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MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC
SERVICE COMMISSION HELD VIA MICROSOFT TEAMS VIDEO CONFERENCING ON
MARCH 19, 2021

Commission Chair Daniel C. Scripps called the meeting to order at 10:30 a.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: Kelly Barber-Dodge
Lisa Felice

Additional Staff & Public Attending Telephonically/Video Conferencing: 84 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 March 4, 2021, Commissioner Peretick seconded.

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

The minutes were approved.

III. CONSENTED ORDERS

A. COMMUNICATIONS

1. U-14725 IN THE MATTER, ON THE COMMISSION'S OWN MOTION,
REGARDING DESIGNATION OF A STATE 2-1-1 COORDINATING

AGENCY PURSUANT TO SECTION 214 OF THE MICHIGAN
TELECOMMUNICATIONS ACT
(recertification order)

2. U-20991 IN THE MATTER OF THE APPLICATION OF MERCURY WIRELESS INDIANA, LLC d/b/a MERCURY BROADBAND TO AMEND GEOGRAPHIC SERVICE AREA OF ITS LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICES TO INCLUDE ALL ZONES AND EXCHANGE AREAS IN THE STATE OF MICHIGAN AND REQUEST FOR A TEMPORARY LICENSE (interim order)
3. U-20996 IN THE MATTER OF THE APPLICATION OF THUMB ELECTRIC COOPERATIVE OF MICHIGAN d/b/a TEC FIBER FOR A LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE IN DESIGNATED EXCHANGES (interim order)
4. U-21000 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN LEVEL 3 COMMUNICATIONS, LLC AND FRONTIER COMMUNICATIONS OF MICHIGAN, INC. (interconnection agreement)
5. MINUTE ACTION AT&T MICHIGAN (9-1-1 wireless, U-14000, invoice no. 517 R41-0001 067 9 dated March 1, 2021)
6. MINUTE ACTION FRONTIER MICHIGAN (9-1-1 wireless, U-14000, invoice nos. MI9NGMTS9110303 and MI9NZMTS9110303 dated March 3, 2021)
7. MINUTE ACTION PENINSULA FIBER NETWORK, LLC (9-1-1 wireless, U-14000, invoice no. 50016146 dated March 1, 2021)
8. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES, LLC (9-1-1 wireless, U-14000, invoice no. 50016176 dated March 1, 2021)
9. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES, LLC (9-1-1 wireless, U-14000, invoice no. INV-Clinto1 dated March 1, 2021)
10. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES, LLC (9-1-1 wireless, U-14000, invoice no. INV-Crawfo1 dated March 1, 2021)

B. ELECTRIC

1. U-20808 IN THE MATTER OF THE APPLICATION OF UPPER MICHIGAN ENERGY RESOURCES CORPORATION FOR APPROVAL TO IMPLEMENT A POWER SUPPLY COST RECOVERY PLAN FOR THE 12 MONTHS ENDING DECEMBER 31, 2021
(proposed settlement agreement)
2. MINUTE ACTION MIDCONTINENT INDEPENDENT SYSTEM OPERATOR, INC., FILING OF REVISIONS TO SCHEDULE 49
(FERC Docket No. ER21-530-000)

C. GAS

1. U-20936 IN THE MATTER OF THE APPLICATION OF BOLT ENERGY MI, LLC d/b/a BOLT ENERGY FOR A LICENSE TO OPERATE AS AN ALTERNATIVE NATURAL GAS SUPPLIER
(final order)

Commissioner Phillips moved that the Commission approve all the 6 orders and 7 minute actions on the consent agenda.
Commissioner Peretick seconded that motion.

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

The orders were adopted.

IV. OTHER ORDERS

A. 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 ACTS 286 AND 295 OF 2008
(*ex parte*/proposed build transfer agreement)

Case No. U-15805 involves an application filed by Consumers Energy Company requesting *ex parte* approval of a build-transfer agreement with Heartland Farms Wind Project, LLC. The order before you approves the agreement. Commissioner Phillips moved that the Commission approve the order at its March 19, 2021 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

2. U-18092 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, ESTABLISHING THE METHOD AND AVOIDED COST CALCULATION FOR INDIANA MICHIGAN POWER COMPANY TO FULLY COMPLY WITH THE PUBLIC UTILITY REGULATORY POLICIES ACT OF 1978, 16 USC 2601 *ET SEQ.*
(motion to extend filing deadline/interim order)
- U-20591 IN THE MATTER OF THE APPLICATION OF INDIANA MICHIGAN POWER COMPANY FOR APPROVAL OF ITS INTEGRATED RESOURCE PLAN PURSUANT TO MCL 460.6t, AND FOR OTHER RELIEF

