

MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES AND AVAILABLE VIA MICROSOFT TEAMS VIDEO CONFERENCING ON MAY 26, 2022.

Commission Chair Daniel C. Scripps called the meeting to order at 1:02 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: Anna Stirling
Lisa Felice
Reka Voelker
Mike Byrne
Chris Forist
Barbara Kunkel
Dave Chislea
Kyle Daymon
Andy Hannum
Ben Johnson
Al Freeman

Public:

Additional Staff & Public Attending Telephonically/Video Conferencing: 86 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 May 12, 2022, Commissioner Peretick seconded.

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

The minutes were approved.

III. CONSENTED ORDERS

A. COMMUNICATIONS

1. U-12798 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN BROADWING COMMUNICATIONS, LLC AND AT&T MICHIGAN
(nineteenth amendment)
U-13614 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT AND NEGOTIATED RECIPROCAL COMPENSATION AMENDMENT BETWEEN ACN COMMUNICATIONS SERVICES, INC. AND AMERITECH MICHIGAN
(tenth amendment)
U-21235 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF A MULTI-STATE INTERCONNECTION AGREEMENT BETWEEN TELIAX, INC. AND VARIOUS AT&T INC. OWNED COMPANIES, INCLUDING AT&T MICHIGAN
(interconnection agreement and first amendment)
2. MINUTE ACTION METRO ACT
(tax credit determination report)
3. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES, LLC
(9-1-1 wireless, U-14000, invoice no. INV-1172 dated May 9, 2022)
4. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES, LLC
(9-1-1 wireless, U-14000, invoice no. INV-1173 dated May 12, 2022)

B. ELECTRIC

1. 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
(proposed settlement agreement)

C. GAS

1. U-21119 IN THE MATTER OF THE APPLICATION OF DTE GAS COMPANY FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT AND OPERATE THE WEST VAN BORN PIPELINE AND FACILITIES PROJECT IN WASHTENAW COUNTY AND WAYNE COUNTY, MICHIGAN
(request to voluntarily withdraw application)
2. U-21169 IN THE MATTER OF THE APPLICATION OF SEMCO ENERGY GAS COMPANY TO UPDATE THE FACILITY IMPROVEMENT DEMAND SURCHARGE
(proposed settlement agreement)
3. U-21186 IN THE MATTER OF THE APPLICATION OF DTE GAS COMPANY FOR RECONCILIATION OF ITS REVENUE DECOUPLING MECHANISM FOR THE PERIOD OCTOBER 1, 2021 THROUGH DECEMBER 31, 2021
(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 5 orders 3 minute actions were adopted.

IV. OTHER ORDERS

A. ELECTRIC

1. U-17377 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO IMPLEMENT THE PROVISIONS OF 2013 PA 95

(notice regarding low-income energy assistance fund/interim order)

Case No. U-17377 involves implementation of the provisions of Public Act 95 of 2013. The order before you reminds electric utilities of the need to file required Low-Income Energy Assistance Fund information no later than 5:00 p.m. (Eastern time) on June 30, 2022. Commissioner Phillips moved that the Commission approve the order at its May 26, 2022 meeting. Commissioner Peretick seconded that motion.

Chair Scripps commented:

“This is something that we do each year or at least since 2013. It ultimately raises a total of \$50 million each year through a monthly, per meter charge that cannot exceed \$1 per meter. In fact, the surcharge was set at \$.87. This \$50 million in the low-income energy assistance fund is critical to help those who are struggling to pay for their energy bills. Last year, it provided assistance to 57,000 qualifying households across our state. The Commission administers the fund with a partnership with the Michigan Department of Health and Human Services and run through and ultimately distributed through non-profit service agencies across the state. It is really a great program and one that is much needed. Particularly, given the fact that folks continue to struggle, both with the COVID economic aftermath and general financial challenges.

There is a provision that does allow utilities to opt out of the program and not collect this maximum of \$1 per meter surcharge. If they do, then they are not allowed to shut off service to any residential customer from November 1st to April 15th for nonpayment of a delinquent account.

In addition, state law requires that funds need to be returned to the regions of the state from which they were collected to the extent possible. It is really important that these funds are ultimately collected so that they can be returned to those communities and the folks in those communities who are struggling with financial challenges.

