

MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES AND AVAILABLE VIA MICROSOFT TEAMS VIDEO CONFERENCING ON MARCH 3, 2022.

Commission Chair Daniel C. Scripps called the meeting to order at 1:33 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: Alissa Day
Lisa Felice
Kyle Daymon
Al Freeman
Nick Evans
Mike Byrne
Sharon Feldman
Pat Poli
Jake Thelen
Paul Adams
Andy Hannum

Public: Andrew Minegar, MIRS

Additional Staff & Public Attending Telephonically/Video Conferencing: 95 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 10, 2022, Commissioner Peretick seconded.

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

The minutes were approved.

III. CONSENTED ORDERS

A. COMMUNICATIONS

1. U-13378 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN COMCAST TELECOMMUNICATIONS, INC. AND MICHIGAN BELL TELEPHONE COMPANY d/b/a SBC MICHIGAN (eighteenth amendment)
- U-16021 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN TC3 TELECOM, INC. AND FRONTIER NORTH INC. AND FRONTIER MIDSTATES INC. (fifth amendment)
2. MINUTE ACTION PENINSULA FIBER NETWORK, LLC (9-1-1 wireless, U-14000, invoice no. INV-2975 dated February 1, 2022)
3. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES, LLC (9-1-1 wireless, U-14000, invoice no. INV-1141 dated February 1, 2022)
4. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES, LLC (9-1-1 wireless, U-14000, Isabella County, invoice no. INV-1146 dated February 14, 2022)
5. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES, LLC (9-1-1 wireless, U-14000, Kent County, invoice no. INV-1145 dated February 14, 2022)
6. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES, LLC (9-1-1 wireless, U-14000, Ottawa County, invoice no. INV-1144 dated February 14, 2022)

B. ELECTRIC

- 1. U-20878 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR NORTHERN STATES POWER COMPANY TO FULLY COMPLY WITH PUBLIC ACT 295 OF 2008, AS AMENDED BY PUBLIC ACT 342 OF 2016
(energy waste reduction/ proposed settlement agreement)

- 2. U-21080 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR RECONCILIATION OF ITS 2020 DEMAND RESPONSE PROGRAM COSTS
(demand response reconciliation/proposed settlement agreement)

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

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

The 3 orders and 5 minute actions were adopted.

IV. OTHER ORDERS

A. COMMUNICATIONS

- 1. U-21078 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO RE-ADOPT RULES REQUIRED BY MCL 484.2202(1)(c)(ii)
(rulemaking/final order)

Case No. U-21078 involves the proposed re-adoption of rules for the provision of unbundled network elements and local interconnection services. The order before you formally re-adopts the rules, as modified. Commissioner Phillips moved that the Commission approve the order at its March 3, 2022 meeting. Commissioner Peretick seconded that motion.

Chair Scripps commented:

“I would like to express my gratitude to staff, both for this and the next agenda item, which is also a re-adoption of rules. A lot of work goes into these which need to be re-adopted every couple of years.

Also, appreciation for Reka Holley-Voelker and the Legislative team for tracking the compliance with the 15 day rules (which I believe we had 15 joint session days as of yesterday), so we are ready to adopt these. I appreciate the efforts of all involved.”

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

The order was adopted.

2. U-21079 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO PROMULGATE RULES REQUIRED BY MCL 484.2202(1)(c)(iii) (rulemaking/final order)

Case No. U-21079 involves the proposed repromulgation of rules for the provision of basic local exchange service customer migration. The order before you formally adopts the rules. Commissioner Phillips moved that the Commission approve the order at its March 3, 2022 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

3. U-21149 IN THE MATTER OF THE APPLICATION OF FUSION CLOUD SERVICES, LLC FOR TEMPORARY AND PERMANENT LICENSES TO PROVIDE BASIC LOCAL EXCHANGE SERVICE (final order)

Case No. U-21149 involves an application, as amended, filed by Fusion Cloud Services, LLC, for a temporary and permanent license to provide basic local exchange service throughout the state of Michigan in all zone and exchange areas served by AT&T Michigan, Frontier North Inc., Frontier Midstates Inc., and Frontier Communications of Michigan, Inc. The order before you grants the permanent license. Commissioner Phillips moved that the Commission approve the order at its March 3, 2022 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

B. ELECTRIC

1. U-20837 IN THE MATTER OF THE APPLICATION OF DTE ELECTRIC COMPANY FOR REVIEW AND APPROVAL OF ITS REVISED ADVANCED METER INFRASTRUCTURE OPT-OUT PROGRAM (final order)

Case No. U-20837 involves an application filed by DTE Electric Company for review and approval of a revised advanced metering infrastructure opt-out program. The order before you approves the application. Commissioner Phillips moved that the Commission approve the order at its March 3, 2022 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

2. U-21117 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, COMMENCING A COLLABORATIVE FOR THE DEVELOPMENT OF ELECTRIC UTILITY INTERCONNECTION PROCEDURES (interim order)

