

MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES AND AVAILABLE VIA MICROSOFT TEAMS VIDEO CONFERENCING ON JULY 26, 2023.

Commission Chair Daniel C. Scripps called the meeting to order at 10:34 a.m.  
Executive Secretary Lisa Felice called the roll and declared there was a quorum.

**PRESENT**

Commission: Daniel C. Scripps, Chair  
Katherine Peretick, Commissioner  
Alessandra Carreon, Commissioner

Staff: Blair Renfro  
Matt Helms  
Lisa Felice  
Ryan Wilson  
Al Freeman  
Diane Martin  
Lauren Fromm  
Olivia Li Szilagyi  
Jill Rusnak  
Sarah Mullkoff  
Shannon Wambaugh  
Kyle Daymon  
Andy Hannum  
Charlie Tidwell  
Mike Byrne  
Nathan Burnand  
Anne Armstrong  
Justin Miller

Public: Adella Crozier, DTE  
Trevor Lauer, DTE  
Joyce Leslie, DTE  
Heidi Myers, Consumers Energy  
Kelly Hall, Consumers Energy  
Angela Wojtowicz, DTE  
Sanusi Garba, Chairman, NERC Delegation  
Aisha Mahmud, Commissioner, NERC Delegation  
Nathan Shatti, Commissioner, NERC Delegation  
Chidi Ike, Commissioner, NERC Delegation  
Usman Abba Arabi, General Manager, NERC Delegation  
Ada Ozoemena, Commission Secretary, NERC Delegation

**Chair Scripps commented:**

“Before we begin today’s business meeting, I want to welcome Commissioner Alessandra Carreon who is participating in her first meeting as a Commissioner. Her appointment to the Commission was effective this past Monday. She brings a wealth of both expertise and experience in the energy transition. Speaking for both me and for Commissioner Peretick, we are very excited to welcome you and look forward to working with you in these exciting times.”

**Commissioner Carreon commented:**

“Thank you, Chair Scripps. I am very happy and grateful for the opportunity to serve through the Commission. Prior to my appointment, I worked at RMI, an NGO focused on the clean energy transition, where I led projects on equitable transportation electrification, including accelerating accessible and affordable EVs and charging infrastructure, and launched an initiative to promote circular EV battery value chains. Before RMI, I spent many years at Ford Motor Company in global sustainability and responsible raw material sourcing roles. I majored in chemical engineering and received my MBA from Michigan Ross. I live in Detroit with my family and really look forward to working with you and the full Commission in advancing our mission.”

**Chair Scripps commented:**

“Thank you, Commissioner Carreon. I think that this is the first time that any Commission Chair has been able to say that I am surrounded by engineers, both at the staff level and among my colleagues. We are very excited to have you here.

I also want to acknowledge the presence of some special guests from the Nigerian Electricity Regulatory Commission, including Chairman Sanusi Garba, Commissioner Aisha Mahmud, Commissioner Nathan Shatti, Commissioner Chidi Ike, General Manager Dr. Usman Abba Arabi, and Commission Secretary Ada Ozoemena. We are thrilled to have you here. We have a special relationship with the Nigerian regulators, going back to our former Chairman Isiogu, who spent a fair amount of time in Nigeria (in Abuja). We also learned today that both Commissioner Mahmud and Ms. Ozoemena also did internships here at the Michigan Public Service Commission back in the 2010 timeframe. If our friends and colleagues from the Nigerian Electricity Regulatory Commission could stand, we wanted to officially to Lansing and to Michigan.”

Additional Staff & Public Attending Telephonically/Video Conferencing: 123 Participants

**I.** Commissioner Peretick moved to approve today’s agenda, Commissioner Carreon seconded.

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

The agenda was approved.

**II.** Commissioner Peretick moved to approve the minutes of the Regular Commission Meeting of July 7, 2023, Chair Scripps seconded.

Vote: Yeas – Scripps, Peretick  
Nays – None  
Abstains – Carreon

The minutes were approved.