We are excited to start this process. Again, responses are due to us no later than 5:00 p.m. (Eastern time) on June 30th. We will have a meeting in early July that we will set a proposed factor, take comments on that, and then by the end of July, we will finalize the process and have it set up for the next fiscal year.”

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

The order was adopted.

2. U-20890 IN THE MATTER, ON THE COMMISSION’S OWN MOTION,
TO PROMULGATE RULES GOVERNING ELECTRIC
INTERCONNECTION AND DISTRIBUTED GENERATION AND
TO RESCIND LEGACY INTERCONNECTION AND NET
METERING RULES
(public hearing announcement/interim order)

Case No. U-20890 involves a matter, on the Commission’s own motion, to promulgate rules governing electric interconnection and distributed generation, and to rescind legacy net metering rules. The order before you provides notice of the opportunity to comment on the proposed electric interconnection and distributed generation rules at a public hearing and through the submission of written comments. Commissioner Phillips moved that the Commission approve the order at its May 26, 2022 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

3. 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 (*ex parte*/request for approval of waivers)

Case No. U-21193 involves the application of DTE Electric Company for approval of waiver requests for its integrated resource planning. The order before you grants the requests in part and denies in part. Commissioner Phillips moved that the Commission approve the order at its May 26, 2022 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

B. GAS

1. U-20546 IN THE MATTER OF THE APPLICATION OF MICHIGAN GAS UTILITIES CORPORATION FOR RECONCILIATION OF ITS GAS COST RECOVERY PLAN (CASE NO. U-20545) FOR THE 12 MONTHS ENDED MARCH 31, 2021 (proposed settlement agreement)

Case No. U-20546 involves an application filed by Michigan Gas Utilities Corporation for reconciliation of its gas cost recovery plan for the 12 months ended March 31, 2021. 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 May 26, 2022 meeting. Commissioner Peretick seconded that motion.

Chair Scripps commented:

“I want to thank the parties, Michigan Gas Utilities, our staff, and the Attorney General’s office for their engagement and ultimately the development of the settlement agreement that is before us. To highlight just a couple of the provisions that are likely to have long-term benefit to some of MGU’s customers. It is no secret that there is a fair amount of volatility in the fossil fuel arena right now and we are seeing natural gas prices at a level that we have not seen in the better part of a decade.

I particularly want to highlight the provisions in the settlement agreement where Michigan Gas Utilities agreed (as a means of limiting future price exposure to daily spot market purchases) that they would evaluate near-term alternative for their current supply arrangements and discuss those alternatives in future cases.

In the near future, MGU also agreed to increase the base load purchase provisions in a way that is expected to decrease the instances in which call supply is needed to supply the region and they are, thereby, reducing exposure to call supply risk during colder than normal weather and continuing to provide an evaluation of gas supply optimization options when they are available in the natural gas marketplace that are designed to extract value without impacting or reducing reliability from company-owned firm, gas supply being transferred, transported on its contracted interstate pipeline, capacity with all pipeline transporters.

I think these pieces that were specifically called out in the settlement agreement help to hedge against some of the exposure the fluctuations in the gas markets. Ultimately, I think are in the best interests of Michigan customers on a going forward basis.

Again, I want to reiterate my thanks to both our staff and the Attorney General’s office, as well as the company, for their work in bringing the settlement before us today.”

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

The order was adopted.

V. PUBLIC COMMENTS

There were no public comments.

Commissioner Phillips announced:

“First, I would just like to say that on behalf of the Commission, our thoughts and sympathies are with the households, businesses, and communities in and around the Gaylord area that were impacted by last

Friday’s tornadic storm – which meteorologists have confirmed is the strongest tornado in Michigan since an EF3 tornado impacted the community of Dexter, Michigan in March of 2012.

Secondly, we would like to thank and applaud the great work of first responders, contractors, linemen and personal from gas, electric and telecommunications utilities in the region, and staff from several divisions here at the Commission including – Alex Morese, Tayler Becker, Dave Chislea, Ryan McAnany, Brian Sheldon and Julie Baldwin – thank you for your immediate and ongoing efforts to quickly assess, communicate, and restore critical utility services for affected customers.”

A recording of the proceedings of the May 26, 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, June 23, 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 1:14 p.m.

Lisa Felice
Executive Secretary