

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 18, 2024.

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  
Katherine Peretick, Commissioner  
Alessandra Carreon, Commissioner

Staff: Alissa Day  
Matt Helms  
Lisa Felice  
Blair Renfro  
Jacob Martus  
Cindy Creisher  
Chris Forist  
Ryan Wilson  
Anne Armstong  
Andy Hannum  
Kyle Daymon  
Ben Johnson  
Jamie Kuras  
Roberta Marks  
Lauren Fromm  
Brittney Klocke  
Hunter Hansen  
Jill Rusnak  
Jesse Harlow  
Julie Baldwin  
Allie Koeplinger  
Sarah Mullkoff  
Paul Ausum  
Kayla Gibbs  
Cathy Cole

Public: Andrew Minegar, MIRS  
Kelly Hall, Consumers Energy  
Heidi Myers, Consumers Energy  
Adam Chaczyk

Additional Staff & Public Attending Telephonically/Video Conferencing: 114 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 21, 2023, Commissioner Carreon seconded.

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

The minutes were approved.

**III. CONSENTED ORDERS**

**A. COMMUNICATIONS**

1. U-21475 IN THE MATTER OF THE APPLICATION OF OPEN FIBER MICHIGAN LLC FOR A TEMPORARY AND PERMANENT LICENSE TO PROVIDE LOCAL EXCHANGE SERVICE THROUGHOUT THE STATE OF MICHIGAN (interim order)
2. MINUTE ACTION PENINSULA FIBER NETWORK LLC (9-1-1 wireless, U-14000, invoice no. INV-3359 dated January 1, 2024)
3. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC (9-1-1 wireless, U-14000, invoice no. INV-1237 dated December 28, 2023)
4. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC (9-1-1 wireless, U-14000, invoice no. INV-1238 dated December 28, 2023)

- 5. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC  
(9-1-1 wireless, U-14000, invoice no. INV-1239 dated December 28, 2023)
- 6. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC  
(9-1-1 wireless, U-14000, invoice no. INV-1240 dated January 1, 2024)

**B. ELECTRIC**

- 1. U-21512 IN THE MATTER OF THE COMPLAINT OF KATHY OLSON AGAINST DTE ELECTRIC COMPANY  
(request to withdraw/final order)

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 2 orders and 5 minute actions were adopted.

**IV. OTHER ORDERS**

**A. ELECTRIC**

- 1. U-21361 IN THE MATTER OF DTE ELECTRIC COMPANY’S APPLICATION FOR THE REGULATORY REVIEWS, REVISIONS, DETERMINATIONS, AND/OR APPROVALS NECESSARY TO FULLY COMPLY WITH PUBLIC ACT 295 OF 2008  
(*ex parte*/final order)

Case No. U-21361 involves an application filed by DTE Electric Company requesting *ex parte* approval of Engineering Procurement and Construction Master Service Agreements for the Fish Creek Solar Park, Little Trout Solar Park, and Mission Road Co-Location Solar Park as well as the master supply agreements for solar panel modules. The order before you approves the application.  
Commissioner Peretick moved that the Commission approve the order at its January 18, 2024 meeting. Commissioner Carreon seconded that motion.

**Chair Scripps commented:**

“Before we vote on this, the order in front of us ultimately approves the Master Supply Agreements referenced by Ms. Day. We find that approval is appropriate giving the timing associated with these contracts, the estimated pricing for the projects falls below that approved in the Company’s amended renewable energy plan, and that these projects are consistent with the Company’s approved renewable energy procurement plans. However, we also want to caution that we expect that utilities will meet their compliance obligations, whether in settlement agreements under the Integrated Resource Planning law or with the new Renewable Energy Standard with lower cost projects that are paid for by all customers versus using these lower cost projects for voluntary participation in the utilities respective voluntary green pricing programs.

I think that is consistent with the obligations that IRPs must represent the most reasonable and prudent means of meeting a utility’s energy and capacity needs and becomes more important given the passage of Public Act 235 last year and the increase of the utility obligations to build or contract for an increasing share of renewable energy resources.

I wanted to note that both our approval of the agreements at issue in this case, but also a word of caution in terms of our expectations going forward.”

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

The order was adopted.

2. 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 YEAR AS REQUIRED BY MCL 460.6w (*ex parte*/extension request/ interim order)

Case No. U-21393 involves a joint petition filed by DTE Electric Company and Consumers Energy Company requesting an extension of the deadline for large investor-owned utilities to file capacity demonstrations for the 2027/2028 planning year. The order before you grants the joint petition. Commissioner Peretick moved that the Commission approve the order at its January 18, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

3. U-21524 IN THE MATTER OF THE *EX PARTE* APPLICATION OF CONSUMERS ENERGY COMPANY FOR ACCOUNTING APPROVAL TO UTILIZE A REGULATORY ASSET OR LIABILITY

FOR CERTAIN PROJECTS RELATED TO FUNDING FROM THE  
INFRASTRUCTURE INVESTMENT AND JOBS ACT OF 2021  
(interim order)

Case No. U-21524 involves an *ex parte* application filed by Consumers Energy Company for accounting approval to utilize a regulatory asset or liability for certain projects related to funding from the federal Infrastructure Investment and Jobs Act of 2021. The order before you approves the *ex parte* application. Commissioner Peretick moved that the Commission approve the order at its January 18, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

**B. GAS**

1. U-20817 IN THE MATTER OF THE APPLICATION OF DTE GAS COMPANY FOR RECONCILIATION OF ITS GAS COST RECOVERY PLAN (CASE NO. U-20816) FOR THE 12-MONTH PERIOD APRIL 2021-MARCH 2022  
(final order)

Case No. U-20817 involves an application filed by DTE Gas Company seeking authority to reconcile the costs and revenues associated with its gas cost recovery plan for the 12 months ended March 31, 2022. The order before you approves the application as described in the order. Commissioner Peretick moved that the Commission approve the order at its January 18, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

**V. PUBLIC COMMENTS**

Adam Chaczyk addressed his concerns regarding contacting DTE during power outages occurring in the fourth largest city in Michigan and the distribution of restoration information provided by DTE.

**Chair Scripps announced:**

“Congratulations to the Detroit Lions on their playoff victory this past weekend. I took the opportunity to go back and look at the Commission records and the three of us have the honor of being the first Commission to enjoy a Lions’ playoff victory since Chair Steven Fetter and Commissioners John O’Donnell and Ronald Russell cheered our Lions to success back in January in 1992. However, four members of the Commission staff from that previous victory are still with the Commission, today, 32 years later. One each from our Telecommunications, Energy Operations, Energy Resources, and Customer Assistance divisions. Thank you (Commissioner Peretick) for your help with that research. Even with the win over the Rams, none of us have seen more than two Lions’ playoff victories during our service with the Public Service Commission. Although we all hope that changes this Sunday. Go Lions!”

A recording of the proceedings of the January 18, 2024 meeting is archived at:  
<https://www.youtube.com/watch?v=rv4IFSHmVNs> .

Chair Scripps announced that the next regularly scheduled Commission Meeting will be held on February 8, 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 1:17 p.m.

---

Lisa Felice  
Executive Secretary