

MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES AND AVAILABLE VIA MICROSOFT TEAMS VIDEO CONFERENCING ON DECEMBER 9, 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
Tremaine L. Phillips, Commissioner
Katherine Peretick, Commissioner

Staff: Jana Bachman
Lisa Felice
Sarah Mullkoff
Al Freeman
Anne Armstrong
Jake Thelen
Diane Martin
Dolores Midkiff-Powell
Pat Poli
David Chislea
Paul Ausum
Wendy Cadwell
Mike Byrne
Barbara Kunkel
Andy Hannum
Charyl Kirkland

Public: Joi Harris, DTE

Additional Staff & Public Attending Telephonically/Video Conferencing: 80 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 November 18, 2021, Commissioner Peretick seconded.

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

The minutes were approved.

III. CONSENTED ORDERS

A. COMMUNICATIONS

1. U-21166 COMMERCIAL MOBILE RADIO SERVICES (CMRS)
INTERCONNECTION AGREEMENT BETWEEN CENTURYTEL
ENTITIES AND DISH WIRELESS L.L.C.
(interconnection agreement and first amendment)

B. ELECTRIC

1. 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
(proposed settlement agreement)
2. MINUTE ACTION APPROVAL OF ADMINISTRATIVE LAW JUDGE CHRISTOPHER S.
SAUNDERS

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 2 orders and 1 minute action were adopted.

IV. OTHER ORDERS

A. COMMUNICATIONS

1. U-21115 IN THE MATTER OF THE APPLICATION OF DMCI BROADBAND, LLC FOR A TEMPORARY AND PERMANENT LICENSE TO PROVIDE LOCAL EXCHANGE SERVICE THROUGHOUT THE STATE OF MICHIGAN
(final order)

Case No. U-21115 involves the application filed by DMCI Broadband, LLC, for temporary and permanent licenses to provide basic local exchange service throughout the state of Michigan. The order before you approves the permanent license. Commissioner Phillips moved that the Commission approve the order at its meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

2. U-21143 IN THE MATTER OF THE APPLICATION OF CENTURYTEL BROADBAND SERVICES, LLC FOR A LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE THROUGHOUT THE STATE OF MICHIGAN
(interim order)

Case No. U-21143 involves an application, as amended, filed by CenturyTel Broadband Services, LLC, d/b/a CenturyLink Broadband for a temporary and permanent license to provide local exchange service throughout the state of Michigan. The order before you grants the temporary license. Commissioner Phillips moved that the Commission approve the order at its December 9, 2021 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

B. ELECTRIC

1. U-18349 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATION, AND/OR APPROVALS NECESSARY FOR REGULATED ELECTRIC PROVIDERS TO COMPLY WITH SECTION 61 OF 2016 PA 342
(interim order)
- U-18350 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATION, AND/OR APPROVALS NECESSARY FOR ALPENA POWER COMPANY TO COMPLY WITH SECTION 61 OF 2016 PA 342
- U-18353 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATION, AND/OR APPROVALS NECESSARY FOR INDIANA MICHIGAN POWER COMPANY TO COMPLY WITH SECTION 61 OF 2016 PA 342
- U-18356 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATION, AND/OR APPROVALS NECESSARY FOR UPPER MICHIGAN ENERGY RESOURCES CORPORATION TO COMPLY WITH SECTION 61 OF 2016 PA 342
- U-21152 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATION AND/OR APPROVALS NECESSARY FOR UPPER PENINSULA POWER COMPANY TO COMPLY WITH SECTION 61 OF 2016 PA 342, AND REVIEW OF VOLUNTARY GREEN PRICING PROGRAM
- U-21172 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATION AND/OR APPROVALS NECESSARY FOR DTE ELECTRIC COMPANY TO COMPLY WITH SECTION 61 OF 2016 PA 342
- U-21173 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATION AND/OR APPROVALS NECESSARY FOR NORTHERN STATES POWER COMPANY TO COMPLY WITH SECTION 61 OF 2016 PA 342

Case Nos. U-18349 *et al.* involve matters, on the Commission's own motion, regarding compliance with Section 61 of Public Act 342 of 2016, MCL 460.1061. The order before you provides deadlines for the filing of Section 61 voluntary green pricing program proposals, as well as for comments and reply comments regarding the voluntary green

pricing program proposals, and orders a contested case in Case No. U-21172. Commissioner Phillips moved that the Commission approve the order at its December 9, 2021 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

2. U-20849 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR ACCOUNTING AND RATE MAKING APPROVAL OF DEPRECIATION PRACTICES FOR ELECTRIC AND COMMON UTILITY PLANT
(proposed settlement agreement)

Case No. U-20849 involves the application of Consumers Energy Company for the accounting and ratemaking approval of depreciation practices for electric and common utility plant. The order before you approves a settlement agreement resolving all issues in the case. Commissioner Phillips moved that the Commission approve the order at its December 9, 2021 meeting. Commissioner Peretick seconded that motion.

