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MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES AND AVAILABLE VIA MICROSOFT TEAMS VIDEO CONFERENCING ON DECEMBER 21, 2023.

Commission Chair Daniel C. Scripps called the meeting to order at 1:05 p.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: Leah Arendt  
Matt Helms  
Lisa Felice  
Blair Renfro  
Diane Martin  
Paul Adams  
Al Freeman  
Anne Armstrong  
Ryan Wilson  
Jake Thelen  
Drew Simon  
Kayla Gibbs  
Kyle Daymon  
Andy Hannum  
Ben Johnson  
Lisa Kindschy  
Nora Quilico  
Chris Wentworth  
Allie Koeplinger  
Jessica Duell  
Jesse Harlow  
Mike Byrne  
Sarah Mullkoff  
Paul Ausum  
Dolores Midkiff-Powell  
Jill Rusnak  
Ryan Boutet  
Nick Evans  
Josh Towsley  
Laura Weir  
Julie Baldwin

Public: Karol Sanborn  
Heidi Myers, Consumers Energy  
Kelly Hall, Consumers Energy

Additional Staff & Public Attending Telephonically/Video Conferencing: 261 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 December 1, 2023, Commissioner Carreon seconded.

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

The minutes were approved.

**III. CONSENTED ORDERS**

**A. COMMUNICATIONS**

1. U-15191 IN THE MATTER OF THE APPLICATION OF TELECOM MANAGEMENT, INC., d/b/a PIONEER LONG DISTANCE, FOR A PERMANENT LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE IN THE AREAS CURRENTLY SERVED BY VERIZON NORTH INC., CONTEL OF THE SOUTH, INC., d/b/a VERIZON NORTH SYSTEMS, AND AT&T MICHIGAN (request to voluntarily surrender license/final order)
  
2. U-15726 IN THE MATTER OF THE APPLICATION OF AMERICAN BROADBAND AND TELECOMMUNICATIONS COMPANY FOR DESIGNATION AS A HIGH-COST ELIGIBLE TELECOMMUNICATIONS CARRIER PURSUANT TO SECTION 214(e)(2) OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED (request to relinquish designation/final order)

3. U-20857 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN BRIGHT HOUSE NETWORKS INFORMATION SERVICES (MICHIGAN), LLC AND MICHIGAN BELL TELEPHONE COMPANY d/b/a/ AT&T MICHIGAN  
(first amendment)
- U-20858 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN CHARTER FIBERLINK-MICHIGAN, LLC AND MICHIGAN BELL TELEPHONE COMPANY d/b/a AT&T MICHIGAN  
(first amendment)
- U-20861 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AGREEMENT BETWEEN TIME WARNER CABLE INFORMATION SERVICES (MICHIGAN), LLC AND MICHIGAN BELL TELEPHONE COMPANY d/b/a AT&T MICHIGAN  
(first amendment)
4. MINUTE ACTION AT&T MICHIGAN  
(9-1-1 wireless, U-14000, invoice no. 517 R41-0001 067 9, dated December 1, 2023)
5. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC  
(9-1-1 wireless, U-14000, invoice no. INV-1231, dated December 1, 2023)
6. MINUTE ACTION PENINSULA FIBER NETWORK, LLC  
(9-1-1 wireless, U-14000, invoice no. INV-3345, dated December 1, 2023)

**B. ELECTRIC**

1. U-18353 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATION, AND/OR APPROVALS NECESSARY FOR INDIANA MICHIGAN POWER COMPANY TO COMPLY WITH SECTION 61 OF 2016 PA 342  
(voluntary green pricing/proposed settlement agreement)
2. U-21324 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)

3. U-21325 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR UPPER PENINSULA 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)
4. U-21421 IN THE MATTER OF THE APPLICATION OF ALPENA POWER COMPANY FOR APPROVAL TO IMPLEMENT A POWER SUPPLY COST RECOVERY PLAN FOR THE TWELVE MONTHS ENDING DECEMBER 31, 2024  
(proposed settlement agreement)
5. MINUTE ACTION MIDCONTINENT INDEPENDENT SYSTEM OPERATOR, INC., INTERCONNECTION QUEUE CAP, COMMENTS  
(FERC Docket No. ER24-341-000)

