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MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC
SERVICE COMMISSION HELD VIA MICROSOFT TEAMS VIDEO CONFERENCING ON
MARCH 4, 2021

Commission Chair Daniel C. Scripps 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: Daniel C. Scripps, Chair (participating from Leelanau County)
Tremaine L. Phillips, Commissioner (participating from Ingham County)
Katherine Peretick, Commissioner (participating from Wayne County)

Staff: Alissa Day
Lisa Felice

Additional Staff & Public Attending Telephonically/Video Conferencing: 105 Participants

I. Commissioner Phillips moved to approve today's agenda, Commissioner Peretick seconded.

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

The agenda was approved.

II. Commissioner Phillips moved to approve the minutes of the Regular Commission Meeting of February 18, 2021, Commissioner Peretick seconded.

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

The minutes were approved.

III. CONSENTED ORDERS

A. COMMUNICATIONS

1. U-20981 IN THE MATTER OF THE APPLICATION OF PRESQUE ISLE
ELECTRIC & GAS CO-OP FOR A LICENSE TO PROVIDE BASIC

LOCAL EXCHANGE SERVICE IN DESIGNATED EXCHANGE
(interim order)

B. ELECTRIC

1. U-20587 IN THE MATTER OF THE COMPLAINT OF RHE-TECH, LLC
AGAINST DTE ELECTRIC COMPANY
(request for dismissal)
2. U-20806 IN THE MATTER OF THE APPLICATION OF NORTHERN STATES
POWER COMPANY FOR APPROVAL TO IMPLEMENT A POWER
SUPPLY COST RECOVERY PLAN FOR THE 12 MONTHS ENDING
DECEMBER 31, 2021
(proposed settlement agreement)
3. U-20810 IN THE MATTER OF THE APPLICATION OF UPPER PENINSULA
POWER COMPANY FOR APPROVAL TO IMPLEMENT A POWER
SUPPLY COST RECOVERY PLAN FOR THE 12 MONTHS ENDING
DECEMBER 31, 2021
(proposed settlement)
4. U-20972 IN THE MATTER OF THE COMPLAINT OF SCOTT MOLNAR
AGAINST DTE ENERGY COMPANY
(request to withdraw)
5. MINUTE DTE ELECTRIC COMPANY V. MIDCONTINENT INDEPENDENT
ACTION SYSTEM OPERATOR, INC. AND ITC TRANSMISSION COMPANY,
LLC
(FERC Docket No. EL21-41-000)

C. GAS

1. U-20246 IN THE MATTER OF THE APPLICATION OF SEMCO ENERGY
GAS COMPANY FOR RECONCILIATION OF ITS GAS COST
RECOVERY PLAN FOR THE 12 MONTHS ENDED MARCH 31, 2020
(proposed settlement agreement)
2. U-20893 IN THE MATTER OF THE APPLICATION OF CONSUMERS
ENERGY COMPANY FOR AUTHORITY TO RECONCILE ITS
INVESTMENT RECOVERY MECHANISM AND FOR OTHER
RELIEF
(proposed settlement agreement)

Commissioner Phillips moved that the Commission approve all the orders and minute action on the consent agenda.
Commissioner Peretick seconded that motion.

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

The 7 orders and 1 minute action were adopted.

