

MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES AND AVAILABLE VIA MICROSOFT TEAMS VIDEO CONFERENCING ON JANUARY 19, 2023.

Commission Chair Daniel C. Scripps called the meeting to order at 1:00 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
Matt Helms
Lisa Felice
Ben Johnson
Andy Hannum
Kyle Daymon
Anna Stirling
Anne Armstrong
Al Freeman
Ryan Wilson
Lauren Fromm
Naomi Simpson
Chris Forist
Nathan Burnand
Joy Wang
Wendy Thelen
Marcy Champion
Paul R. Ausum
Mike Byrne
Ryan McAnany

Public: Mike Torrey, Consumers Energy
Heidi Myers, Consumers Energy
Adella Crozier, DTE Energy
Andrew Minegar, MIRS

Additional Staff & Public Attending Telephonically/Video Conferencing: 143 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 December 21, 2022, Commissioner Peretick seconded.

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

The minutes were approved.

III. CONSENTED ORDERS

A. COMMUNICATIONS

- 1. U-13175 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN AT&T MICHIGAN AND XO COMMUNICATIONS SERVICES, LLC (thirty-first and thirty-second amendments)
- U-13758 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AMENDMENTS TO AN INTERCONNECTION AGREEMENT BETWEEN AT&T MICHIGAN AND MCIMETRO ACCESS TRANSMISSION SERVICES, LLC (twenty-second and twenty-third amendments)
- 2. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES, LLC (9-1-1 wireless, U-14000, invoice no. INV-1194 dated December 29, 2022)
- 3. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES, LLC (9-1-1 wireless, U-14000, invoice no. INV-1195 dated December 29, 2022)
- 4. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES, LLC (9-1-1 wireless, U-14000, invoice no. INV-1193 dated January 1, 2023)
- 5. MINUTE PENINSULA FIBER NETWORK, LLC

ACTION (9-1-1 wireless, U-14000, invoice no. INV-3181 dated January 1, 2023)

B. ELECTRIC

1. U-17697 IN THE MATTER OF THE APPLICATION OF ELIGO ENERGY MI, LLC FOR A LICENSE TO OPERATE AS AN ALTERNATIVE ELECTRIC SUPPLIER IN THE STATE OF MICHIGAN (request to voluntarily surrender license/final order)
U-17885 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR ELIGO ENERGY MI, LLC, TO FULLY COMPLY WITH PUBLIC ACT 295 OF 2008
2. U-21206 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR DTE ELECTRIC COMPANY AND DTE GAS COMPANY TO FULLY COMPLY WITH PUBLIC ACT 295 OF 2008, AS AMENDED BY PUBLIC ACT 342 OF 2016 (energy waste reduction reconciliation/proposed settlement agreement)
3. U-21242 IN THE MATTER OF THE APPLICATION OF DTE ELECTRIC COMPANY FOR RECONCILIATION OF ITS 2021 DEMAND RESPONSE PROGRAM COSTS (proposed settlement agreement)
4. MINUTE ACTION CYBERSECURITY INCENTIVES (FERC Docket No. RM22-19-000)

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 4 orders and 5 minute actions were adopted.

IV. OTHER ORDERS

A. COMMUNICATIONS

1. U-21337 IN THE MATTER TO CONSIDER IMPLEMENTATION OF A RELIEF PLAN FOR THE 313 NUMBERING PLAN AREA

U-12880 (announcement of public hearing)
IN THE MATTER, ON THE COMMISSION’S OWN MOTION, TO
CONSIDER IMPLEMENTATION OF A 313 AREA CODE RELIEF
PLAN

Commission Staff Wendy Thelen, Telecommunications Division, presented a brief synopsis of the case listed above. Commissioner Phillips moved that the Commission approve the order at its January 19, 2023 meeting. Commissioner Peretick seconded that motion.

Commissioner Phillips commented:

“I would like to thank Ms. Thelen, as well as the entire Telecommunications Division, as well as your predecessors, for your continued work to prevent number exhaustion; not only in the 313 area code, but also in a number of other service areas across the state. I know that petitions like these are not taken lightly, especially when they are in a world-famous area code like 313. I really do have a lot of confidence in your due diligence and being able to reach out to customers and organizing the public hearing later this year. We really look forward to the recommendations that you provide us, as well as the input from the community. We want to make sure that we are sharing knowledge and understanding on what this process is and what the potential implications might be and ensuring that we provide that opportunity for customers, as well as stakeholders to provide input on any potential impacts and ramifications. Thank you all again for your commitment and work to this petition request.”