**C. GAS**

1. U-21069 IN THE MATTER OF THE APPLICATION OF NORTHERN STATES POWER COMPANY FOR RECONCILIATION OF ITS GAS COST RECOVERY PLAN (CASE NO. U-21068) FOR THE 12 MONTHS ENDED MARCH 31, 2023  
(proposed settlement agreement)
2. U-21328 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR SEMCO ENERGY, INC. TO FULLY COMPLY WITH PUBLIC ACT 295 OF 2008, AS AMENDED BY PUBLIC ACT 342 OF 2016  
(energy waste reduction/proposed settlement agreement)
3. U-21435 IN THE MATTER OF THE APPLICATION OF UPPER MICHIGAN ENERGY RESOURCES CORPORATION FOR APPROVAL OF A GAS COST RECOVERY PLAN AND FACTORS FOR THE 12-MONTH PERIOD ENDING OCTOBER 31, 2024, AND RELATED APPROVALS  
(proposed settlement agreement)

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

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

The 10 orders and 4 minute actions were adopted.

#### **IV. OTHER ORDERS**

##### **A. ELECTRIC**

1. U-12270 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, OF THE INVESTIGATION INTO THE METHODS TO IMPROVE THE RELIABILITY OF ELECTRIC SERVICE IN MICHIGAN (final report form)

Case No. U-12770 involves a matter, on the Commission's own motion, directing the Commission Staff to collaborate with electric utilities and cooperatives to develop a dedicated form to be used in annual report filings pursuant to the Commission's rules on Service Quality and Reliability Standards for Electric Distribution Systems and requesting comments and reply comments on the draft report form. The order before you approves the report form, with modifications, that is attached to the order as Exhibit A. Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

2. U-18350 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATION, AND/OR APPROVALS NECESSARY FOR ALPENA POWER COMPANY TO COMPLY WITH SECTION 61 OF 2016 PA 342 (*ex parte*/voluntary green pricing/interim order)

Case No. U-18350 involves an application filed by Alpena Power Company requesting *ex parte* approval of its voluntary green pricing program. The order before you approves the application.

Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

3. U-18356 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATION, AND/OR APPROVALS NECESSARY FOR UPPER MICHIGAN ENERGY RESOURCES CORPORATION TO COMPLY WITH SECTION 61 OF 2016 PA 342  
(*ex parte*/voluntary green pricing/interim order)

Case No. U-18356 involves an application filed by Upper Michigan Energy Resources Corporation requesting *ex parte* approval of its voluntary green pricing program. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

4. 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 amendment to power purchase agreement)

Case No. U-20165 involves an application from Consumers Energy Company requesting *ex parte* approval of an amendment to its power purchase agreement with Jackson County Solar, LLC. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

5. U-20757 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, TO REVIEW ITS RESPONSE TO THE NOVEL CORONAVIRUS (COVID-19) PANDEMIC, INCLUDING THE STATEWIDE STATE OF EMERGENCY, AND TO PROVIDE GUIDANCE AND DIRECTION TO ENERGY AND TELECOMMUNICATIONS PROVIDERS AND OTHER STAKEHOLDERS (interim order)

Case No. U-20757 involves a matter, on the Commission’s own motion, to review its response to COVID-19 and to provide guidance and direction moving forward. The order before you reviews the Commission Staff’s March 16, 2023 report and recommendations and the comments filed on the report, extends the timeline of the Energy Affordability and Accessibility Collaborative through calendar year 2024, and directs the Energy Affordability and Accessibility Collaborative to continue to work on its current directives, as consistent with this order. Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

**Commissioner Carreon commented:**

“As Ms. Arendt noted, today’s order addresses the recommendations made in a report filed on March 16th and calls for the MPSC’s Energy Affordability and Accessibility Collaborative to continue its work under the Low-Income Energy Policy Board through 2024.

I want to thank the MPSC staff, numerous organizations, and individuals for their commitment in crafting the report recommendations since the Commission issued the original COVID-19 response order for Case No. U-20757 in April 2020.

The Low-Income Policy Board comprises representatives from different sectors to foster a robust collaboration, drawing from the Energy Affordability and Accessibility Collaborative, the MPSC Energy Waste Reduction Low Income Workgroup subcommittee, peer leaders in state government, related task forces, individuals with experience in energy security, and MPSC staff experts. The Board’s efforts have been instrumental in informing practical solutions to break the cycle of crises and utility shutoffs. Our aim is to establish a system that supports consistent, affordable energy programs for Michigan residents in need. Through this case docket, we have requested metrics, data, and insights to advance equitable policy development and better understand outages, shutoffs, and arrearages.