Case No. U-21117 involves a matter, on the Commission’s own motion, commencing a collaborative addressing the development of electric utility interconnection procedures. The order before you cancels the March 15, 2022 stakeholder meeting, and schedules meetings for April 14 and May 17, 2022. Commissioner Phillips moved that the Commission approve the order at its March 3, 2022 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

3. U-21122 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO REVIEW THE RESPONSE OF ALPENA POWER COMPANY, CONSUMERS ENERGY COMPANY, DTE ELECTRIC COMPANY, INDIANA MICHIGAN POWER COMPANY, NORTHERN STATES POWER COMPANY, UPPER MICHIGAN ENERGY RESOURCES CORPORATION, AND UPPER PENINSULA POWER COMPANY TO RECENT STORM DAMAGE IN THEIR SERVICE TERRITORIES (interim order)

U-20147 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO
OPEN A DOCKET FOR CERTAIN REGULATED ELECTRIC
UTILITIES TO FILE THEIR DISTRIBUTION INVESTMENT AND
MAINTENANCE PLANS AND FOR OTHER RELATED,
UNCONTESTED MATTERS
U-20633 C.O.M. ENERGY ASSESSMENT
(IRP and Distribution Plan Alignments)

Commission Staff Nick Evans, Energy Operations Division, presented a brief synopsis of the case listed above. Commissioner Phillips moved that the Commission approve the order at its March 3, 2022 meeting. Commissioner Peretick seconded that motion.

Commissioner Phillips commented:

“I want to thank our staff, commenters in this docket, experts from our state’s utilities, and organizations across the country, the Attorney General’s office, and Governor’s office, for all of your respective roles in getting us to this initial set of critical next steps and actions as it pertains to emergency preparedness and severe weather response.

I want to emphasize that this our initial set of actions and next steps in response to the severe weather events of last year. With daylight savings time around the corner (for those of us with kids it’s kind of a regretful time) that’s always a reminder for me that the next severe weather season is really weeks away. We must and are committed to continuing to be responsive and adaptable to the changing threats of severe weather, enhanced by climate change while also continuing to keep energy reliability customer and worker safety, affordability, and data transparency at the center of this ongoing discussion. Thank you.”

Commissioner Peretick commented:

“Thank you to all the parties who submitted data and comments as a part of this process. It’s important that we understand the status of reliability in our state to help us best plan for and respond to the increased severity of storms and other results of the changing climate. Understanding our current situation is the start point to work from to improve for the future.

We appreciate all the ideas and recommendations that were sent in as well as the data. We have carefully reviewed all the submissions and are continuing to work to develop a full strategy. Today’s order is only a first step. A first step to gathering more regular and standardized data on reliability and how it impacts our communities and making that data accessible to anyone interested on a public-facing website hosted by the Commission. We look forward to continuing to work on this process with the utilities, staff, stakeholders, and everyone involved.”

Chair Scripps commented:

“I would like to echo the comments made by my colleagues and recognize their leadership, Commissioner Phillips and Commissioner Peretick, in responding and planning for the technical conferences and continuing to guide, inform, and lead our efforts to make sure that our energy system can keep track with the changes taking place and that the experience of customers is improved as we move forward. Thank you to you both.”

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

The order was adopted.

4. U-21193 IN THE MATTER OF THE APPLICATION OF DTE ELECTRIC COMPANY FOR APPROVAL OF ITS INTEGRATED RESOURCE PLAN PURSUANT TO MCL 460.6t, AND FOR OTHER RELIEF (waiver request/notice of opportunity to comment)

Case No. U-21193 involves the application of DTE Electric Company for approval of waiver requests for integrated resource planning. The order before you provides for interested persons to file comments on the requested waivers by 5:00 p.m. (Eastern time) on March 24, 2022. Commissioner Phillips moved that the Commission approve the order at its March 3, 2022 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

C. GAS

1. U-21162 IN THE MATTER OF THE APPLICATION OF DTE GAS COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY RELATIVE TO FAIRPLAIN TOWNSHIP, MICHIGAN (interim order)

Case No. U-21162 involves an application filed by DTE Gas Company for approval of a certificate of public convenience and necessity pursuant to Public Act 69 of 1929, as amended, MCL 460.501 *et seq.* to render natural gas service for a commercial customer located at 7691 Russel Road in Section 14 of Fairplain Township in Montcalm County, Michigan. The order before you vacates the February 10, 2022 order in this matter. Commissioner Phillips moved that the Commission approve the order at its March 3, 2022 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

2. U-21179 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT AND OPERATE A REVISION TO THE ROUTE OF LINE 100B
(*ex parte*/final order)

Case No. U-21179 involves an application filed by Consumers Energy Company for approval of a certificate of public convenience and necessity pursuant to 1929 PA 9, MCL 483.101 *et seq.*, to construct and operate a proposed natural gas pipeline to replace and reroute the current Line 100B natural gas pipeline through Sleepy Hollow State Park in Clinton County, Michigan. The order before you approves issuing the certificate of public convenience and necessity and makes the required agency findings regarding the pipeline’s environmental impact. Commissioner Phillips moved that the Commission approve the order at its March 3, 2022 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