**III. CONSENTED ORDERS**

**A. COMMUNICATIONS**

1. U-17119 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN TELNET WORLDWIDE, INC. AND MICHIGAN BELL TELEPHONE COMPANY d/b/a AT&T MICHIGAN (eleventh amendment)
- U-17140 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN AMENDMENT TO THE TRAFFIC EXCHANGE AGREEMENT BETWEEN BRIGHTSPEED OF MICHIGAN, INC. f/k/a CENTURYTEL OF MICHIGAN, INC. BRIGHTSPEED OF CENTRAL MICHIGAN, INC. f/k/a CENTURYTEL OF MIDWEST-MICHIGAN, INC., BRIGHTSPEED OF NORTHERN MICHIGAN, INC. f/k/a CENTURYTEL OF NORTHERN MICHIGAN, INC. BRIGHTSPEED OF UPPER MICHIGAN, INC. f/k/a CENTURYTEL OF UPPER MICHIGAN, INC., AND CHARTER FIBERLINK – MICHIGAN, LLC (second amendment)
2. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC (9-1-1 wireless, U-14000, invoice no. INV-1217 dated July 1, 2023)
3. MINUTE ACTION PENINSULA FIBER NETWORK LLC (9-1-1 wireless, U-14000, invoice no. 3274 dated July 1, 2023)

**B. ELECTRIC**

1. U-21307 IN THE MATTER OF THE APPLICATION OF DTE ELECTRIC COMPANY FOR RECONCILIATION OF ITS TRANSITIONAL RECONCILIATION MECHANISM ASSOCIATED WITH THE DISPOSITION OF THE CITY OF DETROIT PUBLIC LIGHTING

SYSTEM FOR THE PERIOD OF JANUARY 1, 2021 THROUGH  
OCTOBER 31, 2022  
(proposed settlement agreement)

2. U-21311 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR ALPENA POWER 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-21315 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 reconciliation/proposed settlement agreement)
4. U-21317 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR UPPER MICHIGAN ENERGY RESOURCES CORPORATION TO FULLY COMPLY WITH PUBLIC ACT 295 OF 2008, AS AMENDED BY PUBLIC ACT 342 OF 2016  
(energy waste reduction reconciliation/proposed settlement agreement)
5. U-21351 IN THE MATTER OF THE APPLICATION OF ALPENA POWER COMPANY TO COMMENCE A RENEWABLE ENERGY COST RECONCILIATION PROCEEDING FOR THE 12-MONTH PERIOD ENDED DECEMBER 31, 2022  
(proposed settlement agreement)
6. U-21355 IN THE MATTER OF THE APPLICATION OF NORTHERN STATES POWER COMPANY TO COMMENCE A RENEWABLE ENERGY COST RECONCILIATION PROCEEDING FOR THE 12-MONTH PERIOD ENDED DECEMBER 31, 2022  
(proposed settlement agreement)

**C. GAS**

1. U-21318 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR MICHIGAN GAS UTILITIES CORPORATION TO FULLY COMPLY

WITH PUBLIC ACT 295 OF 2008, AS AMENDED BY PUBLIC ACT  
342 OF 2016  
(energy waste reduction reconciliation/proposed settlement agreement)

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

**Commissioner Carreon commented:**

“I have just been appointed to the Commission. I am not sufficiently familiar with the matter to make  
an informed decision, so I intend to abstain from the remaining proposed orders on today’s agenda.”

Vote: Yeas – Scripps, Peretick  
Nays – None  
Abstains – Carreon

The 8 orders and 2 minute actions were adopted.

**IV. OTHER ORDERS**

**A. COMMUNICATIONS**

1. U-21449 IN THE MATTER OF THE APPLICATION OF CINCINNATI BELL  
EXTENDED TERRITORIES LLC d/b/a ALTA FIBER CONNECTED  
SERVICES FOR A LICENSE TO PROVIDE LOCAL EXCHANGE  
SERVICE THROUGHOUT THE STATE OF MICHIGAN IN THE  
ZONES AND EXCHANGES SERVED BY FRONTIER NORTH INC.,  
FRONTIER MIDSTATES INC., AND AT&T MICHIGAN  
(interim order)

Case No. U-21449 involves an application filed by Cincinnati Bell  
Extended Territories LLC d/b/a altafiber connected services for a  
temporary license to provide basic local exchange service. The  
order before you grants the license. Commissioner Peretick moved  
that the Commission approve the order at its July 26, 2023 meeting.  
Chair Scripps seconded that motion.

