

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 11, 2024.

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
Katherine Peretick, Commissioner
Alessandra Carreon, Commissioner

Staff: Blair Renfro
Matt Helms
Lisa Felice
Nick Evans
Jacob Martus
Kevin Spence
Jason Mailloux
Andy Hannum
Kyle Daymon
Drew Simon
Stephanie Haney
Naomi Simpson
Dave Chislea
Ryan Boutet
Jill Rusnak
Sarah Mullkoff
Jennifer Brooks
Cathy Cole
Matt Helms
Mike Byrne
Reka Voelker

Public: Kevin Davis, West Michigan Section IEEE

Additional Staff & Public Attending Telephonically/Video Conferencing: 137 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 March 15, 2024, Commissioner Carreon seconded.

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

The minutes were approved.

III. CONSENTED ORDERS

A. COMMUNICATIONS

1. U-11942 IN THE MATTER OF THE APPLICATION OF TOTAL ACCESS TELECOMMUNICATIONS, L.L.C. FOR A LICENSE TO PROVIDE LOCAL EXCHANGE SERVICES IN THE LATA EXCHANGES CURRENTLY SERVED BY AMERITECH MICHIGAN (request to surrender license/final order)
- U-14436 IN THE MATTER OF THE APPLICATION OF BULLSEYE TELECOM, INC. FOR A LICENSE TO PROVIDE LOCAL EXCHANGE SERVICES IN THE LOCAL EXCHANGES CURRENTLY SERVED BY VERIZON NORTH INC. AND CONTEL OF THE SOUTH, INC., d/b/a VERIZON NORTH SYSTEMS, CENTURYTEL OF UPPER MICHIGAN, INC., CENTURYTEL OF NORTHERN MICHIGAN, INC., CENTURYTEL OF MIDWEST-MICHIGAN, INC., AND CENTURYTEL OF MICHIGAN, INC. (request to surrender license/final order)
- U-16491 IN THE MATTER OF THE APPLICATION OF BULLSEYE TELECOM, INC. TO EXPAND THE GEOGRAPHIC SCOPE OF ITS LICENSE TO PROVIDE LOCAL EXCHANGE SERVICES IN THE LOCAL EXCHANGES CURRENTLY SERVED BY FRONTIER COMMUNICATIONS OF MICHIGAN, INC. (request to surrender license/final order)

B. ELECTRIC

1. U-21376 IN THE MATTER OF THE APPLICATION OF DTE ELECTRIC COMPANY TO DESCRIBE THE TARIFF OPTIONS AVAILABLE TO

CUSTOMERS WITH DISTRIBUTED GENERATION SYSTEMS
CONSISTENT WITH MCL 460.1173(3)
(proposed settlement agreement)

2. U-21433 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, 2024
(proposed settlement agreement)
3. U-21546 IN THE MATTER OF THE COMPLAINT OF AMY ROSE LARCINESE AGAINST DTE ENERGY COMPANY
(request to withdraw/final order)
4. U-21580 IN THE MATTER OF THE COMPLAINT OF ALAN JACOBSON AGAINST DTE ELECTRIC COMPANY
(request to withdraw/final order)
5. MINUTE ACTION MICHIGAN ELECTRIC TRANSMISSION COMPANY, L.L.C.'S APPLICATION FOR AUTHORIZATION FOR ABANDONED PLANT INCENTIVE RATE TREATMENT
(FERC Docket No. ER24-1482-000)
6. MINUTE ACTION MICHIGAN ELECTRIC TRANSMISSION COMPANY, L.L.C.'S FILING OF A CONTRIBUTION IN AID CONSTRUCTION AGREEMENT
(FERC Docket No. ER24-1622-000)

C. GAS

1. U-21443 IN THE MATTER OF THE APPLICATION OF NORTHERN STATES POWER COMPANY FOR APPROVAL OF A GAS COST RECOVERY PLAN AND FACTORS FOR THE 12 MONTHS ENDING MARCH 31, 2025
(proposed settlement agreement)
2. MINUTE ACTION IN THE MATTER OF THE ADMINISTRATIVE CONSENT AGREEMENT BETWEEN CONSUMERS ENERGY COMPANY AND THE MICHIGAN PUBLIC SERVICE COMMISSION STAFF REGARDING GAS SAFETY STANDARDS AND NON-COMPLIANCE LETTER DATED JULY 31, 2018

