

MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN GRAND RAPIDS, MICHIGAN AND AVAILABLE VIA MICROSOFT TEAMS VIDEO CONFERENCING ON JUNE 6, 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: Blair Renfro  
Matt Helms  
Lisa Felice  
Kyle Daymon  
Jennifer Brooks  
Lucy Clay  
Steve Kimbrell  
Jamie Curtis  
Mike Byrne  
Kayla Gibbs  
Anne Armstrong

Public: Diane Wohlscheid  
Chuck Wohlscheid  
Jonathan Wilson  
Kristina Hubbell  
Erica Bouldin, Urban Core Collection  
Keith Robertson  
Val Wohlscheid-Brennan  
Robert Brennan  
Anthony Wohlscheid  
Coreen Strazalka  
Karol A. Sanborn  
Lynn L. Colby  
Stephen Colby  
David Boehers  
JoShuan Ferguson  
Marissa Boerman  
Todd Baker  
Tom Stephenson, Senator Peters  
Nancy Morales, MLCV  
Kiana Hummel

Jim Sikarskie  
Paige Maguire, Representative Carol Glanville's Office  
Ruby Muehlenz, MLCV  
Nick Dobkowski, ENTF

Additional Staff & Public Attending Telephonically/Video Conferencing: 145 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 May 23, 2024, Commissioner Carreon seconded.

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

The minutes were approved.

**III. CONSENTED ORDERS**

**A. COMMUNICATIONS**

1. U-21657 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AND RECIPROCAL COMPENSATION AGREEMENT BETWEEN BANDWIDTH.COM CLEC, LLC AND SAND CREEK TELEPHONE COMPANY (interconnection agreement)

**B. STEAM**

1. U-21447 IN THE MATTER OF THE APPLICATION OF DETROIT THERMAL, LLC FOR APPROVAL OF A STEAM SUPPLY COST RECOVERY PLAN AND FACTORS FOR THE 12 MONTHS ENDING MARCH 31, 2025  
(proposed settlement agreement)

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

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

The 2 orders were adopted.

**IV. OTHER ORDERS**

**A. COMMUNICATIONS**

1. U-21544 IN THE MATTER OF THE APPLICATION OF TRUCONNECT COMMUNICATIONS, INC. FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER IN THE STATE OF MICHIGAN  
(final order)

Case No. U-21544 involves an application, as amended, filed by TruConnect Communications, Inc., for eligible telecommunications carrier designation for access to universal service fund support throughout the state of Michigan. The order before you conditionally approves the application as stated in the order. Commissioner Peretick moved that the Commission approve the order at its June 6, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

**B. ELECTRIC**

1. U-21163 IN THE MATTER OF THE APPLICATION OF DTE ELECTRIC COMPANY FOR APPROVAL OF RATE SCHEDULE D13 XL HIGH LOAD FACTOR RATE  
(*ex parte*/final order)

Case No. U-21163 involves an application filed by DTE Electric Company seeking *ex parte* approval of an amended Rate Schedule D13 XL High Load Factor Rate. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its June 6, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

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

Commission Staff Kayla Gibbs, Commissioner Advisor, presented a brief synopsis of the case listed above. Commissioner Peretick moved that the Commission approve the order at its June 6, 2024 meeting. Commissioner Carreon seconded that motion.

**Chair Scripps commented:**

“First, this has been an intentionally iterative process, and the back and forth between participants involved has strengthened the results. We’re trying to find something that works, that leads to meaningful improvements in the reliability of utility distribution systems, and I believe that’s a goal that we all share. Having the opportunity to review and digest a broad array of perspectives on how best to achieve that shared goal is an important piece of how we get there. And I’ll just fully acknowledge that the straw proposal has changed over time, based on what we’ve heard. I think that’s a real strength, and as we work to finalize our approach to how best to use penalties and incentives to better connect how utilities earn money for their shareholders with the reliability performance their customers experience, I’m increasingly confident that the feedback into this process strikes the right balance between perspectives and will result in meaningful improvement.

Specifically, the metrics, and the weighting of those metrics, are focused on core pain points for customers from poor reliability – the duration of outages overall, how long customers are out during major storm events, how many customers wait more than two days, more than three days to have their power restored during storms – and how many wait 24 hours or more in less severe weather, how many

experience 4 or more outages each year, and how many are on the worst performing circuits year after year. I think that focus on these key pain points can lead to better results in the places where poor reliability is most frustrating for customers.

The next step in this process is to move into Phase Two of what we've deemed a 'Reliability-Plus' approach to performance-based regulation, and ultimately the performance of the distribution system overall. The first phase has been appropriately focused on outages. But with the growth of distributed energy resources and the benefits those resources can provide, need to ensure that this continues to be a forward-looking exercise. As such, the Staff identified a number of elements in the May 3 report where we might turn our focus as we move into Phase Two, including equity considerations, grid modernization, the integration of distributed energy resources, and a focus on resilience.

And so, the process from here is that we'll continue to seek comments from all involved on Phase One and we'll identify next steps that we'll articulate in the fall. At the same time, we'll begin work on that parallel track of 'Reliability-Plus,' including comments on the topic areas and a workgroup session held this summer on those issues of equity, grid modernization, distributed energy resources, and resilience.