A significant outcome of this order that I'd like to highlight today is the adoption of a clear definition of energy affordability. The definition we cite in the order is intended to help guide the development of assistance programs that can ensure households meet their home energy needs without compromising access to other basic needs.

Equity remains at the forefront of our agenda, integrated across the processes necessary to conduct the Commission’s work, and enabled by many leaders, like the Commission's own Equity and Inclusion officer, among others. Various sections, divisions, and individuals within the Commission take responsibility for outreach and engagement activities, ensuring a strong feedback loop is in place with groups like the Low-Income Energy Policy Board.

We eagerly anticipate ongoing collaboration with the Board, as well as all interested parties, and are dedicated to working together to prepare and provide the necessary resources to advance our DEIJ and equity efforts and address any institutional or cultural barriers that have historically inhibited or might hinder our progress.”

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

The order was adopted.

6. U-20959 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, TO COMMENCE A COLLABORATIVE TO CONSIDER ISSUES RELATED TO FURTHER ENGAGEMENT, EDUCATION, AND PARTICIPATION OF UTILITY CUSTOMERS (petitions for rehearing/interim order)

Case No. U-20959 involves petitions for rehearing of the order issued in this docket on September 8, 2022 filed by Consumers Energy Company and filed jointly by DTE Electric Company and DTE Gas Company. The order before you considers comments received in the docket and the Commission Staff’s recommendations and completes the Commission’s answer to the petitions for rehearing. Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

**Commissioner Peretick commented:**

“Thanks to all who have participated in this case. There is a considerable level of expertise and substantial rigorous analysis required to get to this point. It has been a long process to get this right, starting with the MI Power Grid workgroup, and multiple orders, comment periods, and much discussion. It is important that we get this right. Data transparency is necessary for equitable access to information and the ability to improve upon our system. But it’s equally as important that increasing transparency does not compromise safety and security of customers or their data.

I’m cognizant that with rapidly changing technology, changing public awareness, needs, and expectations, as well as changing customer expectations, that the legitimate needs of various interested persons may conflict with the legitimate needs of other interested persons. We must carefully weigh and balance our decisions, as we have in the order in front of us, to ensure reliable, affordable, safe, and accessible energy for Michigan’s future energy needs.”

Vote: Yeas – Scripps, Peretick, Carreon



Nays – None

The order was adopted.

7. U-21152 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATION AND/OR APPROVALS NECESSARY FOR UPPER PENINSULA POWER COMPANY TO COMPLY WITH SECTION 61 OF 2016 PA 342, AND REVIEW OF VOLUNTARY GREEN PRICING PROGRAM  
(*ex parte/ interim order*)

Case No. U-21152 involves an application filed by Upper Peninsula Power Company requesting *ex parte* approval of its voluntary green pricing program. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

8. U-21173 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATION AND/OR APPROVALS NECESSARY FOR NORTHERN STATES POWER COMPANY, TO COMPLY WITH SECTION 61 OF 2016 PA 342  
(*ex parte/voluntary green pricing/interim order*)

Case No. U-21173 involves an application filed by Northern States Power Company, a Wisconsin corporation, requesting *ex parte* approval of its voluntary green pricing program. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

9. U-21377 IN THE MATTER OF THE APPLICATION OF INDIANA MICHIGAN POWER COMPANY FOR A CERTIFICATE OF NECESSITY

PURSUANT TO MCL 460.6s AND RELATED ACCOUNTING  
AUTHORIZATIONS  
(final order)

Case No. U-21377 involves an application filed by Indiana Michigan Power Company for certificates of necessity pursuant to MCL 460.6s(3)(b) and (d) and related accounting relief. The order before you approves the application, grants the certificates of necessity, and grants the related accounting relief as described in the order. Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

10. 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  
(interim order)

Case No. U-21388 involves a matter, on the Commission’s own motion, to open a docket to collaboratively consider issues related to the reliability and resiliency of the electric power system in Michigan in a Commission-sponsored technical conference. The order before you recaps past and ongoing Commission activities related to improving resilience, provides further direction on resilience initiatives, and provides an opportunity to file comments on issues described in the order. Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

