda.
Commissioner Eubanks seconded that motion.

Vote: Yeas – Talberg, Saari, Eubanks
Nays – None

The orders and the minute were adopted.

IV. OTHER ORDERS

A. COMMUNICATIONS

1. U-18360 IN THE MATTER OF THE COMMISSION’S OWN MOTION, TO PROMULGATE RULES REQUIRED BY MCL 484.2202(1)(C)(IV)
(final order)

Commission Staff Wendy Thelen, Telecommunications Division, presented a brief synopsis of the case listed above. Commissioner Saari moved that the Commission approve the order at its March 15, 2018 meeting. Commissioner Eubanks seconded that motion.

Chairman Talberg expressed her appreciation for the efforts of the staff and highlighted the short timeline (under one year) for the adoption of these rules.

Vote: Yeas – Talberg, Saari, Eubanks
Nays – None

The order was adopted.

B. ELECTRIC

1. U-17911-R IN THE MATTER OF THE APPLICATION OF UPPER PENINSULA POWER COMPANY FOR AUTHORITY TO RECONCILE 2016 POWER SUPPLY COSTS AND REVENUES (final order)

Case No. U-17911-R involves an application by Upper Peninsula Power Company requesting approval of its reconciliation of power supply cost recovery costs and revenues for the 12-month period ended December 31, 2016. The order before you approves the reconciliation, as modified. Commissioner Saari moved that the Commission approve the order at its March 15, 2018 meeting. Commissioner Eubanks seconded that motion.

Vote: Yeas – Talberg, Saari, Eubanks
Nays – None

The order was adopted.

2. U-18484 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO ADDRESS OUT-OF-SERVICE ARC WIRE IN THE CITY OF DETROIT (petition for rehearing)

Case No. U-18484 involves a petition for rehearing filed by DTE Electric Company regarding the December 7, 2017 order issued in this docket. The order before you grants the petition, grants in part the requested relief, and clarifies the Commission's December 7, 2017 order. Commissioner Saari moved that the Commission approve the order at its March 15, 2018 meeting. Commissioner Eubanks seconded that motion.

Vote: Yeas – Talberg, Saari, Eubanks
Nays – None

The order was adopted.

V. PUBLIC COMMENTS

Arloa Kaiser, Ypsilanti, expressed her opposition towards the State of Michigan imposing taxes for the personal use of solar panels.

Chairman Talberg commented:

“First, I am pleased to announce that March 18 is now national Natural Gas Utility Workers' Day! I recently learned from Al Freeman that the 18th is the date of the 1937 explosion at a Texas school that led to the odorization of natural gas and an increased emphasis on safety.

It is an honor to acknowledge the hard-working employees in the gas industry who are looking out for the safety of their peers and the public every day.

Also want to take this moment to thank the Commission’s gas operations staff, guided by Dave Chislea, for their leadership and commitment to the safety of our natural gas infrastructure.

Second, earlier this week, we announced updates to our organizational structure. The MPSC continues to strive to provide best in class service and earn its reputation as the most effective and efficient Public Service Commission in the United States. The vibrancy of the Commission requires us to respond to changed conditions in our governance, the Michigan energy landscape, and employee career opportunities. I will walk through the changes at a high level but for those listening to the podcast or in the audience, note that we will send details to the main MPSC e-mail group list.

We are welcoming to the MPSC a great group of staff from the Michigan Agency for Energy working in the areas of Customer Assistance, Energy Markets, and Administrative Services. The Governor’s January executive order providing for this transition went into effect this week.

Also we have put in place a new MPSC structure that delineates the Commission’s advising and docket management functions from the Commission staff’s role in contested cases and settlement negotiations.

- Gary Kitts, previously the Commission’s COO, will now serve as the Chief Advising Officer. He will oversee the Regulatory Affairs and Strategic Operations divisions.
- Mike Byrne will serve as acting Chief Operating Officer. He will supervise all other divisions. These changes are now in effect.

Effective April 8, in conjunction with the retirement of long-time MPSC employee Dan Blair, we are consolidating our energy divisions into three from the current four. Going forward we will have Brian Ballinger lead Energy Operations, Bill Stosik lead Regulated Energy, and Paul Proudfoot head up Energy Resources. More on Dan’s retirement to come.

Our focus stays the same. We continue to serve the public by making well-informed decisions at every level of this organization.

The MPSC is recognized by our ability to bring stakeholders together on complex matters and make thoughtful decisions. Rate cases, energy legislation, tax reform, and today’s telecom provider discontinuance of service are a few recent examples.

We continue to ensure accountability in the industries we oversee – whether it is investigating gas pipeline incidents, reviewing billions of dollars in fuel and purchased power costs every year, or the new 9-1-1 cost review responsibilities set forth in recently enacted law.

I am tremendously proud of the work we have accomplished, particularly this past year. I believe these organizational changes will make us even stronger.

Finally, in closing Madam Secretary, we were fortunate that this meeting did not compete with March madness. The Wolverines play tonight and MSU Friday evening”.

An audio recording of the proceedings of the March 15, 2018 meeting is archived in podcast format at: http://www.michigan.gov/mpsc/0,4639,7-159-16400_46656---,00.html .

Chairman Talberg announced that the next regularly scheduled Commission Meeting will be held on March 29, 2018 at 1:30 p.m.

Commissioner Saari moved that the Commission adjourn, Commissioner Eubanks seconded.

Vote: Yeas – Talberg, Saari, Eubanks
Nays – None

The motion was approved.

The meeting adjourned at 1:43 p.m.

Kavita Kale
Executive Secretary