3. MINUTE ACTION IN THE MATTER OF THE ADMINISTRATIVE CONSENT AGREEMENT BETWEEN CONSUMERS ENERGY COMPANY AND THE MICHIGAN PUBLIC SERVICE COMMISSION STAFF REGARDING GAS SAFETY STANDARDS AND NON-COMPLIANCE LETTER DATED OCTOBER 25, 2018
4. MINUTE ACTION IN THE MATTER OF THE ADMINISTRATIVE CONSENT AGREEMENT BETWEEN CONSUMERS ENERGY COMPANY AND THE MICHIGAN PUBLIC SERVICE COMMISSION STAFF REGARDING GAS SAFETY STANDARDS AND NON-COMPLIANCE LETTER DATED OCTOBER 25, 2018

D. STEAM

1. U-21073 IN THE MATTER OF THE APPLICATION OF DETROIT THERMAL, LLC FOR RECONCILIATION OF ITS STEAM SUPPLY COST RECOVERY PLAN (CASE NO. U-21072) FOR THE 12 MONTHS ENDED MARCH 31, 2023
(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 7 orders and 5 minute actions were adopted.

IV. OTHER ORDERS

A. COMMUNICATIONS

1. U-20437 IN THE MATTER OF THE APPLICATION OF TIME CLOCK SOLUTIONS, LLC FOR A TEMPORARY AND PERMANENT LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE THROUGHOUT THE STATE OF MICHIGAN IN ALL ZONE AND EXCHANGE AREAS SERVED BY AT&T MICHIGAN, FRONTIER NORTH INC., FRONTIER MIDSTATES INC. AND FRONTIER COMMUNICATIONS OF MICHIGAN, INC.
(final order)

Case No. U-20437 involves an application filed by Time Clock Solutions, LLC, for a permanent license to provide basic local

exchange service. The order before you grants the license but requires Time Clock Solutions, LLC, to file quarterly and semiannual status reports. Commissioner Peretick moved that the Commission approve the order at its April 11, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

B. ELECTRIC

1. U-20805 IN THE MATTER OF THE APPLICATION OF INDIANA MICHIGAN POWER COMPANY FOR A POWER SUPPLY COST RECOVERY RECONCILIATION PROCEEDING FOR THE 12 MONTHS ENDED DECEMBER 31, 2021
(final order)

Case No. U-20805 involves an application filed by Indiana Michigan Power Company for authority to reconcile its power supply cost recovery plan costs and revenues for the 12-month period ended December 31, 2021. The order before you approves the application, as modified by the order. Commissioner Peretick moved that the Commission approve the order at its April 11, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

2. U-21081 IN THE MATTER OF THE APPLICATION OF UPPER MICHIGAN ENERGY RESOURCES CORPORATION FOR APPROVAL OF ITS INTEGRATED RESOURCE PLAN PURSUANT TO MCL 460.6t AND FOR OTHER RELIEF
(*ex parte*/Renegade Solar/contract)

Case No. U-21081 involves an application filed Upper Michigan Energy Resources Corporation requesting *ex parte* approval of a purchase and sale agreement with Renegade Solar Energy LLC, as well as the planned Engineering, Procurement and Construction Agreement with Invenergy Construction Services LLC. The order before you approves the application. Commissioner Peretick moved

that the Commission approve the order at its April 11, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

3. U-21090 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR APPROVAL OF AN INTEGRATED RESOURCE PLAN UNDER MCL 460.6t, CERTAIN ACCOUNTING APPROVALS, AND FOR OTHER RELIEF
(*ex parte*/Tibbits Energy Storage/power purchase agreement/final order)

Case No. U-21090 involves an application filed by Consumers Energy Company requesting *ex parte* approval of a power purchase agreement with Tibbits Energy Storage LLC. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its April 11, 2024 meeting. Commissioner Carreon seconded that motion.

