

MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC
SERVICE COMMISSION HELD IN ITS OFFICES ON AUGUST 8, 2019

Commission Chairman Sally A. Talberg called the meeting to order at 1:30 p.m.
Executive Secretary Barbara Kunkel called the roll and declared there was a quorum.

PRESENT

Commission: Sally A. Talberg, Chairman
Norman J. Saari, Commissioner
Daniel C. Scripps, Commissioner

Staff: Blair Renfro
Nick Assendelft
Barbara Kunkel
Lisa Felice
Al Freeman
Stephanie Haney
Jill Rusnak
Staci Sova
Brianna Brown
Ryan Wilson
Wendy Cadwell
Chris Forist
Kevin Spence
Roger Doherty
Patrick Hudson
Ryan Laruwe
Jesse Harlow
Lynn Beck

Public: Candace Gonzales, Consumers Energy
Derrell Slaughter
Mike Torrey, Consumers Energy
Karen Wienke, Consumers Energy
Steve McLean SEMCO
Don Stanczak, DTE

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

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

The agenda was approved.

- II.** Commissioner Saari moved to approve the minutes of the Regular Commission Meeting of July 18, 2019, Commissioner Scripps seconded.

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

The minutes were approved.

III. CONSENTED ORDERS

A. COMMUNICATIONS

1. U-16913 IN THE MATTER OF THE REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN BUCKEYE TELESYSTEM, INC. AND MICHIGAN BELL TELEPHONE COMPANY d/b/a AT&T MICHIGAN (fourth amendment)
- U-17425 IN THE MATTER OF THE REQUEST FOR APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN EVERSTREAM GLC HOLDING COMPANY, LLC f/k/a COMLINK, LLC AND MICHIGAN BELL TELEPHONE COMPANY d/b/a AT&T MICHIGAN (first amendment)
- U-20580 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF THE INTERCONNECTION AND MUTUAL TRAFFIC EXCHANGE AGREEMENT BY AND BETWEEN WINN TELEPHONE COMPANY AND CHARTER FIBERLINK - MICHIGAN, LLC (interconnection and exchange agreement)
- U-20592 IN THE MATTER OF A JOINT APPLICATION REQUESTING APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN AT&T MICHIGAN AND WHOLESALE CARRIER SERVICES, INC. (interconnection agreement)
2. MINUTE ACTION METRO ACT (amending tax credit)

B. ELECTRIC

1. U-20201 IN THE MATTER OF THE APPLICATION OF ALPENA POWER COMPANY TO COMMENCE A POWER SUPPLY COST RECONCILIATION PROCEEDING FOR THE 12-MONTH PERIOD ENDED DECEMBER 31, 2018
(final order)
2. U-20509 IN THE MATTER OF THE COMPLAINT OF LINDA KURTZ AGAINST DTE ELECTRIC COMPANY
(final order)
3. MINUTE LSP TRANSMISSION HOLDINGS II, LLC, *ET AL.* v. ACTION MIDCONTINENT INDEPENDENT SYSTEM OPERATOR, INC.,
FERC DOCKET NOS. EL19-79-000; ER19-1124-000 AND ER19-1125-000

C. GAS

1. U-20370 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR SEMCO ENERGY, INC., TO FULLY COMPLY WITH PUBLIC ACT 295 OF 2008, AS AMENDED BY PUBLIC ACT 342 OF 2016
(final order)

D. VIDEO/CABLE

1. U-20505 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, DIRECTING NEGAUNEE CABLE CO TO SHOW CAUSE WHY IT SHOULD NOT BE FOUND TO BE IN VIOLATION OF THE UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT, 2006 PA 480, MCL 484 3301 *ET SEQ.*
(final order)
2. U-20570 IN THE MATTER OF THE COMPLAINT OF THOMAS AND PHOEBE DEVAUGHN AGAINST CHARTER COMMUNICATION INC.
(final order)

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

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

The 6 orders and 2 minutes were adopted.