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

The order was adopted.

B. ELECTRIC

1. U-20165 IN THE MATTER OF THE APPLICATION OF CONSUMERS
ENERGY COMPANY FOR APPROVAL OF ITS INTEGRATED
RESOURCE PLAN PURSUANT TO MCL 460.6t AND FOR OTHER
RELIEF
(*ex parte*/proposed amendments to purchase power agreements)

Case No. U-20165 involves an application filed by Consumers Energy Company requesting *ex parte* approval of amendments to power purchase agreements with Calhoun Solar Energy LLC; Cereal City Solar, LLC; and Jackson County Solar, LLC. The order before you approves the application. Commissioner Phillips moved that the Commission approve the order at its January 19, 2023 meeting. Commissioner Peretick seconded that motion.

Vote: Yeas – Scripps, Phillips, Peretick

Nays – None

The order was adopted.

2. U-20528 IN THE MATTER OF THE APPLICATION OF DTE ELECTRIC COMPANY FOR RECONCILIATION OF ITS POWER SUPPLY COST RECOVERY PLAN (Case No. U-20527) FOR THE 12 MONTHS ENDED DECEMBER 31, 2020 (petition for rehearing)

Case No. U-20528 involves an application filed by DTE Electric Company for approval to reconcile its power supply costs and revenues for 2020 metered jurisdictional sales of electricity. The order before you denies the November 28, 2022 petition for rehearing filed by the Association of Businesses Advocating Tariff Equity. Commissioner Phillips moved that the Commission approve the order at its January 19, 2023 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

3. U-20898 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO COMMENCE A COLLABORATIVE TO CONSIDER ISSUES RELATED TO NEW TECHNOLOGIES AND BUSINESS MODELS (requesting comments/interim order)

Case No. U-20898 involves the establishment, on the Commission's own motion, of the New Technologies and Business Models workgroup. The order before you solicits comments on additional questions addressing behind the meter distributed energy resources. Commissioner Phillips moved that the Commission approve the order at its January 19, 2023 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

4. U-21048 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR APPROVAL TO IMPLEMENT A POWER SUPPLY COST RECOVERY PLAN FOR THE 12 MONTHS ENDED DECEMBER 31, 2022

(final order)

Case No. U-21048 involves an application filed by Consumers Energy Company for approval of its power supply cost recovery plan for the 12-month period ending December 31, 2022, and for acceptance of its five-year forecast. The order before you approves the plan and accepts the five-year forecast. Commissioner Phillips moved that the Commission approve the order at its January 19, 2023 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

5. U-21224 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
(proposed settlement agreement)

Commission Staff Marcy Champion, Energy Resources Division, presented a brief synopsis of the case listed above. Commissioner Phillips moved that the Commission approve the order at its January 19, 2023 meeting. Commissioner Peretick seconded that motion.

Commissioner Peretick commented:

“I’d first like to thank all the parties who participated in this case, including our staff, Consumers Energy, and all of the interveners who, over the course of the last 9 months, worked through the many details of this case to negotiate an impressive agreement between 17 different parties, with an additional 3 signing statements of non-objection. As Ms. Champion noted, this settlement agreement would provide needed revenue to the company to repair and maintain dam infrastructure, clear trees from interfering with electric lines, transition the electric vehicle programs to a permanent program, and better involve customers in its decision-making process, with a focus on equity and environmental justice, among many other things. I commend the progress made by all the parties involved and am excited to witness the implementation of these programs in the years to come.”

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

The order was adopted.

V. ANNOUNCEMENT OF 2023 REGULAR COMMISSION MEETING SCHEDULE

VI. PUBLIC COMMENTS

Arthur Rohde, President, Arthur J. Rohde & Company, Detroit, expressed his concerns regarding two decisions that were made and approved by DTE that greatly impact small businesses and consumers. Chair Scripps referred Mr. Rohde to the Customer Assistance Division.

Ms. Shay offered her suggestions regarding DTE's drop boxes and locations for customers to make their payments. Chair Scripps indicated the Customer Assistance Division would follow up with her.

Jim Hartnett, Pinckney, commented on the transition of the state to a zero-carbon electric grid and voiced his support for policies and actions that support that objective. Chair Scripps referred Mr. Hartnett to the Commission's website and the Commissioner's email address to assist in locating the information that he is seeking.

A recording of the proceedings of the January 19, 2023 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, February 2, 2023 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 1:38 p.m.

Lisa Felice
Executive Secretary