IV. OTHER ORDERS

A. COMMUNICATIONS

1. U-20892 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO COMMENCE FORMAL BASIC LOCAL EXCHANGE SERVICE LICENSE REVOCATION PROCEEDINGS AGAINST CMC TELECOM, INC., LUCRE, INC., MICHIGAN ACCESS, INC., GLOBAL COMMUNICATIONS NETWORK, INC., f/k/a CASTLE WIRE, INC., f/k/a BUSINESS COMMUNICATION ANALYSTS, INC., HURON MOUNTAIN COMMUNICATIONS CO., IQ TELECOM, INC., ROCKFORD TELEPHONE COMPANY, INC., AIR ADVANTAGE, LLC, AND AIRNORTH COMMUNICATIONS, INC. (final order)
- U-11425 IN THE MATTER OF THE APPLICATION OF CMC TELECOM, INC., FOR A LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE IN AMERITECH MICHIGAN EXCHANGES.
- U-14113 IN THE MATTER OF THE APPLICATION OF CMC TELECOM, INC., TO EXPAND THE GEOGRAPHIC SCOPE OF ITS LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE IN THE LOCAL EXCHANGES CURRENTLY SERVED BY SBC MICHIGAN, AND VERIZON NORTH INC. AND CONTEL OF THE SOUTH INC., d/b/a VERIZON NORTH SYSTEMS
- U-11828 IN THE MATTER OF THE APPLICATION OF LUCRE INC., FOR A LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE IN SELECTED AREAS SERVED BY AMERITECH MICHIGAN
- U-12112 IN THE MATTER OF THE APPLICATION OF LUCRE, INC., TO AMEND THE GEOGRAPHIC SERVICE AREA OF ITS LICENSE TO ENCOMPASS ALL OF THE ZONES AND EXCHANGES THROUGHOUT THE STATE OF MICHIGAN SERVED BY GTE NORTH INCORPORATED, CONTEL OF THE SOUTH, INC., d/b/a GTE SYSTEMS OF MICHIGAN, AND AMERITECH MICHIGAN
- U-14896 IN THE MATTER OF THE APPLICATION OF MICHIGAN ACCESS, INC. FOR A TEMPORARY AND PERMANENT LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE THROUGHOUT THE STATE OF MICHIGAN

- U-16137 IN THE MATTER OF THE APPLICATION OF MICHIGAN ACCESS, INC. TO AMEND THE GEOGRAPHIC SERVICE AREA OF ITS LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE
- U-15103 IN THE MATTER OF THE APPLICATION OF BUSINESS COMMUNICATION ANALYSTS, INC. FOR A LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE THROUGHOUT THE STATE OF MICHIGAN IN THE ZONE AND EXCHANGE AREAS SERVED BY VERIZON NORTH, INC., CONTEL OF THE SOUTH, INC., d/b/a VERIZON NORTH SYSTEMS, CENTURYTEL MIDWEST-MICHIGAN, INC., CENTURYTEL OF MICHIGAN, INC., CENTURYTEL OF NORTHERN MICHIGAN, INC., CENTURYTEL OF UPPER MICHIGAN, INC., AND AT&T MICHIGAN
- U-15548 IN THE MATTER OF THE APPLICATION OF HURON MOUNTAIN COMMUNICATIONS COMPANY FOR THE ISSUANCE OF A TEMPORARY AND PERMANENT LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE
- U-16507 IN THE MATTER OF THE APPLICATION OF IQ TELECOM, INC. FOR A TEMPORARY AND PERMANENT LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE THROUGHOUT THE STATE OF MICHIGAN IN THE ZONES AND EXCHANGES CURRENTLY SERVED BY AT&T MICHIGAN, FRONTIER NORTH, INC. f/k/a VERIZON NORTH, INC. AND FRONTIER MIDSTATES, INC. f/k/a VERIZON NORTH SYSTEMS
- U-16844 IN THE MATTER OF THE APPLICATION OF ROCKFORD TELEPHONE COMPANY, INC. FOR A TEMPORARY AND PERMANENT LICENSE TO PROVIDE RESOLD AND FACILITIES-BASED LOCAL EXCHANGE TELECOMMUNICATIONS SERVICE IN THE STATE OF MICHIGAN
(Rockford Exchange only)
- U-17001 IN THE MATTER OF THE APPLICATION OF AIR ADVANTAGE, LLC FOR A TEMPORARY AND PERMANENT LICENSE TO PROVIDE LOCAL EXCHANGE SERVICE THROUGHOUT THE STATE OF MICHIGAN
- U-17745 IN THE MATTER OF THE APPLICATION OF AIRNORTH COMMUNICATIONS, INC. FOR THE ISSUANCE OF A TEMPORARY AND PERMANENT LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE THROUGHOUT THE STATE OF MICHIGAN IN THE ZONE AND EXCHANGE AREAS SERVED BY AT&T MICHIGAN, FRONTIER NORTH, INC., FRONTIER MIDSTATES, INC., CENTURYTEL OF MICHIGAN, INC., CENTURYTEL MIDWEST-MICHIGAN, INC., CENTURYTEL OF NORTHERN MICHIGAN, INC., AND CENTURYTEL OF UPPER MICHIGAN, INC.