Finally, I want to close by articulating my thanks for the work by all involved. We've had a diverse array of perspectives at the table working through these issues and I believe that involvement and the sharing of those perspectives has only strengthened the process. I want to particularly thank Ms. Gibbs; Mike Byrne, our Chief Operating Officer; and the rest of the Staff at the MPSC for really rolling up their sleeves and doing the hard work to get this right."

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

The order was adopted.

3. U-21410 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR RECONCILIATION OF ITS 2022 DEMAND RESPONSE PROGRAM COSTS (final order)

Case No. U-21410 involves an application filed by Consumers Energy Company for reconciliation of its 2022 demand response program costs. The order before you approves the reconciliation and financial incentive, as specified in the order, and provides additional directives for the company's future demand response reconciliation proceedings. Commissioner Peretick moved that the Commission approve the order at its June 6, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

4. U-21618 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, TO REVIEW THE MEDICAL CERTIFICATION FORM UNDER THE CONSUMER STANDARDS AND BILLING PRACTICES FOR ELECTRIC AND NATURAL GAS SERVICE  
(final order)

Case No. U-21618 involves a matter, on the Commission’s own motion, to review the medical certification form under the Consumer Standards and Billing Practices for Electric and Natural Gas Service. The order before you approves the revised medical certification form. Commissioner Peretick moved that the Commission approve the order at its June 6, 2024 meeting. Commissioner Carreon seconded that motion.

**Chair Scripps commented:**

“This order came out of the Commission’s Energy Affordability and Accessibility Collaborative and really began with the realization that a large number of customers seeking a medical certification form that would have the effect of delaying a shut off notice were being denied in part because the forms were deemed incomplete, often because the information provided on the second page of the form that needs the medical professional to certify that the customer meets the eligibility criteria failed to include the customer’s name.

So, this is a simple fix, but an important one for customers who are struggling to pay their bills in part because of medical complications and ultimately, I think, gives us a meaningful path to ensure that those who are eligible for the medical certification form and the shut off protections ultimately receive them.

I’d note that this form exists in its current format on the Commission’s website and is translated into eight different languages. With the approval of this new certification form today, we will shortly have the updated form translated into Spanish, Arabic, Vietnamese, and simplified Chinese, and we are working with our interpreters to round out the other four: Japanese, Korean, Bengali, and Russian in the near future.

I appreciate the work by the participants in the Energy Affordability and Accessibility Collaborative and the work of our Staff to bring this forward.”

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

The order was adopted.

5. U-21646 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR *EX PARTE* APPROVAL OF AMENDMENTS TO THE ECONOMIC DEVELOPMENT TARIFF RATE LED

(final order)

Case No. U-21646 involves an application filed by Consumers Energy Company seeking *ex parte* approval of amendments to the Large Economic Development tariff. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its June 6, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

6. U-21654 IN THE MATTER, ON THE COMMISSION’S OWN MOTION, TO OPEN A CONTESTED CASE PROCEEDING TO DEVELOP AND ADOPT A FRAMEWORK ENERGY WASTE REDUCTION PROGRAM AND TO DETERMINE THE ALTERNATIVE COMPLIANCE PAYMENTS FOR EFFECTIVE ADMINISTRATION UNDER MCL 460.1091 FOR THE FOLLOWING NAMED PARTIES: ALPENA POWER COMPANY, CONSUMERS ENERGY COMPANY, DTE ELECTRIC COMPANY, INDIANA MICHIGAN POWER COMPANY, NORTHERN STATES POWER COMPANY, UPPER PENINSULA POWER COMPANY, UPPER MICHIGAN ENERGY RESOURCES CORPORATION, MICHIGAN GAS UTILITIES CORPORATION, DTE GAS COMPANY, ET AL.  
(includes 60 electric and natural gas provider) (order opening docket)

Case No. U-21654 involves a contested case proceeding established by the Commission to develop and adopt a framework energy waste reduction program and to determine the alternative compliance payments for effective administration under MCL 460.1091. The order before you opens the docket, directs the Commission Staff to host a collaborative and file its proposed framework with supporting testimony, and sets the dates or deadlines for the collaborative, a prehearing conference, and petitions to intervene in this matter. Commissioner Peretick moved that the Commission approve the order at its June 6, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

## C. GAS

1. U-21269 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR APPROVAL OF A GAS COST RECOVERY PLAN AND AUTHORIZATION OF GAS COST RECOVERY FACTORS FOR THE 12 MONTHS ENDING MARCH 31, 2024  
(final order)

Case No. U-21269 involves an application filed by Consumers Energy Company seeking approval of its gas cost recovery plan and gas cost recovery factors for the 12 months ending March 31, 2024. The order before you approves the application and accepts the company's five-year forecast. Commissioner Peretick moved that the Commission approve the order at its June 6, 2024 meeting. Commissioner Carreon seconded that motion.

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

The order was adopted.