**Commissioner Peretick commented:**

“Increasing the resilience of our state’s electrical distribution system is crucial. Earlier this year, we hosted a technical conference with this goal in mind: how can we cost-effectively increase the resilience of our power grid against the increasingly frequent and severe storms we are experiencing. For me, listening to this technical conference, one of the most important messages conveyed was the importance of communication. Communication with utilities, local government officials, utility customers, vulnerable populations, and all who are affected by outages caused by severe storms. This is building

on top of a broad suite of other initiatives we have launched in recent years focused on improving the reliability of our grid.

The order before us outlines a number of solutions for improving resilience:

1. Requiring meetings with local government officials and emergency response teams to discuss improvements to communication protocols between utilities and local governments during outages and extreme weather events.
2. Explanations of and ideas to improve customer communication protocols and strategies and timelines to improve accuracy of information provided to customers during outage events.
3. Identification and prioritization of critical customers to increase options and resources for identified critical facilities such as schools, hospitals, nursing homes, and community centers to address outages.

I'm looking forward to seeing these items implemented.”

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

The order was adopted.

11. U-21400 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, TO OPEN A DOCKET TO ESTABLISH A WORKGROUP TO INVESTIGATE APPROPRIATE FINANCIAL INCENTIVES AND PENALTIES TO ADDRESS OUTAGES AND DISTRIBUTION PERFORMANCE MOVING FORWARD (interim order)

Case No. U-21400 involves a matter, on the Commission’s own motion, to commence a workgroup for the consideration of financial incentives and penalties as they relate to the reliability and resilience of the electric power system in Michigan. The order before you directs the Commission Staff to convene an additional engagement session with interested persons to discuss proposed revisions to the financial incentives and penalties set forth in the revised straw proposal. The order also schedules a comment period on the proposed revisions to the straw proposal and other issues that will conclude on March 1, 2024. The order directs the Commission Staff to file a report of the workgroup’s investigations and findings in this docket by May 3, 2024. Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

12. U-21500 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR APPROVAL OF AN EXPEDITED PILOT REVIEW WORKPLAN AND EXPEDITED PILOT PROPOSALS  
(*ex parte*/final order)

Case No. U-21500 involves an application filed by Consumers Energy Company for *ex parte* approval of its Expedited Pilot Review Workplan. The order before you grants the application. Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

13. U-21509 IN THE MATTER OF THE REQUEST OF ALGER DELTA COOPERATIVE ELECTRIC ASSOCIATION, CHERRYLAND ELECTRIC COOPERATIVE, GREAT LAKES ENERGY COOPERATIVE, HOMEWORKS TRI-COUNTY ELECTRIC COOPERATIVE, MIDWEST ENERGY & COMMUNICATIONS, ONTONAGON COUNTY REA, PRESQUE ISLE ELECTRIC & GAS CO-OP, AND THUMB ELECTRIC COOPERATIVE, INDIVIDUALLY AND COLLECTIVELY, FOR WAIVERS UNDER R460.751(1)  
(*ex parte*/final order)

Case No. U-21509 involves an *ex parte* application filed by Alger-Delta Co-operative Electric Association, Cherryland Electric Cooperative, Great Lakes Energy Cooperative, Homeworks Tri-County Electric Cooperative, Midwest Energy & Communications, Ontonagon County Rural Electrification Association, Presque Isle Electric & Gas Co-op, and Thumb Electric Cooperative of Michigan for waivers from the reporting requirements contained in certain subsections of Mich Admin Code, R 460.732. The order before you grants the temporary waivers. Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

14. U-21538 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, TO OPEN A DOCKET FOR CERTAIN REGULATED ELECTRIC UTILITIES TO FILE TRANSPORTATION ELECTRIFICATION PLANS AND FOR OTHER RELATED MATTERS  
(order opening docket)

Case No. U-21538 involves, on the Commission’s own motion, the opening of a docket for the purpose of receiving transportation electrification plans from certain regulated electric utilities. The order before you directs DTE Electric Company to file a transportation electrification plan no later than January 11, 2024. Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