3. U-21187 IN THE MATTER OF THE APPLICATION OF MARYSVILLE HYDROCARBONS LLC FOR AUTHORITY TO CONSTRUCT AND OPERATE A PIPELINE FOR THE TRANSPORTATION OF PROPANE
(*ex parte*/final order)

Case No. U-21187 involves an application filed by Marysville Hydrocarbons LLC for approval of a certificate of public convenience and necessity pursuant to Public Act 16 of 1929, MCL 483.1 *et seq.*, to construct and operate a pipeline for the transportation of propane known as the Ambassador Extension in St. Clair County, Michigan. The order before you approves issuing the certificate of public convenience and necessity. Commissioner Phillips moved that the Commission approve the order at its March 3, 2022 meeting. Commissioner Peretick seconded that motion.

Chair Scripps commented:

“I want to highlight regarding both the order in front of us in IV.C.3 and IV.C.4, both of which involve approvals of relatively small pipeline segments that will ultimately connect the Marysville propane storage facility to the Ambassador Pipeline. The approval of these orders will increase the resilience and supply options for central and northern Michigan allowing the Marysville

pipeline to connect with the Marysville storage facility and bring it up to a new terminal between Gratiot and Saginaw Counties and ultimately to the final terminal in Kalkaska County.

This is part of an ongoing effort to enhance Michigan’s propane security and continues to be a priority for the Commission. I am pleased to have these orders in front of us today.”

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

The order was adopted.

4. U-21190 IN THE MATTER OF THE APPLICATION OF NGL ENERGY SUPPLY TERMINAL, LLC FOR AUTHORITY TO CONSTRUCT AND OPERATE A PIPELINE FOR THE TRANSPORTATION OF PROPANE
(*ex parte*/final order)

Case No. U-21190 involves an application filed by NGL Supply Terminal Company, LLC, requesting *ex parte* authority to construct and operate a pump station and pipeline for the transportation of propane in St. Clair Township, St. Clair County, Michigan. The order before you approves the application, as amended, and makes the required agency findings regarding the pipeline’s environmental impact. Commissioner Phillips moved that the Commission approve the order at its March 3, 2022 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:

“We have issued a couple of annual reports to the Legislature since our last meeting. On February 15th, we submitted to the Legislature both the annual Energy Waste Reduction Annual Report and the annual Renewable Energy Annual Report. Good news in both. Just to highlight a few things. The Energy Waste Reduction programs continue to save the state and customers in all sorts of ways, including almost 1.6 million megawatt hours of electricity and more 6,000,000 thousand cubic feet or Mcf of natural gas in 2020. For each dollar that was invested in the EWR programs in 2020,

customers will realize savings of \$3.20, making energy waste reduction the cheapest energy resource that we have.

On the renewable energy side, we continue to see growth in the renewable energy sector in Michigan, particularly in utility scale wind turbines which account for 77% of the approximately 4,200 megawatts of renewable energy capacity in 2021. Other facilities are hydroelectric facilities for 9%, biomass facilities at 7%, solar installations at 4%, landfill gas at 3%, and municipal solid waste at 1% of our renewable energy portfolio.

The report also found that since Public Act 295’s passage in 2008, more than \$5.1 billion has been invested in Michigan to bring about nearly three gigawatts of new renewable energy products that are online through the end of 2021. Again, we have a requirement that all electric providers would need to achieve 15% of their electricity from renewable resources. By the end of 2021, all electricity providers subject to the standards met the goals and are on track to meet the target that is also enshrined in statute of obtaining 35% of their energy needs from a combination of renewable energy and energy waste reduction. Good news all around.

I also want to highlight that March is Women’s History Month. This is something that we actively celebrate at the Commission. I appreciate Commissioner Peretick for your message to all staff on March 1st. Just to highlight a couple of statistics in that regard. Of the eight division directors at the Commission, fully 50% are women. At the managerial level, it’s even higher. Of the 21 section managers, more than 50% - 11 of the 21 are women.

We are lucky to have Commissioner Peretick’s service, as well as we have been to have former Chair Sally Talberg and current State Treasurer Rachael Eubanks and a host of others. Also, the folks from every corner of the Commission who lead in ways large and small. There is a lot to celebrate as we enter Women’s History Month. I am pleased and honored to serve with so many outstanding women.”

Commissioner Peretick announced:

“I just wanted to note that I was very excited for my first Commission Meeting ever with no mask on in-person. Unfortunately, I came down with a cold. I am still masked up to keep everybody else from getting sick around me. I look forward to the St. Patrick’s Day meeting.”

A recording of the proceedings of the March 3, 2022 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 Thursday, March 17, 2022 at 1:00 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 2:04 p.m.

Lisa Felice
Executive Secretary