

MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES AND AVAILABLE VIA MICROSOFT TEAMS VIDEO CONFERENCING ON APRIL 13, 2023.

Commission Chair Daniel C. Scripps called the meeting to order at 1:03 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: Leah Arendt
Matt Helms
Lisa Felice
Al Freeman
Diane Martin
Chris Forist
Kayla Gibbs
Julie Baldwin
Sharon Feldman
Leslie Farrow
Anne Armstrong
Andy Hannum
Ben Johnson
Kyle Daymon
Mike Byrne
JoLynn Satterelli
Jesse Harlow
Jill Rusnak
Blair Renfro
Roger Doherty
Olivia Li Szilagyi

Public: Andrew Minegar, MIRS
Mike Torrey, Consumers Energy
Heidi Myers, Consumers Energy
Nick Abraham, Consumers Energy
Adella Crozier, DTE
9 Other Public Attendees

Additional Staff & Public Attending Telephonically/Video Conferencing: 105 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 24, 2023, Commissioner Peretick seconded.

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

The minutes were approved.

III. CONSENTED ORDERS

A. COMMUNICATIONS

1. U-15607 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN AT&T MICHIGAN AND GC PIVOTAL, LLC
(request to terminate and close docket)
- U-20308 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF A MULTI-STATE INTERCONNECTION AGREEMENT BETWEEN UNITI FIBER, LLC AND VARIOUS AT&T INC. OWNED COMPANIES, INCLUDING AT&T MICHIGAN
(second amendment)
- U-20670 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN CBTS TECHNOLOGY SOLUTIONS, LLC AND AT&T MICHIGAN
(second amendment)
- U-21391 IN THE MATTER OF A JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN WALDRON TELEPHONE CO. AND TELEPORT COMMUNICATIONS AMERICA, LLC
(interconnection agreement)
- U-21395 IN THE MATTER OF A JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN SAND CREEK TELEPHONE COMPANY AND TELEPORT COMMUNICATIONS AMERICA, LLC
(interconnection agreement)

- U-21401 IN THE MATTER OF A LOCAL TRAFFIC EXCHANGE AGREEMENT BETWEEN WALDRON TELEPHONE COMPANY AND BANDWIDTH.COM CLEC LLC
2. U-20662 IN THE MATTER OF THE APPLICATION OF HIGH SPEED CONNECT MICHIGAN LLC FOR A TEMPORARY AND PERMANENT LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE
(request to voluntarily surrender license)
3. U-21372 IN THE MATTER OF THE COMPLAINT OF RANDY MARKOVICH AGAINST FRONTIER COMMUNICATIONS
(request to dismiss complaint)
4. MINUTE ACTION PENINSULA FIBER NETWORK LLC
(9-1-1 wireless, U-14000, invoice no. INV 3226, dated April 1, 2023)
5. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC
(9-1-1 wireless, U-14000, invoice no. INV 1203, dated March 15, 2023)
6. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC
(9-1-1 wireless, U-14000, invoice no. INV 1204, dated March 16, 2023)
7. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC
(9-1-1 wireless, U-14000, invoice no. INV 1205, dated March 16, 2023)
8. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC
(9-1-1 wireless, U-14000, invoice no. INV 1206, dated March 16, 2023)
9. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC
(9-1-1 wireless, U-14000, invoice no. INV 1207, dated March 16, 2023)
10. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC
(9-1-1 wireless, U-14000, invoice no. INV 1208, dated March 16, 2023)
11. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC
(9-1-1 wireless, U-14000, invoice no. INV 1210, dated April 1, 2023)

B. ELECTRIC

1. U-18089 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, ESTABLISHING THE METHOD AND AVOIDED COST CALCULATION FOR ALPENA POWER COMPANY TO FULLY COMPLY WITH THE PUBLIC UTILITY REGULATORY POLICIES ACT OF 1978, 16 USC 2601 *et seq.*
(proposed settlement agreement)
2. U-21197 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, 2021
(proposed settlement agreement)
3. U-21267 IN THE MATTER OF THE APPLICATION OF UPPER PENINSULA POWER COMPANY FOR APPROVAL TO IMPLEMENT A POWER SUPPLY COST RECOVERY PLAN FOR THE 12 MONTHS ENDING DECEMBER 31, 2023
(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 6 orders and 8 minute actions were adopted.

IV. OTHER ORDERS

A. ELECTRIC

1. U-21332 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR APPROVAL OF A ONE-TIME VOLUNTARY REFUND OF REVENUE
(final order)

Case No. U-21332 involves an application filed by Consumers Energy Company requesting approval of a one-time voluntary refund to the company’s utility customers and authorization to implement accounting procedures consistent with the refund. The order before you approves in part and denies in part Consumers Energy Company’s proposed methodology for issuing the one-time

voluntary refund. Commissioner Phillips moved that the Commission approve the order at its April 13, 2023 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

2. U-21388 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, TO OPEN A DOCKET THAT WILL BE USED TO COLLABORATIVELY CONSIDER AND ADDRESS ISSUES AND CONCERNS RELATED TO THE RELIABILITY AND RESILIENCE OF THE ELECTRIC POWER SYSTEM IN MICHIGAN IN A COMMISSION-SPONSORED TECHNICAL CONFERENCE
(order opening docket)

Case No. U-21388 involves a matter, on the Commission’s own motion, to commence a proceeding for collaborative consideration of issues related to the reliability and resilience of the electric power system in Michigan. The order before you notifies interested persons of the opportunity to participate in a Commission-sponsored technical conference, extending over two half-days, on this topic. Commissioner Phillips moved that the Commission approve the order at its April 13, 2023 meeting. Commissioner Peretick seconded that motion.