**B. GAS**

1. U-21516 IN THE MATTER OF THE APPLICATION OF SEMCO ENERGY GAS COMPANY FOR APPROVAL TO IMPLEMENT SPECIAL CUSTOMER CREDITS RELATING TO A PEPL RATE REFUND  
(*ex parte*/final order)

Case No. U-21516 involves an application filed by SEMCO Energy Gas Company seeking *ex parte* approval of a waiver from certain tariff requirements and approval of the company’s implementation of special customer-class credits. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

2. U-21517 IN THE MATTER OF THE APPLICATION OF MICHIGAN GAS UTILITIES CORPORATION FOR APPROVAL TO IMPLEMENT

SPECIAL CUSTOMER-CLASS CREDITS RELATING TO A PEPL  
RATE REFUND  
(*ex parte*/final order)

Case No. U-21517 involves an application filed by Michigan Gas Utilities Corporation, seeking *ex parte* approval of a waiver from certain tariff requirements and approval of the company's implementation of special customer-class credits. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its December 21, 2023 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

## V. YEAR IN REVIEW

### **Chair Scripps Remarkd:**

“Our next item of business is the year in review for 2023, something that we do every year, but this year is extra special because with roots that go back to the Michigan Railroad Commission, the MPSC and our predecessor agencies have long played – since 1873 – a significant part in ensuring access to the services that are essential to modern life and commerce.

Just like the industries we regulate; this year came with its own opportunities and challenges – opportunities and challenges I believe we as an organization tackled with the professionalism and zeal that I've come to view as the norm from our talented team of staff.

We've accomplished a lot this year, and I want to provide just a few highlights.

#### 1. Case Work

Case work is the bread and butter of the work we do here at the Commission. We set rates, approve long term utility plans, approve infrastructure siting, and make many other decisions through the case processes.

In 2023, the Commission issued more than 345 orders including 4 orders on utility rate requests and 2 integrated resource plan approvals.

#### 2. Infrastructure cases

The Commission approved 2 Integrated Resource Plan applications. The first was Indiana Michigan's IRP which was approved in February. The IRP, I&M's first, included commitments by the company to procure new, carbon-free resources, to increase energy waste reduction savings, and to increase its spending on EWR programs targeting low-income customers. The

IRP also identified a 750 MW capacity need that would be determined through a Certificate of Necessity proceeding.

The Commission also approved DTE's most recent IRP, which featured a number of retirements and conversions of existing facilities coupled with acceleration of renewable energy facility development in order to reduce emissions while ensuring reliable energy generation. The settlement agreement also included a requirement of donations to organizations assisting low-income customers with bill payment or energy efficiency needs, among other items.

And earlier this month, the Commission issued its final order granting Enbridge Energy's application to relocate the Straits Segment of Line 5 into a tunnel under the lake bed.

### 3. Reliability and Resilience Work

Throughout the course of the year, the Commission held four technical conferences to explore issues of reliability and resilience, including a 4.8 kV Technical Conference that explored issues of related to the oldest parts of DTE's electric system.

We also hosted, as Commissioner Peretick described, a two-day Resilience Tech Conference in Mat, which was the topic of the order issued today. And the final technical conference of the year was focused on the DTE Distribution Grid Plan, and that was held in August.

The Commission also kicked off a comprehensive, third-party audit of Consumers Energy and DTE Energy that was directed in U-21305 to review all equipment and operations of the two utilities' distribution systems. After the issuance of a Request for Proposals, the Commission announced the selection of Liberty Consulting as the third-party auditor and that audit is ongoing.

Finally, in late September, DTE Electric, Consumers Energy, and Indiana Michigan Power Company filed their five-year Distribution Infrastructure Investment Plans. The Commission invited public comments on the plans. Those comments are due beginning in January and are unique to each of the three utilities.

### 4. Telecommunications and Broadband

In May, the Commission approved an area code overlay for Detroit's iconic 313 area code. With the 313 area code projected to run out of unassigned numbers in 2026, Commission action was essential to ensuring number availability and an area code overlay meant the area code geography would not need to be split. So those with 313 numbers will not see their numbers change.

The MPSC continued its efforts to support broadband expansion in Michigan. Our Telecommunications Staff participated on the Realizing Opportunity with Broadband Infrastructure Networks (ROBIN) grant program steering committee which is responsible for \$238 million in broadband projects. Staff also participated on both the Connecting Michigan Taskforce and the Michigan High-Speed Internet Office's partnership roundtable discussions.