Chair Scripps commented:

“I want to express my appreciation for the parties involved in this case and reaching the settlement and particularly to our staff for their diligence and good work. Depreciation cases are not always the ones that grab the headlines, but they are a critically important part of what we do and appreciate the work that went in getting this before us today.”

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

The order was adopted.

3. U-21006 IN THE MATTER OF THE APPLICATION OF PRESQUE ISLE ELECTRIC & GAS CO-OP FOR A WAIVER FROM CERTAIN PROVISIONS OF THE CODE OF CONDUCT APPROVED BY THE COMMISSION IN CASE NO. U-18361, IF REQUIRED, TO FACILITATE THE PROVISION OF HIGH-SPEED BROADBAND IN UNSERVED AND UNDERSERVED PORTIONS OF RURAL MICHIGAN
(final order)

Case No. U-21006 involves a request by Presque Isle Electric & Gas Co-op for a waiver of certain Code of Conduct provisions. The

order before you grants in part, and denies in part, the request. Commissioner Phillips moved that the Commission approve the order at its December 9, 2021 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

4. U-21154 IN THE MATTER OF THE APPLICATION AND REQUEST OF INDIANA MICHIGAN POWER COMPANY SEEKING APPROVAL AND AUTHORITY OF A TEMPORARY WAIVER OF PORTIONS OF RULE 460.3613
(*ex parte*/final order)

Case No. U-21154 involves an *ex parte* application filed by Indiana Michigan Power Company requesting approval of a temporary waiver for portions of Rule 460.3613 and to the extent applicable Rules 460.3604 and 460.3617 involving meter testing requirements. The order before you approves the application. Commissioner Phillips moved that the Commission approve the order at its December 9, 2021 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

5. U-21161 IN THE MATTER OF THE APPLICATION OF THUMB ELECTRIC COOPERATIVE OF MICHIGAN d/b/a TEC FIBER FOR A WAIVER FROM CERTAIN PROVISIONS OF THE CODE OF CONDUCT APPROVED BY THE COMMISSION IN CASE NO. U-18361, IF REQUIRED, TO FACILITATE THE PROVISION OF HIGH-SPEED BROADBAND IN UNSERVED AND UNDERSERVED PORTIONS OF RURAL MICHIGAN
(opportunity to comment/interim order)

Case No. U-21161 involves a request by Thumb Electric Cooperative of Michigan d/b/a/ TEC Fiber for a waiver of certain Code of Conduct provisions. The order before you solicits comments from interested persons on whether the requested waiver of the Code of Conduct provisions should be granted. Commissioner Phillips moved that the Commission approve the order at its December 9, 2021 meeting. Commissioner

Peretick seconded that motion.

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

The order was adopted.

C. GAS

1. 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
(final order)

Commission Staff Sarah Mullkoff, Strategic Operations Division, presented a brief synopsis of the case listed above. Commissioner Phillips moved that the Commission approve the order at its December 9, 2021 meeting. Commissioner Peretick seconded that motion.

Commissioner Phillips commented:

“I would like to thank our staff for their exceptional work, as well as thank intervenors for their thorough participation throughout the 10 months of this proceeding. It takes the work of many hands to move a significant and impactful filing like this across the finish line. All of us have earned a well-deserved holiday break for the many hours that have culminated in the conclusion of this order.

The one issue that I would like to very comment on, and is further detailed in this order, pertains to instances where the company needs to, for one reason or another, restore or reconnect natural gas service to existing customers. Especially, in cases where the restoration is significant when compared to the number of customers served. When confronted with similar projects in the future, the Commission through this order, encourages the company to explore alternative and non-traditional solutions to meeting the needs of those affected customers. Whether it be the need for home heating or the operation of at-home appliances.

I would like to again thank all of those from our team for getting us to the conclusion of this proceeding.”