IV. OTHER ORDERS

A. ELECTRIC

1. U-20041 IN THE MATTER OF THE COMPLAINT OF DANIEL SCHULTE AGAINST DTE ENERGY COMPANY
(final order)

Case No. U-20041 involves a complaint filed by Daniel Schulte against DTE Electric Company. The order before you assesses DTE Electric Company a fine for failing to provide a required same-day notice after disconnecting Mr. Schulte's electric service and dismisses all other alleged violations with prejudice. Commissioner Saari moved that the Commission approve the order at its August 8, 2019 meeting. Commissioner Scripps seconded that motion.

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

The order was adopted.

2. U-20154 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO OPEN A DOCKET FOR LOAD SERVING ENTITIES IN MICHIGAN TO FILE THEIR CAPACITY DEMONSTRATIONS AS REQUIRED BY MCL 460.6w
(final order)
- U-20590 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO OPEN A DOCKET FOR LOAD SERVING ENTITIES IN MICHIGAN TO FILE THEIR CAPACITY DEMONSTRATIONS AS REQUIRED BY MCL 460.6w
(interim order)

Commission Staff Stephanie Haney, Energy Resources Division, presented a brief synopsis of the case listed above. Commissioner Saari moved that the Commission approve the order at its August 8, 2019 meeting. Commissioner Scripps seconded that motion.

Chairman Talberg thanked staff for their efforts. She indicated that this was the second year for the capacity demonstration process and all electric suppliers have adequate supplies. This is an assurance that we will be able to meet long-term reliability goals.

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

The order was adopted.

3. U-20164 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR RECONCILIATION OF ITS 2017 DEMAND RESPONSE PROGRAM COSTS (motion to extend time)

Case No. U-20164 involves an application filed by Consumers Energy Company requesting authority to reconcile its 2017 demand response program costs. The order before you grants Consumers Energy Company's motion to extend the time for its amended filing in Case No. U-20563 and lifts this directive, as set forth in the July 18, 2019 order in the instant case, until further order of the Commission. Commissioner Saari moved that the Commission approve the order at its August 8, 2019 meeting. Commissioner Scripps seconded that motion.

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

The order was adopted.

4. U-20275 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR AN ELECTRIC RATE CASE SELF-IMPLEMENTATION RECONCILIATION FOR CASE NO. U-18322 (final order)

Case No. U-20275 involves an application filed by Consumers Energy Company to reconcile the self-implemented rate increase from Case No. U-18322. The order before you approves the reconciliation as set forth in the order. Commissioner Saari moved that the Commission approve the order at its August 8, 2019 meeting. Commissioner Scripps seconded that motion.

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

The order was adopted.

5. U-20348 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO ADDRESS OUTSTANDING ISSUES REGARDING DEMAND RESPONSE AGGREGATION FOR ALTERNATIVE ELECTRIC SUPPLIER LOAD
(interim order)

Commission Staff Heather Cantin, Strategic Operations Division, presented a brief synopsis of the case listed above. Commissioner Saari moved that the Commission approve the order at its August 8, 2019 meeting. Commissioner Scripps seconded that motion.

Chairman Talberg thanked staff for their efforts to collaborate with stakeholders, federal government, Midcontinent Independent System Operator, and others brought together for a good solution moving forward.

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

The order was adopted.

6. U-20585 IN THE MATTER OF THE ASSOCIATION OF BUSINESSES ADVOCATING TARIFF EQUITY'S EMERGENCY REQUEST FOR DECLARATORY RULING AND/OR MOTION TO STAY CERTAIN PROVISIONS OF THE COMMISSION'S JANUARY 18, 2019 ORDER IN CASE NO. U-20316 CONCERNING INDIANA MICHIGAN POWER COMPANY'S TAX CUTS AND JOBS ACT CREDIT B RESIDUAL BALANCE
(final order)

Case No. U-20585 involves a request for a declaratory ruling and/or motion to stay filed by the Association of Businesses Advocating Tariff Equity. The order before you grants the request for a declaratory ruling and denies the requested relief; and denies the alternative request for a motion to stay. Commissioner Saari moved that the Commission approve the order at its August 8, 2019 meeting. Commissioner Scripps seconded that motion.

