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MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC
SERVICE COMMISSION HELD IN ITS OFFICES ON DECEMBER 19, 2019

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

PRESENT

Commission: Sally A. Talberg, Chairman
Daniel C. Scripps, Commissioner
Tremaine L. Phillips, Commissioner

Staff: Leah Arendt
Matt Helms
Lisa Felice
Ryan Laruwe
Al Freeman
Paul Proudfoot
Kevin Spence
Brianna Brown
Ryan Wilson
Wendy Thelen
Kelly Barber-Dodge
Anne Armstrong
Josh Towslee
Jill Rusnak

Public: Adella F. Crozier, DTE Energy
Suzy Westmoreland, MEGA
Candace Gonzales, Consumers Energy
Karen Wienke, Consumers Energy
Mike Delaney, Consumers Energy
Chris Bzdok, Olson Bzdok & Howard

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

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

The agenda was approved.

- II.** Commissioner Scripps moved to approve the minutes of the Regular Commission Meeting of December 6, 2019, Commissioner Phillips seconded.

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

The minutes were approved.

III. CONSENTED ORDERS

A. COMMUNICATIONS

1. U-17113 IN THE MATTER OF THE REQUEST FOR COMMISSION
APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN
DAYSTARR, LLC AND MICHIGAN BELL TELEPHONE COMPANY
d/b/a AT&T MICHIGAN
(second amendment)
U-17982 IN THE MATTER OF THE REQUEST FOR COMMISSION
APPROVAL OF A MULTI-STATE INTERCONNECTION
AGREEMENT BETWEEN BCN TELECOM, INC. AND VARIOUS
AT&T INC. OWNED COMPANIES, INCLUDING AT&T MICHIGAN
(third amendment)
2. MINUTE ACTION AT&T MICHIGAN
(9-1-1 wireless, U-14000, invoice no. 517 R41-0001 067 9, dated
December 1, 2019)
3. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES,
LLC
(9-1-1 wireless, U-14000, invoice no. 50011361)

B. ELECTRIC

1. U-20204 IN THE MATTER OF THE APPLICATION OF INDIANA MICHIGAN
POWER COMPANY FOR RECONCILIATION OF ITS POWER
SUPPLY COST RECOVERY PLAN FOR THE 12 MONTHS ENDING
DECEMBER 31, 2018
(final order)
2. U-20223 IN THE MATTER OF THE APPLICATION OF INDIANA MICHIGAN
POWER COMPANY FOR APPROVAL TO IMPLEMENT A POWER
SUPPLY COST RECOVERY PLAN FOR THE 12 MONTHS ENDING
DECEMBER 31, 2019
(final order)
3. U-20365 IN THE MATTER, ON THE COMMISSION’S OWN MOTION,
REGARDING THE REGULATORY REVIEWS, REVISIONS,

DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR CONSUMERS ENERGY COMPANY TO FULLY COMPLY WITH PUBLIC ACT 295 OF 2008, AS AMENDED BY PUBLIC ACT 342 OF 2016

(2018 energy waste reduction reconciliation/final order)

4. U-20368 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR UPPER PENINSULA POWER COMPANY TO FULLY COMPLY WITH PUBLIC ACT 295 OF 2008, AS AMENDED BY PUBLIC ACT 342 OF 2016
(2018 energy waste reduction reconciliation/final order)
5. U-20659 IN THE MATTER OF THE COMPLAINT OF FRED AND MICHELLE FITCH AGAINST DTE ENERGY COMPANY
(request to withdraw)
6. MINUTE ACTION FEDERAL ENERGY REGULATORY COMMISSION NOTICE OF PROPOSED RULEMAKING TO REVISE ITS REGULATIONS IMPLEMENTING SECTIONS 201 AND 210 OF THE PUBLIC UTILITY REGULATORY POLICIES ACT OF 1978, FERC DOCKET NOS. RM19-15-000 AND AD16-16-000