Commissioner Peretick commented:

“I’d just like to note that this is the first energy storage Power Purchase Agreement that we at the MPSC have approved. This facility is a lithium-ion battery project with 100MW of capacity and almost 9 hours of discharge duration and will provide Michigan with capacity starting in the 2025 planning year. The order before us is in accordance with Consumers Energy’s long-range integrated resource plan, and brings clean, carbon-free capacity for our state.”

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

The order was adopted.

4. U-21193 IN THE MATTER OF THE APPLICATION OF DTE ELECTRIC COMPANY FOR APPROVAL OF POWER PURCHASE AGREEMENTS AND OTHER RELIEF
(*ex parte*/Coldwater River Solar et al./final order)

Case No. U-21193 involves an application filed by DTE Electric Company requesting *ex parte* approval of respective power purchase agreements with Coldwater River Solar, LLC, and White Pine Grove Solar, LLC. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its April 11, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

5. U-21505 IN THE MATTER OF THE APPLICATION OF INDIANA MICHIGAN POWER COMPANY FOR *EX PARTE* APPROVAL OF TARIFFS GOVERNING THE PROVISIONS OF OUTDOOR SECURITY LIGHTING AND STREET LIGHTING SERVICE (final order)

Case No. U-21505 involves an application filed by Indiana Michigan Power Company for *ex parte* approval to modify tariffs governing the provisions of outdoor security lighting and streetlighting. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its April 11, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

6. U-21565 IN THE MATTER OF THE APPLICATION OF NORTHERN STATES POWER COMPANY FOR AUTHORITY TO INCREASE ELECTRIC RATES IN THE STATE OF MICHIGAN (*ex parte*/motion to extend time/interim order)

Case No. U-21565 involves a motion filed by Northern States Power Company seeking an extension of the time to comply with Part III of the Rate Case Filing Requirements, Attachments 2-12 and 14-17. The order before you grants the motion. Commissioner Peretick moved that the Commission approve the order at its April 11, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

C. GAS

1. U-20631 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO COMMENCE A COLLABORATIVE TO CONSIDER ISSUES RELATED TO MUTUAL AID AGREEMENTS AND TRANSMISSION CONTINGENCY PLANNING (interim order)

Case No. U-20631 involves a matter, on the Commission’s own motion, regarding mutual aid agreements and transmission contingency planning. The order before you summarizes the 2023 Status Report and directs the Commission Staff to file, in this docket, the next status report on the ongoing recommendation tasks and topics discussed in the order no later than February 14, 2025. Commissioner Peretick moved that the Commission approve the order at its April 11, 2024 meeting. Commissioner Carreon seconded that motion.

Commissioner Peretick commented:

“I want to thank staff and all the parties who have been working together over the years to ensure we are properly performing contingency planning and establishing communication and plans for mutual aid in the event it is needed for the natural gas distribution system.

The workgroup meetings held as a part of this effort have already been able to mark multiple accomplishments, including mutual aid best practice guidelines, utilization of the incident command system, interoperability between Michigan utilities, determining appropriate roles, and contemplating a template for response structures for future mutual aid events. This effort began in 2019 and the workgroup has filed two reports on their progress, and recommended these discussions continue into the future.

I’m thankful for our gas safety team who has been able to make progress in this important area and look forward to hearing about their continued work.”

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

The order was adopted.

2. U-21469 IN THE MATTER OF THE APPLICATION OF SEMCO ENERGY GAS COMPANY FOR APPROVAL TO MODIFY TRANSPORTATION SERVICES AND TARIFF SHEETS TO PERMIT POOLS COMPRISED OF A SINGLE SHIPPER (ex parte/final order)

Case No. U-21469 involves an application filed by SEMCO Energy Gas Company requesting *ex parte* approval of modifications to its transportation services and tariff sheets to permit pools comprised of a single shipper, and other miscellaneous tariff corrections and revisions, including its Gas Customer Choice Failure Fee provisions. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its April 11, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

3. U-21545 IN THE MATTER OF THE APPLICATION OF MEDIAN ENERGY CORP. FOR A LICENSE AS AN ALTERNATIVE GAS SUPPLIER (final order)

Case No. U-21545 involves an application filed by Median Energy Corp. to become a licensed alternative gas supplier. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its April 11, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

V. LAUNCH OF RELIABILITY DATA WEBPAGE

Commission Staff Nick Evans, Energy Operations Division, presented an overview of the Commission’s new web page containing reliability data located at: <https://www.michigan.gov/mpsc/consumer/electricity>.