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

The order was adopted.

B. GAS

1. U-20198 IN THE MATTER OF THE APPLICATION OF ZFS ITHACA LLC,
FOR AUTHORITY TO CONSTRUCT AND OPERATE A PIPELINE
IN WHEELER, NORTH STAR, LAFAYETTE, AND EMERSON
TOWNSHIPS OF GRATIOT COUNTY, MICHIGAN
(interim order)

Commission Staff Kevin Spence, Energy Operations Division, presented a brief synopsis of the case listed above. Commissioner Saari moved that the Commission approve the order at its August 8, 2019 meeting. Commissioner Scripps seconded that motion.

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

The order was adopted.

2. U-20439 IN THE MATTER OF THE APPLICATION OF CONSUMERS
ENERGY COMPANY FOR APPROVAL OF A GROUP
TRANSPORTATION SERVICE PILOT PROGRAM
(*ex parte*/final order)

Case No. U-20439 involves an *ex parte* application filed by Consumers Energy Company for approval of a group transportation service pilot program. The order before you approves the group transportation service pilot program as set forth in the order. Commissioner Saari moved that the Commission approve the order at its August 8, 2019 meeting. Commissioner Scripps seconded that motion.

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

The order was adopted.

V. PUBLIC COMMENTS

Chairman Talberg recognized distinguished guests EGLE Director Liesl Eichler Clark, Ingham County Commissioner Derrell Slaughter, and former PSC Commissioner Matt McLogan.

Commission Staff Patricia Poli, Al Freeman, and Reka Holley acknowledged the accomplishments of Commissioner Saari, thanked him for his public service and contributions to the Public Service Commission.

Commissioner Scripps commented:

“A couple of months ago now, I remember sitting in deliberations around the Consumers Energy integrated resource plan, talking about the future of the coal-fired units at the Karn-Weadock plant near Bay City, when Norm remarked that it used to be that if you were a utility CEO you could almost count on having a coal plant named after you.

‘Was Karn the CEO when you were at the company?’ I irreverently asked.

‘No’ Norm deadpanned. ‘It was James Campbell.’

And indeed, when you look at the Michigan energy landscape, it’s dotted with the legacies of people who have been pioneers in energy production. In addition to Dan Karn, John Weadock, and James Campbell, we know the names of Otto Eckert, Claud Erickson, JB Sims, Donald Cook, Burt Cobb, Justin Whiting, and even old Anton Hodenpyl in part for the plants that bear their names.

And so as we thought about how best to honor the many contributions of Commissioner Saari, it seemed obvious to reflect his legacy with an emerging element of our state’s energy infrastructure that Commissioner Saari has done more than perhaps any other person to advance – moving Michigan from a place where we just talked about electric vehicles to being the place that has approved more in utility investment in EV infrastructure than any other state in the Midwest.

And so, if you go out to the parking lot, or open your ChargePoint app, you’ll see that the Michigan Public Service Commission’s electric vehicle charging stations show up as, and will henceforth be known as, Norman Saari #1 and Norman Saari #2.

Norm, your leadership, your thoughtfulness, your mentoring, your friendship, and your pioneering spirit will live on in untold ways for years to come and will continue to energize the work of the Commission just as your namesake chargers will energize the vehicles that will use them.

Congratulations my friend. And best wishes for wherever your Volt takes you from here. Just make sure you stop by from time to time to charge up.”

Chairman Talberg recognized the accomplishments of Commissioner Saari, thanked him for his public service, and acknowledged his contributions to the Public Service Commission.

Commissioner Saari commented:

“This is not the end of the line for my journey. Let’s just say we’ve arrived at my exit station.

I’m leaving with heartfelt gratitude and the confidence that my seat is being taken by someone well qualified to continue this great experience and he will join with you to go to the places that need to be discovered or need to be revisited because they were so memorable.

These Commission meetings are our reward for public service. It allows us to look out into the faces of leadership and the eyes of confidence – the staff, the ALJs, the regulated community, the women and men who share the commitment to be part of our energy future.