C. GAS

1. U-20213 IN THE MATTER OF THE APPLICATION OF NORTHERN STATES POWER COMPANY, A WISCONSIN CORPORATION, FOR RECONCILIATION OF ITS GAS COST RECOVERY PLAN FOR THE 12-MONTH PERIOD APRIL 2018-MARCH 2019
(final order)
2. U-20430 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR MICHIGAN GAS UTILITIES CORPORATION TO FULLY COMPLY WITH PUBLIC ACT 295 OF 2008, AS AMENDED BY PUBLIC ACT 342 OF 2016
(final order)
3. U-20539 IN THE MATTER OF THE APPLICATION OF UPPER MICHIGAN ENERGY RESOURCES CORPORATION FOR APPROVAL OF A GAS COST RECOVERY PLAN AND AUTHORIZATION OF GAS COST RECOVERY FACTORS FOR THE 12 MONTHS ENDING

OCTOBER 31, 2020, AND RELATED APPROVALS
(final order)

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

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

The 9 orders and 3 minutes were adopted.

IV. OTHER ORDERS

A. COMMUNICATIONS

1. U-20623 IN THE MATTER OF THE NOTICE OF TALK AMERICA SERVICES, LLC, OF DISCONTINUANCE OF BASIC LOCAL EXCHANGE SERVICE AND TOLL SERVICE
(interim order)

Commission Staff Wendy Thelen, Telecommunications Division, presented a brief synopsis of the case listed above. Commissioner Scripps moved that the Commission approve the order at its December 19, 2019 meeting. Commissioner Phillips seconded that motion.

Chairman Talberg thanked staff for their efforts.

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

The order was adopted.

B. ELECTRIC

1. U-15805 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR CONSUMERS ENERGY COMPANY TO FULLY COMPLY WITH PUBLIC ACT 295 OF 2008
(*ex parte*/application for approval of wind turbine purchase agreement)

Case No. U-15805 involves an application filed by Consumers Energy Company for approval of a wind turbine purchase agreement

and a balance of plant engineering, procurement, and construction agreement pursuant to 2008 PA 295, as amended. The order before you grants the application. Commissioner Scripps moved that the Commission approve the order at its December 19, 2019 meeting. Commissioner Phillips seconded that motion.

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

The order was adopted.

2. U-20604 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR APPROVAL OF POWER PURCHASE AGREEMENTS
(*ex parte*/final order)

Case No. U-20604 involves an application by Consumers Energy Company for *ex parte* approval of power purchase agreements with qualifying facilities. The order before you approves the power purchase agreements between Consumers and sPower Company, LLC affiliates Cement City Solar, LLC; Letts Creek Solar, LLC; Thorn Lake Solar, LLC; and Pullman Solar, LLC, as in compliance with 1982 PA 304. Commissioner Scripps moved that the Commission approve the order at its December 19, 2019 meeting. Commissioner Phillips seconded that motion.

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

The order was adopted.

3. U-20639 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR APPROVAL OF A TEMPORARY WAIVER OF RULE 460.3604 AND FOR APPROVAL OF ALTERNATIVE ELECTRIC METER TESTING PROCEDURES
(*ex parte*/interim order)

Case No. U-20639 involves the application of Consumers Energy Company for approval of a temporary waiver of Rule 460.3604 of the Commission's Technical Standards for Electric Service and for alternative electric meter testing procedures. The order before you approves the requests. Commissioner Scripps moved that the Commission approve the order at its December 19, 2019 meeting. Commissioner Phillips seconded that motion.

Vote: Yeas – Talberg, Scripps, Phillips

Nays – None

The order was adopted.

4. U-20668 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR APPROVAL OF A ONE-TIME VOLUNTARY REFUND OF REVENUE
(*ex parte*/interim order)

Case No. U-20668 involves an application by Consumers Energy Company stating that, if the company makes a 2019 year-end contribution to the Consumers Energy Foundation, Consumers requests Commission approval of a one-time voluntary refund, equal to the contribution, but no more than \$15 million, to the company's customers and authorization to implement accounting procedures, as set forth in the application, consistent with the refund. The order before you approves the application and, in the event the company makes a contribution to the Consumers Energy Foundation, establishes procedures to implement the corresponding refund. Commissioner Scripps moved that the Commission approve the order at its December 19, 2019 meeting. Commissioner Phillips seconded that motion.

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

The order was adopted.

C. 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
(amended application/final order)

Case No. U-20198 involves an application by ZFS Ithaca, LLC, requesting an amendment to the certificate of public convenience and necessity to construct and operate the West Yankee Pipeline in Gratiot County which was approved on February 7, 2019. The order before you approves the application to amend and the settlement agreement resolving all issues in the case. Commissioner Scripps moved that the Commission approve the order at its December 19, 2019 meeting. Commissioner Phillips seconded that motion.