5. RTO Advocacy and Involvement

The Commission also continued our engagement and advocacy work at the Federal level including with the Federal Energy Regulatory Commission (FERC) and our two grid operators, MISO and PJM. These efforts focused heavily on transmission planning, reforms to generator interconnection queues, and market transformation issues including participating in the development of comments filed at the FERC expressing support for siting reform including issues related to the National Interest Electric Transmission Corridor filing process and encouraging enhanced engagement with landowners and other stakeholders.

6. Federal Engagement on Grants

The Commission was also actively involved in federal engagement on grants through the Infrastructure Investment and Jobs Act and the Inflation Reduction Act where we played an active role in developing and supporting Federal grant applications that would further reliability, resilience, economic development, and other projects and programs across the state.

In total, the grants awarded so far to Michigan utilities will result in approximately \$245 million in grid investments, with half the funds coming from the federal government.

7. MPSC Work on Equity

We've also been active, as Commissioner Carreon described earlier, on equity issues, including the Commission's Low Income Energy Policy Board, which celebrated its 1-year anniversary in April while continuing its important work of helping to guide the process of holistically assessing energy affordability and accessibility by linking energy waste reduction and energy assistance programs.

The Board met 11 times in 2023 and many meetings included presentations focused on opportunities for incorporating equity into this work.

8. "Conclusion" of the MI Power Grid initiative and the issuance of the MPG final report

We also published a final report in the MI Power Grid initiative, which was launched in October of 2019 as a focused, multi-year initiative supported by both the Governor and the Commission to maximize the benefits of the transition to clean, distributed energy resources for Michigan residents and businesses.

The final status report was submitted to the Commission on April 24, 2023 marking the official conclusion of the initiative. Over the course of 4 years, Commission Staff hosted more than 70 stakeholder meetings across 17 workgroups which drew attendance from 386 separate individuals and resulted in 75 separate Commission orders, including a number issued just today.

So, while the final report on the initiative has been issued, significant work is continuing including in the Financial Incentives and Disincentives workgroup which is working to develop metrics to tie utility earnings to utility performance.



## 9. Legislative Work

The Commission was active fulfilling tasks assigned to us by the Legislature, including earlier this year announcing the first awards of the Low Carbon Energy Infrastructure Enhancement and Development grant program which was established by the legislature in 2022.

This year, the Legislature established a new Renewable Energy Infrastructure Enhancement and Development grant and the RFP for that was issued earlier this week.

The Legislature has directed the Commission to conduct a Nuclear Energy Feasibility Study and a workgroup meeting is scheduled for January where the consultants working with us will provide participants an overview of the draft report.

And finally, the Commission was also active in reviewing and providing input and recommendations related to the recently passed Clean Energy and Climate Action Package that was signed by the Governor in November. The Commission is reviewing the legislation and expects to provide information regarding implementation in the first quarter of 2024.

## 10. 2023 MARC Conference

Last, but not least, the Commission had the opportunity to host the 2023 Mid-America Regulatory Conference. It was originally scheduled for Michigan to host in 2020, and this annual conference brings together regulators and staff from 14 states from Michigan to North Dakota and south to Texas. The conference provides an opportunity to meet with and discuss with our colleagues, industry professionals, and members of the public on issues vital to the energy, telecommunications, water, and broader regulatory space.

So not only has 2023 been a busy year, but it's also a year that marked 150 years of regulation for the MPSC and the agencies in which we have our roots. Throughout the last 150 years, the Commission and our predecessor agencies and the dedicated men and women who have steadfastly served them, have certainly faced challenges. But we have also seen and seized tremendous opportunities with which we have been faced. 2024, no doubt, will be a year of change, possibly of challenge, and definitely of opportunity as we continue many of the efforts begun this year and embark on the implementation of the legislation enacted in the fall. We're excited to continue our service to the public by ensuring safe, reliable, and affordable energy and telecommunications services at reasonable rates not only into 2024, but for the next 150 years.

Before we leave our Year in Review, I want to take one more moment to thank my colleagues and the Commission Staff for their work and dedication over the last year. The Commission's vision is to be a "Best in Class" regulatory Commission and your efforts make that a reality every day. Thank you for all that you've done this year and for all that you will do next year. I hope you all have a wonderful holiday season and come back rested and recharged as we certainly have our work cut out for us in 2024."