Leadership is about development, the motivation for people to grow, to go way beyond where they thought their mind could venture and to deliver the promise of hope. We need to continue to get out of our comfort zone and experience the risk and reward of taking the next step, sometimes beyond the security of a safety net, but with the assurance and confidence that we are going forth together.

It’s because of you, our family of staff, that as commissioners we can say that public service is a great calling. You welcomed us into your world, you taught us and shared with us your lifetime of experience, you cleared our thinking and you graciously bid us farewell when our time is up and it’s time to welcome in the next commissioner.

Very few jobs allow you to explore the wide range of opportunities where discussions come to conclusions that develop public policy. You learn early and remember forever that your decisions are impactful to society and its people.

These four years have been my journey in the regulatory world, an adventure that started before I arrived and will continue long after my departure.

Thank you for providing my comfort to live in the day and look forward to tomorrow.

It's about being part of a great team. It's something you learn growing up, maybe in school, athletics, in the military, or on a political campaign. You can't go it alone; you need a helping hand along the way and if you are successful, it's because of the contributions of many people working together.

The song Lean on Me takes on greater meaning and importance.

You earn a sense of accomplishment and are protective of what you believe in. Leading by example is a commitment we all need to share. Caring about people means learning about mentoring and teaching. Have a passion – maybe about EVs or pipeline safety -- and see your own growth because of the people who team with you and help you move forward together.

To all of you, don't waste your experience or lose your enthusiasm to explore. Don't let your biases and prejudices get in the way of learning how to do something successfully. Go forward without the need for credit, but with the satisfaction of working with integrity and kindness.

Learn to appreciate this instant in time; value who was in the office before you and make your office the coolest/greatest place ever for whomever succeeds you.

Continue to capture the moment and serve as the base of knowledge for future decision makers. Staff is the engine that does. Commissioners serve their term and it's difficult for our vision to focus beyond the horizon of our time in office.

It's important to prepare for your job.

- In the political world, your position must support your constituency, not only benefit your patrons.
- In the regulatory world, it's making sure your experience is not overcome by the newest bright shiny distraction; that your decision is enlightened by your judgment, not clouded by the fog of rhetoric.

And – to my commissioners –

You are awesome.

You have courage and compassion because you think and act with commitment and confidence.

The obvious is a given – you are, usually, the smartest person in the room and if not, you are a quick learner, fair and understanding of the views of others, especially the conflicting ones that require you to determine the right path forward.

It is more than your intellect, curiosity and understanding – it's more than that oath of office that gives you the people's special trust in your integrity and ability.

Your decisions show your sense of fairness and intellect – your rulings have a profound impact on the millions of Michiganders who you likely will never have the good fortune to meet.

Your actions define the civility that the world needs more of.

You serve as our beacon, our source of enlightenment, our comfort, our energy and our reason for optimism.

Know that the decades ahead will show the benefit of your wisdom and judgment today.

This too is a stopover in your journey. When you are without the title, without the office and without the challenge and responsibility of decision making, you will continue on with the heart and soul that has enriched all of us.

Remember, you will always have friendships.

And, you will always have your family. Never, never, forget your family.
Sally, being the best mother and wife is your greatest achievement and will withstand any test of time.
It will forever be more rewarding than being the best chairman ever at this Commission.
Dan, your greatest accomplishment is being a terrific dad and husband, and your life's commitment will always be to make Jack and Nicol and Jamie your highest calling.
Jackson Browne, who coincidentally also once said that in 69 he turned 21, told us he was running on empty:
I'd love to stick around but I'm running behind
You know I don't even know what I'm hoping to find
Running into the sun but I'm running behind
In the end, the Eagles summed up the Commission in Hotel California: you can check out any time you like but you can never really leave.
Thank you for sharing my journey.”

A recording of the proceedings of the August 8, 2019 meeting is archived 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 August 20, 2019 at 10:30 a.m.

Commissioner Scripps moved that the Commission adjourn, Chairman Talberg seconded.

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

The motion was approved.

The meeting adjourned at 2:16 p.m.

Barbara S. Kunkel
Acting Executive Secretary