Vote: Yeas – Scripps, Peretick  
Nays – None  
Abstains – Carreon

The order was adopted.

**L B. ELECTRIC**

1. U-17377 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO IMPLEMENT THE PROVISIONS OF 2013 PA 95 (low-income energy assistance funding factor/final order)

Case No. U-17377 involves implementation of the provisions of Public Act 95 of 2013. The order before you adopts the funding factor for the Low-Income Energy Assistance Fund for 2023-2024. Commissioner Peretick moved that the Commission approve the order at its July 26, 2023 meeting. Chair Scripps seconded that motion.

Vote: Yeas – Scripps, Peretick  
Nays – None  
Abstains – Carreon

The order was adopted.

2. 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 (proposed settlement agreement)

Commission Staff Megan Kolioupoulos, Energy Resources Division, presented a brief synopsis of the case listed above. Commissioner Peretick moved that the Commission approve the order at its July 26, 2023 meeting. Chair Scripps seconded that motion.

**Commissioner Peretick commented:**

“First of all, I would like to thank Ms. Kolioupoulos for the thorough presentation. I also want to thank our staff at the MPSC, DTE Electric, and the wide variety of organizations that intervened in this important integrated resource plan and came to this uncontested settlement agreement. As you can tell, there is a lot to this settlement agreement and the importance to our integrated resource plans in the state of Michigan cannot be understated.

DTE Electric provides electricity to 2.3 million customers in Michigan. This settlement agreement determines the long-range forecast for ensuring that we have enough and the right resources over the next 20 years. It is hard to look that far into the future and I think it is important to have all of these varied voices representing so many interests and population throughout the state represented in the settlement agreement that determines the future of our energy sources.”

**Chair Scripps commented:**

“Thank you, Commissioner Peretick. I would like to add my thanks and a few comments, as well and echo your remarks here. In considering the settlement agreement and the order that is in front of us, I went back to the last IRP from DTE Electric Company. In February 2020, we

recommended a series of changes and in April 2020, ultimately approved a revised IRP that incorporated those changes. I will say that this is just night and day from where we were just three years ago. I think this is a testament to the focus of the utility, the active engagement (as Commissioner Peretick mentioned), a broad range of stakeholders to bring forward an uncontested settlement that I think reflects a seismic amount of progress, just in the last three years.

The core of the integrated resource planning framework that was put into statute by the Legislature on a bipartisan basis in 2016, is focused ultimately on responsibly managing the ongoing energy transition in a way that maintains reliability and resource adequacy for Michigan customers, as well as the affordability of the energy mix. When you look at the range of issues resolved by this settlement agreement, as well as the range of interveners who filed in support, including not just the company and our staff, but the Attorney General representing consumer interests, clean energy advocates, environmental advocates, labor voices – all agreeing to a framework that accelerates coal retirements, converts some existing coal resources to gas, significantly increases and accelerates renewable energy and storage, including increasing participation in the Company’s distributed generation program to six percent, maintains effective cost-effective energy waste reduction programs, provide support for low-income communities and individuals, and incorporates a mix of securitization and regulatory asset treatment for the outstanding balances that I think appropriately balances customer interest and affordability with the long-term financial health of the utility.

This is a very strong settlement agreement and a very strong integrated resource plan, and I am excited to have this in front of us today. Kudos to the many parties involved. I think this represents significant progress and we will continue from here.”

Vote: Yeas – Scripps, Peretick  
Nays – None  
Abstains – Carreon

The order was adopted.