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

The order was adopted.

2. U-20608 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO
AMEND THE RULES GOVERNING THE TECHNICAL
STANDARDS FOR GAS SERVICE
(rulemaking/interim order)

Commission Staff Kevin Spence, Energy Operations Division, presented a brief synopsis of the case listed above. Commissioner Scripps moved that the Commission approve the order at its December 19, 2019 meeting. Commissioner Phillips seconded that motion.

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

The order was adopted.

3. U-20634 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO
CONSIDER REVISIONS TO THE PRESCRIBED FEES TO BE PAID
BY A PUBLIC UTILITY IN LIEU OF AN ASSESSMENT,
PURSUANT TO MCL 460.119, FOR PIPELINE APPLICATIONS
UNDER PUBLIC ACT 9 OF 1929 OR PUBLIC ACT 16 OF 1929
(final order)

Commission Staff Kevin Spence, Energy Operations Division, presented a brief synopsis of the case listed above. Commissioner Scripps moved that the Commission approve the order at its December 19, 2019 meeting. Commissioner Phillips seconded that motion.

Chairman Talberg thanked staff for their efforts. Chairman Talberg also indicated that the comments and Staff's response helped to provide clarity for equitable fee structures.

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

The order was adopted.

D. STEAM

1. U-20237 IN THE MATTER OF THE APPLICATION OF DETROIT THERMAL,
LLC, FOR APPROVAL OF A STEAM COST RECOVERY PLAN AND
AUTHORIZATION OF STEAM COST RECOVERY FACTORS FOR
THE 12-MONTH PERIOD APRIL 2019-MARCH 2020
(final order)

Case No. U-20237 involves an amended application filed by Detroit Thermal, LLC, for approval of its annual steam supply cost recovery plan and authority to freeze rates and temporarily suspend operation of the steam supply cost recovery clause. The order before you approves an amended settlement agreement resolving all issues in the case. Commissioner Scripps moved that the Commission approve the order at its December 19, 2019 meeting. Commissioner Phillips seconded that motion.

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

The order was adopted.

V. YEAR IN REVIEW

Chairman Talberg gave a year-end review of MPSC activities and accomplishments in 2019. These were also highlighted in a press release at: https://www.michigan.gov/mpsc/0,9535,7-395-93307_93313-515121--,00.html .

Commissioner Scripps commented:

“As we formally wrap up 2019, I wanted to thank you, Chairman Talberg, for your leadership and friendship and Commissioner Phillips, your insight, commitment, and passion for these issues has made an immediate impact on our work.

I’m truly blessed to be a member of this Commission. Chairman Talberg, much of what you covered in your year-in-review gets a fair amount of public attention, but it’s the work you lead inside the Commission that is largely invisible to the outside world that is a major part of our success. You’ve fostered a culture of openness and collaboration and a spirit of collegiality that is a core part of our Commission office and pervades the entire MPSC staff as well. Even as we wrestle with often difficult issues, we genuinely like and respect each other, and I look forward to coming to work with both of you every day. You make it fun.

It’s an honor to serve with you, and I’m excited to see what 2020 has in store.”

Commissioner Phillips acknowledged the tremendous accomplishments of the PSC considering all the changes in 2019. Commissioner Phillips highlighted the MI Power Grid initiative and identified the first meetings will occur on January 8, 2020, February 12, 2020, and March 12, 2020. The first meeting of the Demand Response Stakeholder session will be on January 16, 2020. Information regarding these meetings can be located on the Commission’s website at: <https://Michigan.gov/MIPowerGrid> .

VI. PUBLIC COMMENTS

There were no public comments.

A recording of the proceedings of the December 19, 2019 meeting is archived at:
https://www.michigan.gov/mpsc/0,9535,7-395-93307_93316_93317_93875---Y,00.html .

Chairman Talberg announced that the next regularly scheduled Commission Meeting and Organizational Meeting will be held on January 23, 2020 at 1:30 p.m.

Commissioner Scripps moved that the Commission adjourn, Commissioner Phillips seconded.

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

The motion was approved.

The meeting adjourned at 2:00 p.m.

Lisa Felice
Executive Secretary