Case Nos. U-18092 *et al.* involve a motion filed by Indiana Michigan Power Company requesting authority to extend its deadline for filing its Public Utility Regulatory Policies Act of 1978 avoided cost review and to integrate its avoided cost review into its upcoming integrated resource plan filing. The order before you grants the motion. Commissioner Phillips moved that the Commission approve the order at its March 19, 2021 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

3. U-18238 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO REVISE THE STANDARD RATE APPLICATION FILING FORMS AND INSTRUCTIONS PREVIOUSLY ADOPTED IN CASE NO. U-15895
(opportunity to comment/interim order)

Case No. U-18238 involves a matter, on the Commission’s own motion, to consider whether to re-open and revise the Commission’s Rate Case Standard Filing Requirements for electric, natural gas, and steam utilities. The order before you invites interested persons to submit comments no later than 5:00 p.m. (Eastern time) on May 14, 2021. Commissioner Phillips moved that the Commission approve the order at its March 19, 2021 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

4. U-20935 IN THE MATTER OF THE APPLICATION DTE ELECTRIC COMPANY FOR APPROVAL OF A REGULATORY ASSET AND OTHER AUTHORITY TO IMPLEMENT PHASE TWO OF ITS ELECTRIC VEHICLE CHARGING FORWARD PROGRAM
(*ex parte*/proposed pilot program)

Case No. U-20935 involves the application of DTE Electric Company requesting *ex parte* approval of regulatory asset treatment and deferral authority for costs associated with Phase Two of its Electric Vehicle Charging Forward pilot program. The order before you approves the application. Commissioner Phillips moved that the Commission approve the order at its March 19, 2021 meeting. Commissioner Peretick seconded that motion.

Commissioner Phillips announced:

“Thank you, Chair Scripps. Today, we have for our consideration order U-20935, which if supported by the Commission, would approve DTE Electric Company’s *ex parte* application for a regulatory asset and other associated program components related to Phase Two of the Company’s Electric Vehicle Charging Forward Program.

The Phase Two pilot proposal, as outlined in DTE’s application, is an important building block to the further support and exploration of the grid-related challenges and potential customer and system-wide benefits associated with the rapid electrification of the transportation sector. The proposed expanded EV pilot also complements the recently extended Consumers Energy electric vehicle pilot program approved by the Commission in December of last year.

The order before us approving the Company’s application will allow for the increased support of vehicle electrification among commercial and industrial customers in the Company’s service territory.

The order also emphasizes the need for the DTE Electric to include as a part of its next general rate case comprehensive pilot plan and associated objective pilot criteria as outlined in case U-20645 issued by

the Commission on February 4th of this year. Submission of this comprehensive pilot plan and objective criteria will provide the Commission with greater transparency of the Company's Phase Two proposal as well as a better understanding of the Company's plans to implement the Charging Forward program at full scale after the pilots have concluded."

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

The order was adopted.

5. U-21008 IN THE MATTER OF THE APPLICATION OF ALPENA POWER COMPANY TO COMMENCE A RENEWABLE ENERGY COST RECONCILIATION PROCEEDING FOR THE 12-MONTH PERIOD ENDED DECEMBER 31, 2020
(order assigning docket numbers)
- U-21009 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY TO COMMENCE A RENEWABLE ENERGY COST RECONCILIATION PROCEEDING FOR THE 12-MONTH PERIOD ENDED DECEMBER 31, 2020
- U-21010 IN THE MATTER OF THE APPLICATION OF DTE ELECTRIC COMPANY TO COMMENCE A RENEWABLE ENERGY COST RECONCILIATION PROCEEDING FOR THE 12-MONTH PERIOD ENDED DECEMBER 31, 2020
- U-21011 IN THE MATTER OF THE APPLICATION OF INDIANA MICHIGAN POWER COMPANY TO COMMENCE A RENEWABLE ENERGY COST RECONCILIATION PROCEEDING FOR THE 12-MONTH PERIOD ENDED DECEMBER 31, 2020
- U-21012 IN THE MATTER OF THE APPLICATION OF NORTHERN STATE POWER COMPANY TO COMMENCE A RENEWABLE ENERGY COST RECONCILIATION PROCEEDING FOR THE 12-MONTH PERIOD ENDED DECEMBER 31, 2020
- U-21013 IN THE MATTER OF THE APPLICATION OF UPPER PENINSULA POWER COMPANY TO COMMENCE A RENEWABLE ENERGY COST RECONCILIATION PROCEEDING FOR THE 12-MONTH PERIOD ENDED DECEMBER 31, 2020
- U-21014 IN THE MATTER OF THE APPLICATION OF UPPER MICHIGAN ENERGY RESOURCE CORPORATION TO COMMENCE A RENEWABLE ENERGY COST RECONCILIATION PROCEEDING FOR THE 12-MONTH PERIOD ENDED DECEMBER 31, 2020