Commissioner Phillips commented:

“I just want to briefly thank all those who participated in the town halls related to the recent power outages. I know for all of us, a lot of the feedback and input (as well as criticisms) that we received during those town halls were taken into account in crafting the agenda for the upcoming resilience and reliability technical conference, as described in this order.

Again, thank you for that feedback. We are releasing a Q&A document on our website that will give some more specific feedback and responses to those questions, criticisms, and other concerns that were raised during those town hall events. It will be available through the press release and social media after this meeting.

I would also like to thank the many folks and utility customers that attended those sessions several weeks ago.”

Chair Scripps commented:

“One of the questions that I got from some of the media inquires that we received following some of the outage events is “What do we do in the meantime?” even as we are working to make the grid more reliable, reduce the number and frequency outages, and the number of folks experiencing multiple outages. How do we ensure greater resilience at both the individual and community level?

It is the right question. It is going to take time to get the grid to the place where we all want it to be, expected to be, and needed to be. In the meantime, we need to make sure that the individuals experiencing outages (whether at the distribution level or for whatever other reason) are taken care of. This is really the focus of this reliability and resilience technical conference. Teasing up some of the issues, barriers, including the need for greater resilience, how we define resilience, issues affecting cross-sectional interdependence, and critical infrastructure sectors and barriers to enhanced resilience, including regulatory barriers under the Commission’s control, and those planning financial, technology, policy, and other barriers that may fall outside of our direct control.

The focus here (as in everything else) is on solutions, data and mapping tools, technology program design, promoting equity, understanding that resilience investments have historically been inequitable, better empower the most vulnerable customers in addressing resilience in impacted communities, financing what funding is available, both traditional and new opportunities, engaging local units of government - both in facilities critical to community resilience regarding to vulnerable individuals during outages, during those extreme weather events, and identifying cost-effective opportunities to promote resilience during the planning process that local units of government use for public works project. It really is a focus of issues, barriers, and ultimately solutions to make sure that we work to improve the reliability of the overall grid. We are promoting resilience at both the individual and community level along the way. I am looking forward to learning as part of that technical conference.”

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

The order was adopted.

3. U-21399 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, TO OPEN A DOCKET THAT WILL BE USED TO COLLABORATIVELY IDENTIFY NATIONAL BEST PRACTICES AND OPPORTUNITIES RELATED TO UTILITY BATTERY STORAGE IN A COMMISSION-SPONSORED TECHNICAL CONFERENCE FOR RESIDENTIAL BATTERY STORAGE PILOTS
(order opening docket)

Case No. U-21399 involves a matter, on the Commission’s own motion, to open a docket that will be used to collaboratively identify national best practices and opportunities related to utility energy storage in a Commission-sponsored technical conference for residential energy storage pilots. The order before you opens the docket and sets forth details regarding the upcoming collaborative technical conference scheduled for July 25, 2023. Commissioner Phillips moved that the Commission approve the order at its April 13, 2023 meeting. Commissioner Peretick seconded that motion.

Commissioner Peretick commented:

“I would like to note that this technical conference will be open to anyone who would like to join, and we welcome your attendance and participation. There will be more details about the time, agenda, and format of the conference. That will be announced in the docket no later than July 11th.

The technical conference to be held on July 25. I am looking forward to understanding the benefits and costs of residential energy storage programs, understand issues related to low-income customers, solve ownership and contracting issues, and find solutions for residential energy storage programs that are attainable and beneficial.”

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

The order was adopted.

B. GAS

1. U-21331 IN THE MATTER OF THE APPLICATION OF DTE GAS COMPANY FOR APPROVAL OF A ONE-TIME VOLUNTARY REFUND OF REVENUE (final order)

Case No. U-21331 involves the *ex parte* application filed by DTE Gas Company for a one-time voluntarily refund. The order before you approves a refund amount of \$5 million and approves DTE Gas’s proposed refund method. Commissioner Phillips moved that the Commission approve the order at its April 13, 2023 meeting. Commissioner Peretick seconded that motion.

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

The order was adopted.

V. PUBLIC COMMENTS

Ted Griffin, Jerry Labadie, George Cargo, Tammy Tapper, Jim Tapper, Julie Richardson, Kevin Gull provided in-person verbal comments opposing Consumers Energy’s proposed transmission line project in Van Buren County, identified as the Crandall Transmission Line.

Sheila Cutshall, Pricilla Woodhams, and Craig Jones provided verbal comments opposing Consumers Energy’s proposed transmission line project in Van Buren County, identified as the Crandall Transmission Line. These comments were provided remotely via Microsoft TEAMS.

Tom Allen, Royal Oak addressed his concerns regarding the number and length of electric outages and tree trimming in his area. His comments were provided remotely via Microsoft TEAMS.

Chair Scripps announced:

“I just want to note that April is National Arab American Heritage Month. It is a celebration of rich and diverse culture and achievements of Arab Americans. The initiative of the official national designation was launched in 2017. Michigan was onboard as of 2019. In 2021, April was observed as National Arab American Heritage Month. I want to highlight the many accomplishments of both our Arab American staff, as well as the many Arab Americans across the state of Michigan in celebrating National Arab American Heritage Month.”

Commissioner Peretick announced:

“April is Safe Digging Month. Before you begin any project that involves digging, call MISS DIG at 811 to have them come and mark where your underground utilities are so you don’t accidentally come into contact with a buried gas line, electric line, or water or sewer pipes. It is totally free, and you only need to give them 72 hours notice (even though they prefer if you give them a heads up a week in advance if you can). If you’re planning on planting a tree, building a deck, or fence, or any other project that involves digging please remember to call 811.”

A recording of the proceedings of the April 13, 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 April 24, 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 2:00 p.m.

Lisa Felice
Executive Secretary