Case No. U-20892 *et al.* involves a matter, on the Commission's own motion, to commence license revocation

proceedings for the following providers of basic local exchange service: Air Advantage, LLC; AirNorth Communications, Inc.; CMC Telecom, Inc.; Global Communications Network, Inc., f/k/a Castle Wire, Inc., f/k/a Business Communications Analysts, Inc.; Huron Mountain Communications Co.; IQ Telecom, Inc.; Lucre, Inc.; Michigan Access, Inc.; and Rockford Telephone Company, Inc. The order before you revokes the licenses of AirNorth Communications, Inc.; CMC Telecom, Inc.; Global Communications Network, Inc., f/k/a Castle Wire, Inc., f/k/a Business Communications Analysts, Inc.; IQ Telecom, Inc.; Lucre, Inc.; Michigan Access, Inc.; and Rockford Telephone Company, Inc. Commissioner Phillips moved that the Commission approve the order at its March 4, 2021 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

B. ELECTRIC

1. U-20697 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR AUTHORITY TO INCREASE ITS RATES FOR THE GENERATION AND DISTRIBUTION OF ELECTRICITY AND FOR OTHER RELIEF
(petitions for rehearing)

Case No. U-20697 involves an application filed by Consumers Energy Company for authority to increase its rates for the generation and distribution of electricity and for other relief. The order before you denies the petition for rehearing filed by the Residential Customer Group; and grants the joint petition for rehearing filed by the Michigan Department of Attorney General, Michigan Environmental Council, Natural Resources Defense Council, and Sierra Club and denies the requested relief. Commissioner Phillips moved that the Commission approve the order at its March 4, 2021 meeting. Commissioner Peretick seconded that motion.

Vote: Yeas – Scripps, Phillips
Abstains – Peretick
Nays – None

The order was adopted.

2. U-20896 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR APPROVAL OF AN AMENDMENT TO POWER PURCHASE AGREEMENT
(proposed amendment to power purchase agreement with Midland Cogeneration Venture Limited Partnership)

Case No. U-20896 involves an application filed by Consumers Energy Company requesting approval of an amendment to the power purchase agreement with Midland Cogeneration Venture Limited Partnership. The order before you approves the amendment. Commissioner Phillips moved that the Commission approve the order at its March 4, 2021 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

C. GAS

1. U-17953 IN THE MATTER OF THE COMPLAINT OF MIDLAND COGENERATION VENTURE LIMITED PARTNERSHIP AGAINST CONSUMERS ENERGY COMPANY
(proposed settlement agreement)
- U-18010 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR APPROVAL OF AMENDMENTS TO GAS TRANSPORTATION CONTRACTS PURSUANT TO 1929 PA 9, AS AMENDED

Commission Staff Nick Revere, Regulated Energy Division, presented a brief synopsis of the case listed above. Commissioner Phillips moved that the Commission approve the order at its March 4, 2021 meeting. Commissioner Peretick seconded that motion.

Chair Scripps commented:

“I would like to thank the many parties for getting us to this point today. As Mr. Revere noted, this order concludes nearly 6 years of back and forth in this proceeding. While I do not have a firm view on whether settlements are always appropriate, I think this particular use is an effective use of a settlement agreement that results in an outcome that advances the objectives of each of the parties to the proceeding, as well as Consumers other customers more generally. I think this settlement agreement provides a solid framework for moving forward after nearly 6 years. I want to express my appreciation to Mr. Revere and the rest of the Commission staff who have been actively involved in these efforts and to all the parties to resolve these issues involved in this and moving us forward.”

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

The order was adopted.