Case Nos. U-21008 *et al.* assign docket numbers and filing dates for 2020 renewable energy cost reconciliations for all rate-regulated electric utilities. Commissioner Phillips moved that the Commission approve the order at its March 19, 2021 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

B. GAS

1. U-20945 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR APPROVAL OF A WAIVER OF RULE 460.2351, AN ALTERNATIVE STATISTICAL QUALITY SAMPLING PROGRAM UNDER RULE 460.2351a, AND AN API STANDARD 1164 IMPLEMENTATION PROCESS UNDER RULE 460.2345 (*ex parte*/final order)

Case No. U-20945 involves an *ex parte* application by Consumers Energy Company for approval of a waiver of Mich Admin Code R 460.2351, an alternative statistical quality sampling program under Mich Admin Code R 460.2351a, and an American Petroleum Institute Standard 1164 implementation process under Mich Admin Code R 460.2345. The order before you approves the application. Commissioner Phillips moved that the Commission approve the order at its March 19, 2021 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

V. PUBLIC COMMENTS

There were no public comments.

Chair Scripps announced:

“Our next meeting is scheduled for Thursday, April 8, 2021 at 1:30 pm. Under the extensions that were approved last year by the Legislature, this meeting would need to be in person unless a local emergency declaration exists, in this case for Eaton County, where the Commission offices are housed. Earlier this week the Eaton County Board of Commissioners adopted such a declaration, and while we’re still reviewing the language and impact, it is likely that we will continue to meet virtually, at least for the April 8 meeting. We’ve seen significant benefits at the Commission from both a safety and transparency perspective from being able to meet virtually and will continue to update you on any changes and our plans as we go forward.

I also want to recognize that March is Women’s History Month, and we have been celebrating the many contributions of women Commissioners and Staff all month through social media channels and in other ways. I know Commissioner Peretick in particular is a relentless supporter of women in STEM, and that commitment is shared by all of us. It is an exciting opportunity to recognize, again, the many, many contributions of women who have served in both Commissioner and Staff roles here at the Commission and added to our work.

Finally, I want to express condolences from the Commission to victims of the recent killings in Atlanta, and to the Asian American community more broadly. There are certainly some troubling trends in terms of violence against the Asian American community, and I’d note that 70% of the victims last year in an analysis of more than 4000 hate-related incidents – 70% were women. So, again, I want to express the condolences of the Commission to the victims and their families and to the broader community.”

Commissioner Phillips announced:

“Chair, I would just like to take a brief moment to recognize the concerns raised by members of our Staff about the rise in hate speech and violence nationally towards the Asian American community, in part, due to rhetoric related to the origins of the novel coronavirus.

The recent violence perpetuated against Asian Americans in San Francisco, New York, and other communities across the country only strengthens our organizations commitment to talk openly and genuinely about how the Commission can and will address discrimination and promote inclusion within the virtual walls of the of our organization and externally in the jurisdictions we regulate.

I continue to encourage our Staff to speak up and to speak out, and once again thank those who have contributed to our organization’s diversity and inclusion efforts. I also lend praise to the individuals and organizations who are working to protect and advocate for those communities who are being impacted by this heightened state of hate speech and violence towards the Asian American community.”

Commissioner Peretick announced:

“I just wanted to second the thoughtful comments of the other two Commissioners – Chair Scripps and Commissioner Phillips and express condolences. I also want to express our commitment to diversity, equity, and inclusion at the Commission.”

A recording of the proceedings of the March 19, 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 April 8, 2021 at 1:30 p.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 10:50 a.m.

Lisa Felice
Executive Secretary