## V. PUBLIC COMMENTS

Karol Sanborn commented in opposition of the proposed Nelson to Oneida Transmission Line in Case No. U-21471 as it is currently designed.

Diane Marie Wohlscheid commented in opposition of the proposed Nelson to Oneida Transmission Line in Case No. U-21471.

Anthony Wohlscheid commented in opposition of the proposed Nelson to Oneida Transmission Line in Case No. U-21471.

Robert Brennan commented in opposition of the proposed Nelson to Oneida Transmission Line in Case No. U-21471.

Val Wohlscheid-Brennan commented in opposition of the proposed Nelson to Oneida Transmission Line in Case No. U-21471.

Frederick Baker indicated that he would be representing the intervenors that commented today in Case No. U-21471 and provided his legal opinion.

Erica Bouldin, Michigan Climate Acton Network and Urban Core Collective provided comments regarding the 2023 Clean Energy and Jobs Act.



Nancy Morales, Michigan League Conservation Voters and Urban Core Collective provided comments on the PSC’s relationships between corporations and the general public and also clean energy transitions.

Dr. Jim Siharski commented on the impact on the environment and bald eagles relating to ITC’s proposed transmission line.

Ruby Muehlenz, Michigan League of Conservation Voters commented on the Clean Energy and Jobs Act.

Dr. Judith Siharski provided materials on the causes of mortality of bald eagles in Michigan reported from 1986 to 2017 and the report submitted to the National Wildlife Center documenting impacts from 1975 to 2013.

Andrew Collins, Michigan League of Conservation Voters commented on the Clean Energy and Jobs Act passed last year.

**Commissioner Carreon announced:**

“I have an announcement that comes with a full year’s advance notice! Last week I had the opportunity to attend and participate as a member of the Honorary Committee for the annual conference of the National Utilities Diversity Council, or NUDC, in Charlotte, North Carolina, at Duke Energy’s Headquarters. The mission of the NUDC is to educate, develop best practices, and guide efforts that will promote diversity in the utilities and communications industries in the areas of governance, employment, procurement, language access, customer service, and philanthropy. This year’s conference focused on topics related to diversity, equity, inclusion, and belonging, by exploring the question, “Why now so important?” One key update from the conference was that we were able to make the exciting announcement that the next annual conference will take place on May 29, 2025, at DTE’s headquarters in downtown Detroit. Every conference gets its own name so in the spirit of continuing the action-oriented momentum from the “Queen’s Quorum” in Charlotte, we very aptly named our Detroit conference “Motown Momentum Medley” and look forward to making more strides in the areas of diversity, equity, and inclusion across the utilities and communications industry not only here in Michigan but as leaders for the entire country.”

**Commissioner Peretick announced:**

“I would like to acknowledge the devastation caused by the tornado in Livonia yesterday, including a toddler’s life lost due to a tree falling on a house in the disaster. It was extremely localized high winds with almost no warning resulting in a tornado and power outages and extensive damage to the surrounding community. I want to thank our first responders and line workers who are repairing the damage. Our thoughts go out to the Livonia community.”

**Chair Scripps announced:**

“First, June is Pride Month! From its origins in the early 1970s after the Stonewall uprising in 1969, Pride Month has evolved to recognize and celebrate the LGBTQ community and its many positive impacts on history as well the work outstanding regarding the ongoing pursuit of equality.

Second, on June 19<sup>th</sup> we will celebrate Juneteenth, marking the end of slavery in the United States. On June 19, 1865, in downtown Galveston, Texas, Maj. Gen. Gordon Granger announced the end of the Civil War and issued General Order No. 3, which demanded “absolute equality” among enslaved people and slaveholders. That day, which led to the liberation of enslaved people across Texas, is now celebrated as Juneteenth, which became a federal holiday in 2021 and last year became a state holiday in Michigan as well.

Finally, today marks the 80<sup>th</sup> anniversary of the D-Day invasion, which proved to be a critical turning point in World War II, and indeed in history. D-Day is the name given to the June 6, 1944, invasion of the beaches at Normandy in northern France by troops from the United States, Canada, the United Kingdom, and other countries during World War II. France at the time was occupied by the armies of Nazi Germany, and the amphibious assault – codenamed Operation Overlord – landed some 156,000 Allied soldiers on the beaches of Normandy by the end of the day.

Despite their success, some 4000 Allied troops were killed by German soldiers defending the beaches, with thousands more wounded or missing. We are forever in their debt.

Like many Americans, members of my family served during that war. My grandfather, Army Lt. Col. Frank Collins, did two tours of duty in Europe, and my wife’s grandfather – who’s still with us at 100 years old – served in the U.S. Army Air Corps, which later became the U.S. Air Force.

It’s appropriate that we mark this anniversary of D-Day and express our gratitude to all who served, including most notably those who gave the ultimate sacrifice on this day 80 years ago.”

A recording of the proceedings of the June 6, 2024 meeting is archived at:  
<https://www.youtube.com/watch?v=NOxpzQcFI4Y> .

Chair Scripps announced that the next regularly scheduled Commission Meeting will be held on July 2, 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 2:05 p.m.

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Lisa Felice  
Executive Secretary