Commissioner Peretick commented:

“I’d like to echo the thanks of the entire Commission staff who have worked diligently on this rate case over the past 10 months. As Ms. Mullkoff noted in her presentation, this case involved extensive testimony and exhibits. Today we have shared with you the headlines of the case, including the reasons why natural gas rates must increase next year as well as the reasons why the Commission has decided to

limit this increase through disallowances. But the time, work, and detail that went into these decisions is truly vast.

I also want to acknowledge and thank the company and all the interveners who thoughtfully put forth arguments in this case. Know that all your testimony is considered and deliberated, and we rely on your expertise and advocacy in all of our decisions. We hear you and listen to you. The quality arguments that you all put forward on all sides of the case are necessary and valued.

These are important and impactful decisions we must make for the Michigan public, and it is crucial we get them right.”

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

The order was adopted.

2. U-21170 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, TO CONDUCT A RENEWABLE NATURAL GAS STUDY PURSUANT TO SEC. 1002 OF ARTICLE 9 OF PUBLIC ACT 87 OF 2021 (order opening docket)

Case No. U-21170 involves the establishment, on the Commission’s own motion, of a renewable natural gas study workgroup and work plan to comply with provisions of Public Act 87 of 2021, and sets the dates for the filing of the draft report and submission of the final report. Commissioner Phillips moved that the Commission approve the order at its December 9, 2021 meeting. Commissioner Peretick seconded that motion.

Commissioner Peretick commented:

“I’d like to take a moment to highlight the connection between this study assessing the potential of renewable natural gas in Michigan with the work that is currently being done on throughout the state on economic development, infrastructure, climate change, and job retention. Renewable natural gas is already produced at low volumes in our state, and this study will help us identify and understand barriers to developing and utilizing further renewable natural gas in Michigan. As our climate and fuel mix changes, it is important to understand the tools that we have to work with, and that we have a plan to ensure our state is optimally placed and prepared for the future of energy.”

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

The order was adopted.

V. PUBLIC COMMENTS

Jaclyn, Zeeland commented on electric choice. She suggested that the Commission look at choice programs related municipalities where senior citizens and aging individuals can participate locally. Chair Scripps referred Jaclyn to the Customer Assistance Division.

Chair Scripps announced:

“I would like to express the condolences and sympathies of the Commission are with the Oxford School community. Particularly, with the families of the four young people who were killed. As well as the many others who were injured. As a parent and a Michigander, this tragedy felt more personal. In part, because like many others I have friends in the community. Friends with kids that attend Oxford Schools. I do not have words and I am not sure that anybody does. On behalf of the Commission, I want to state formally that the Oxford Community, and particularly the school community, is very much in our thoughts.

I also wanted to highlight that the Commission recently approved \$54.5 million in assistance through the Michigan Energy Assistance Program (MEAP). These grants go to community service agencies, and we have identified nine this year that received these grants through a partnership between the Public Service Commission and the Michigan Department of Health and Human Services.

The MEAP program is funded each year by the low-income energy assistance fund, which raises money through a monthly surcharge assessed by participating utilities. This year we set that at 87 cents per month for residential meters and additional funding for MEAP grants comes from the federal government through their Low-Income Home Energy Assistance Program (LIHEAP).

If you are struggling, you can reach out directly to the nine grant recipients:

- Barry County United Way – serves Barry County
- Department of Health and Human Services - Bureau of Community Action and Economic Opportunity – serves statewide constituency
- Society of St. Vincent De Paul - Archdiocese of Detroit – serves multiple counties
- Superior Watershed Partnership – serves all 15 Upper Peninsula counties and multiple northern Lower Peninsula counties
- The Heat and Warmth Fund – serves statewide
- Salvation Army – serves statewide
- True North Community Services – serves statewide
- United Way Southeastern Michigan – serves statewide
- United Way of Jackson County – serves statewide

You can also get more information about this program and how to access assistance if you are struggling, through the Commission’s website at www.michigan.gov/mpsc . You can also call 211 or go to www.MI211.org to learn about agencies that may assist with your energy bill.

We have gotten some snow this past week and the temperatures have dropped. Winter finally seems to be truly here. For folks who are struggling and concerned about how to heat your home through the upcoming winter homes, I strongly encourage you to work with your provider. Many of the

utilities offer flexible payment plans. Your propane supplier may also be able to work with you. See what options they might provide and reach out for assistance. There are dollars there and they are designed to help folks who are struggling. We want to make sure that we are reaching as many people as we possibly can.

We have decided to cancel our December 15, 2021 Regular Commission Meeting.”

A recording of the proceedings of the December 9, 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 Wednesday, December 22, 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 1:57 p.m.

Lisa Felice
Executive Secretary