Commissioner Peretick commented:

“I want to commend all the staff who spent the last year plus working on this project. I know it has not been a simple task to gather, verify, and find an accessible way to display all this information publicly on our website. As you saw from Nick’s presentation it’s a lot of data, but I am very excited about the benefits it can provide.

I believe that transparency and public accessibility is paramount to our work in the public interest. This new section of our website now allows all Michigan customers to see their own reliability, analyze trends themselves, and make comparisons however they want. Now customers who pay for their electric bills have just as much accessibility to the reliability as we do.

Increasing transparency increases accountability. Both to the utilities, but also to us. We may not love all the results that are displayed, but I believe that increasing accessibility to this data will also increase the quality and quantity of solutions we can come up with and then ultimately implement.

This is a first-in the country level of detail, and I'm proud to be in a position to make this all public today."

Commissioner Carreon commented:

"I also want to echo Commissioner Peretick's thanks. Excellent presentation, Nick, and excellent work on behalf of everyone who contributed to this. This is a hybrid question and comment: My comment is, I want to point out how often it's apparent that the team put in concerted effort to ensure that along with technical terms there are definitions to ensure that anyone who's using this site can understand what they're looking at. As an open question since now you've collected this data over a year and have some insights, is there anything else that you might say could be useful for members of the public who are not as familiar with the technical data presented, to offer up as a useful starting point or a way that they could use this now more transparent data? As a tip, if you had any?"

Mr. Evan responded to Commissioner Carreon's question.

Chair Scripps commented:

"I want to echo the complimentary remarks from both of my colleagues, but also to thank the two of you for your leadership in pushing this process forward. This really has been an effort across the whole of the Commission - multiple division and sections. Electric Operations (obviously), our IT team and Administrative Services, Communications, and Strategic Operations, and Customer Assistance. It is just a broad swath of the utility focused on this. I fully agree the idea behind transparency driving solutions. The old maxim that sunshine is the best disinfectant, I think applies here as well. I would certainly agree that this does not paint the best picture, which is not a surprise. I think it underscores some of the pain points around the duration of outages when they happen. The customers experiencing multiple outages.

I believe that the data we have received (and it does start with data) has helped to shape the actions taken by the Commission to date, including our technical conferences, updated Service Quality Rules and Technical Standards, the first of its kind audit that is ongoing, support for targeted funding and ring fencing for vegetation management, tree trimming and other distribution investments, and new efforts to better tie the utility's financial performance to the reliability performance that their customers experience. As this data shows, we still have much work to do. I think the transparency that is at the heart of the data provided publicly through this new set of web interfaces can help inform the public on the state of distribution reliability in Michigan, make utility customers full partners in pushing for increased reliability, and motivate continued efforts that are centered on improving our distribution performance.

Again, thanks to Nick and to the many, many folks across the whole of the Commission who have been involved, and to my colleagues as well for helping to drive this. I appreciate that."

VI. PUBLIC COMMENTS

Karol Sanborn, Pewamo, commented on Case No. U-21471 – ITC Nelson Road/Oneida 345 kV electrical monopole project.

Val Wohlscheid-Brennan commented on Case No. U-21471 – METC’s request to construct a major transmission line between Oneida Substation and Nelson Road Substation.

Kevin Davis, Pace Chair, Pace Professional Activities Committee for Engineers, West Michigan Section-Institute of Electrical and Electronic Engineers requested that the Commission consider an early summer presentation near Kalamazoo or Grand Rapids for their members and guests.

Elizabeth Price, Oneida Township commented and addressed her concerns regarding the alternate route of the high-powered lines from Oneida to Nelson Substation.

A recording of the proceedings of the April 11, 2024 meeting is archived at: <https://www.youtube.com/watch?v=Y9LXCs00Hko> .

Chair Scripps announced that the next regularly scheduled Commission Meeting will be held on Thursday, April 25, 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 2:01 p.m.

Lisa Felice
Executive Secretary