## VI. PUBLIC COMMENTS

Karol Sanborn addressed her concerns regarding Case No. U-21471, ITC's proposed transmission line route through her property.

### **Commissioner Carreon announced:**

"I wanted to remind those interested in the topic to add our upcoming EV Technical Conference on January 24<sup>th</sup> and 25<sup>th</sup> to their calendars. The conference will take place over two consecutive half day virtual gatherings. We posted the agendas for both days to the docket for Case No. U-21492 just yesterday. We are looking forward to an interactive and engaging event that addresses how to go from pilot to permanent programs on transportation electrification.

I wanted to give a warm welcome to and thank a few guests at our meeting today. They are local filmmakers and film crew members Kristine Patnugot, Razi Jafri, Amanda Tingley, Thaad Sabolboro, Luigi Macairan, and Darrien Pope. This team is working with the Asian-Pacific American Center at the Smithsonian on a five-part educational series documenting the Asian-American community in Michigan. I am very honored to be featured in the series as the first Asian-American Commissioner in our state's history. I would like to offer up a concept in appreciation of our guests today and in celebration of all our intersectional identities, the Filipino word kapwa. Kapwa does not have a literal English translation, but it roughly means shared identity, equality, and being with others. It can be thought of as obligation we have towards each other. I would like to conclude my thanks by sharing a beautiful quote from a writer from the Philippines who lives in the United States, Frankie Concepcion, who states "I believe in kapwa as an act when we treat everyone equally. It is kapwa when we do things for the sake of others." That is kapwa. Thank you to the filmmakers and crew for being with us today."

### **Chair Scripps announced:**

"First, Commissioner Carreon, congratulations. It's a tremendous honor to be featured by the Smithsonian, and I'm certainly honored to be able to serve with you every day.

Second, we mentioned earlier in the meeting the audit that is ongoing of the utility distribution systems. We received the year-end report from the auditors outlining some of the work to date. This is more process than conclusions at this point, but that report will be filed later today to the docket in U-21305.

Also, earlier this week, the Commission issued the RFP earlier this week in the Renewable Energy and Electrification Infrastructure Enhancement and Development grant program for \$21.3 million in grants. There is detail on our website on how to apply, including two opportunities to seek clarification on the RFP. The first inquiry deadline is January 11th, with responses posted no later than January 18th to the grant program website, and the second inquiry deadline will be January 26, and responses to those inquiries will be posted by February 5th. Finally, the deadline to submit applications under this program is February 21st and there's more information on our website on how to apply.

Finally, a couple of reminders. First, on September 29, 2023, the Administrative Hearing Rules for practice before the Commission were updated. Several changes to the rules, including some additions,

are now in effect. Practitioners before the Commission are therefore encouraged to review the revised rules. A copy of the rules can be located on our website.

In addition, on October 1, 2023, the Commission implemented a change to how tariff sheets are filed at the Commission. Utilities are directed to file all new tariffs in the case docket as opposed to just providing them directly to the Commission Staff. You still can provide them to Commission Staff, but we need to provide them in the case docket as well. This new process will provide notice to all parties involved and add more transparency for the public. Again, a copy of the tariffs may still be separately provided to Commission Staff, however, a formal filing in the dockets is now mandatory.

Finally, this is the last regular Commission meeting for 2023. The first regular Commission meeting for 2024 is tentatively scheduled for Thursday, January 18<sup>th</sup> at 1:00 p.m. A formal public notice regarding the first regular meeting will be issued shortly after the new year, and as we have in past years at our first meeting, we will adopt the Commission meeting schedule for 2024 that will provide greater clarity on the meeting cadence for 2024.”

A recording of the proceedings of the December 21, 2023 meeting is archived at: <https://www.michigan.gov/mpsc/commission/events/2023/12/21/december-21-2023-commission-meeting> .

Chair Scripps announced that the next regularly scheduled Commission Meeting will be held on Thursday, January 18, 2024 at 1:00 p.m.

Commissioner Peretick moved that the Commission adjourn, Commissioner Carreon seconded.

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

The motion was approved.

The meeting adjourned at 1:47 p.m.

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Lisa Felice  
Executive Secretary