2. U-20940 IN THE MATTER OF THE APPLICATION OF DTE GAS COMPANY
FOR AUTHORITY TO INCREASE ITS RATES, AMEND ITS RATE
SCHEDULES AND RULES GOVERNING THE DISTRIBUTION AND
SUPPLY OF NATURAL GAS, AND FOR MISCELLANEOUS
ACCOUNTING AUTHORITY
(interim order)
- U-20963 IN THE MATTER OF THE APPLICATION OF CONSUMERS
ENERGY COMPANY FOR AUTHORITY TO INCREASE ITS RATES
FOR THE GENERATION AND DISTRIBUTION OF ELECTRICITY
AND FOR OTHER RELIEF
(interim order)

Case No. U-20940 involves an application filed by DTE Gas Company for authority to increase its rates for the distribution and supply of natural gas. Case No. U-20963 involves an application filed by Consumers Energy Company for authority to increase its rates for the generation and distribution of electricity. The order before you designates certain milestones for the schedules of these two cases, in order to manage the Commission's resources and allow both cases to proceed simultaneously. Commissioner Phillips moved that the Commission approve the order at its March 4, 2021 meeting. Commissioner Peretick seconded that motion.

Chair Scripps commented:

“This order provides some degree of flexibility in the case schedules for these 2 major rate cases. With rate cases often involving one hundred or more discreet issues requiring an order within 10 months of the filing, having proposed decisions from the administrative law judge that can be in the hundreds of pages, and final orders that are nearly as long, having some added flexibility helps in managing the case schedules, particularly for cases filed around this time of year, given the loss of business days around the holidays between Thanksgiving and the end of the year. We wanted to take the step, to provide some certainty up front and some adjustments to make sure that we can give the cases the full consideration that they are due given their importance to the ratepayers and the companies. I appreciate the efforts that have gone in from the administrative law judges involved in these cases and indeed from the parties and intervenors. I think the order today will help us achieve the goal of making sure that we give each of these cases robust consideration for the many, many issues involved and do it in a way that balances the workload as we move forward.”

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

The order was adopted.

V. PUBLIC COMMENTS

There were no public comments.

Chair Scripps announced:

“The Commission has revised its Regular Commission Meeting Schedule by adding a meeting on Wednesday, December 22, 2021 at 1:30 p.m. This is an effort that we addressed in the last agenda item to add some flexibility in business days when considering rate cases being filed. The revised schedule will be posted on the Commission’s website this afternoon.

This past Monday, March 1st, the Commission provided its 2020 Annual Report to the Governor and Legislature, as required under Statute. Both the report and accompanying press release are available on the Commission’s website www.michigan.gov/mpsc. Not surprisingly, 2020 was a year of unique challenges. I applaud the work of Commission staff in working through adversity, ensuring that we could continue to rely on our critical energy and telecommunications infrastructure and that the families across Michigan who are staying home to stay safe and many of whom made the transition of working and learning remotely had the ability to lean on those telecommunication and energy services. At the same time, the work for the Commission was robust, even in the midst of the pandemic. We approved 591 orders and other actions, marked the completion of the first year of the MIPowerGrid initiative, conducted nearly 1,000 inspection person days in new and existing natural gas pipelines, updated our technical standards for gas service, worked on the Commission’s response to the Governor Whitmer’s MI Healthy Climate Plan, participated in a large number of state and national workgroups and taskforces, launched a Diversity, Equity, and Inclusion effort within the MPSC to focus on pressing issues of inequality and discrimination, and updated our 5-year Strategic Plan to ground our work for years to come. I particularly want to recognize our staff for their dedication, perseverance, and commitment over the course of 2020 and for their ongoing efforts to maintain our position as a Best-in-Class Commission and continue to provide effective energy and telecommunications regulation and oversight on behalf of the people of Michigan.”

A recording of the proceedings of the March 4, 2021 meeting is archived at:

https://www.michigan.gov/mpsc/0,9535,7-395-93307_93316_93317_93875---Y,00.html.

Chair Scripps announced that the next regularly scheduled Commission Meeting will be held on Friday, March 19, 2021 at 10:30 a.m.

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

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

The motion was approved.

The meeting adjourned at 1:52 p.m.

Lisa Felice
Executive Secretary