- 3. U-21225 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, TO OPEN A DOCKET FOR LOAD SERVING ENTITIES IN MICHIGAN TO FILE THEIR CAPACITY DEMONSTRATIONS AS REQUIRED BY MCL 460.6w FOR THE 2026/2027 PLANNING YEAR
- U-21099 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, TO OPEN A DOCKET FOR LOAD SERVING ENTITIES IN MICHIGAN TO FILE THEIR CAPACITY DEMONSTRATIONS AS REQUIRED BY MCL 460.6w
- U-21393 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, TO OPEN A DOCKET FOR LOAD SERVING ENTITIES IN MICHIGAN TO FILE THEIR CAPACITY DEMONSTRATIONS FOR THE 2027/2028 PLANNING YEARS AS REQUIRED BY MCL 460.6w

Case Nos. U-21225 *et al.* involve a matter, on the Commission’s own motion, to open a docket for load serving entities in Michigan

to file their capacity demonstrations as required by MCL 460.6w. The order before you accepts the Commission Staff’s March 24, 2023 Capacity Demonstration Results Report, closes the docket in Case No. U-21225, opens the docket in Case No. U-21393 for the purpose of receiving capacity demonstrations for the 2027/2028 planning year, and adopts the Commission Staff’s proposed Capacity Demonstration Process and Requirements, as revised and described in this order. Commissioner Peretick moved that the Commission approve the order at its July 26, 2023 meeting. Chair Scripps seconded that motion.

Vote: Yeas – Scripps, Peretick  
Nays – None  
Abstains – Carreon

The order was adopted.

4. U-21265 IN THE MATTER OF THE APPLICATION OF UPPER MICHIGAN ENERGY RESOURCES CORPORATION FOR APPROVAL TO IMPLEMENT A POWER SUPPLY COST RECOVERY PLAN FOR THE TWELVE MONTHS ENDING DECEMBER 31, 2023 (proposed settlement agreement)

Case No. U-21265 involves an application filed by Upper Michigan Energy Resources Corporation for approval to implement a power supply cost recovery plan for the 12 months ending December 31, 2023. The order before you approves a settlement agreement resolving all issues in the case. Commissioner Peretick moved that the Commission approve the order at its July 26, 2023 meeting. Chair Scripps seconded that motion.

Vote: Yeas – Scripps, Peretick  
Nays – None  
Abstains – Carreon

The order was adopted.

## V. PUBLIC COMMENTS

There were no public comments.

### **Chair Scripps announced:**

“First, I think we are well aware of storm activity heading towards Michigan today. I encourage folks to be safe. Stay at least 25 yards away from any downed power line. Assume that it is live.

We want to avoid any tragic consequences. I know that the utility crews and first responders will be out working to restore any power outages as soon as they safely can, with a prioritization of public safety. Again, stay well away from downed power lines. If you need emergency assistance call emergency personnel and be safe.

Second, we are seeing the highest temperatures and correspondingly the highest load on the system this week. We have been in active communications with the grid operators at both MISO and PJM around their planning and any contingencies that they have. We are following that closely. It looks like it could be tight. I know that MISO has issued a Max Gen alert for tomorrow and is looking at any additional steps that they may need to take, but we will be in very active communication with the grid operators as we get to record load for the year or at least on the system this week.

Finally, as I think most folks know the Mid-America Regulatory Conference is hosting its 2023 annual conference on August 6<sup>th</sup> through August 9<sup>th</sup> in Grand Rapids, Michigan. We are excited to host this conference here in Pure Michigan. For more information, the website for the conference is [www.MARC-Conference.org](http://www.MARC-Conference.org).

Again, a warm welcome to our friends from Nigeria. We are happy to have you here.”

A recording of the proceedings of the July 26, 2023 meeting is archived at:  
[https://www.michigan.gov/mpsc/0,9535,7-395-93307\\_93316\\_93317\\_93875---Y,00.html](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, August 30, 2023 at 1:00 p.m.

Commissioner Peretick moved that the Commission adjourn, Chair Scripps seconded.

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

The motion was approved.

The meeting adjourned at 10:58 a.m.

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Lisa Felice  
Executive Secretary