

MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES AND AVAILABLE VIA MICROSOFT TEAMS VIDEO CONFERENCING ON NOVEMBER 7, 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

Staff: Jana Bachman
Lisa Felice
Ryan Wilson
Charlie Cavanaugh
Corey Osier
Al Freeman
Paul Ausum
Stephanie Fitzgerald
Carman Wagner
Andy Hannum
Kyle Daymon
Ben Johnson
Justin Miller
Kayla Gibbs
Jill Rusnak
Mike Byne

Public: Karol Sanborn
Andrew Minegar, MIRS
Heidi Myers, Consumers Energy
Kelly Hall, Consumers Energy

Additional Staff & Public Attending Telephonically/Video Conferencing: 261 Participants

Chair Scripps noted for the record that Commissioner Carreon was not present at this meeting because she is currently on parental leave.

I. Commissioner Peretick moved to approve today's agenda, Chair Scripps seconded.

Vote: Yeas – Scripps, Peretick
Nays – None

The agenda was approved.

- II.** Commissioner Peretick moved to approve the minutes of the Regular Commission Meeting of October 10, 2024, Chair Scripps seconded.

Vote: Yeas – Scripps, Peretick
Nays – None

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 (twelfth and thirteenth amendments)
- U-21804 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF THE AGREEMENT FOR LOCAL WIRELINE NETWORK INTERCONNECTION AND TRAFFIC EXCHANGE BETWEEN KALEVA TELEPHONE COMPANY AND LEVEL 3 COMMUNICATIONS, LLC (interconnection agreement)
- U-21815 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AND RECIPROCAL COMPENSATION AGREEMENT BETWEEN LEVEL 3 COMMUNICATIONS, LLC AND BARRY COUNTY TELEPHONE COMPANY (interconnection agreement)
- U-21817 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCONNECTION AND RECIPROCAL COMPENSATION AGREEMENT BETWEEN BARRY COUNTY TELEPHONE COMPANY AND MEI TELECOM, INC. (interconnection agreement)
2. U-21642 IN THE MATTER OF THE APPLICATION OF STRATUS NETWORKS, INC. FOR A TEMPORARY AND PERMANENT LICENSE TO PROVIDE LOCAL EXCHANGE SERVICE THROUGHOUT THE STATE OF MICHIGAN

(interim order)

3. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC
(9-1-1 wireless, U-14000, invoice no. INV-1264 dated October 21, 2024)
4. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC
(9-1-1 wireless, U-14000, invoice no. INV-1265 dated October 21, 2024)
5. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC
(9-1-1 wireless, U-14000, invoice no. INV-1266 dated October 21, 2024)
6. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES LLC
(9-1-1 wireless, U-14000, invoice no. INV-1267 dated October 21, 2024)

C. GAS

1. MINUTE ACTION VECTOR PIPELINE L.P., SECTION FIVE OF THE NATURAL GAS ACT
(FERC Docket No. RP24-971-000)

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

Vote: Yeas – Scripps, Peretick
Nays – None

The 2 orders and 5 minute actions were adopted.

IV. OTHER ORDERS

A. COMMUNICATIONS

1. U-15966 IN THE MATTER OF THE APPLICATION OF ASSURANCE WIRELESS USA, L.P. TO EXPAND ITS ELIGIBLE TELECOMMUNICATIONS CARRIER DESIGNATED SERVICE AREA
(final order)

Case No. U-15966 involves an application filed by Assurance Wireless USA, L.P., to expand its eligible telecommunications carrier service area. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its November 7, 2024 meeting. Chair Scripps seconded that motion.

Vote: Yeas – Scripps, Peretick
Nays – None

The order was adopted.

B. ELECTRIC

1. U-21373 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO AMEND THE RULES GOVERNING ELECTRICAL SUPPLY AND COMMUNICATION LINES AND ASSOCIATED EQUIPMENT (rulemaking/interim order)

Case No. U-21373 involves the proposed amendment of Mich Admin Code, R 460.813, within the Commission's rules governing Electrical Supply and Communication Lines and Associated Equipment, to update the rule to adopt by reference the most current version of the National Electrical Safety Code, being the 2023 edition. The order before you approves the proposed amendment of the rules for submission to the Michigan Office of Administrative Hearings and Rules and the Legislative Service Bureau for their formal approvals. Commissioner Peretick moved that the Commission approve the order at its November 7, 2024 meeting. Chair Scripps seconded that motion.

Vote: Yeas – Scripps, Peretick
Nays – None

The order was adopted.

2. U-21567 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO IMPLEMENT THE PROVISIONS OF PUBLIC ACT 229 OF 2023 AND RELATED DEFINITIONS OF PUBLIC ACT 235 OF 2023 (interim order)
3. U-21670 2024 ENERGY WASTE REDUCTION RECONCILIATION AND ANNUAL REPORT FILING (order assigning dockets)

- U-21671 ALPENA POWER COMPANY
CONSUMERS ENERGY COMPANY
(electric and gas)
 - U-21672 DTE ENERGY COMPANY
(electric and gas)
 - U-21673 INDIANA MICHIGAN POWER COMPANY
 - U-21674 NORTHERN STATES POWER COMPANY
(electric and gas)
 - U-21675 UPPER PENINSULA POWER COMPANY
 - U-21676 UPPER MICHIGAN ENERGY RESOURCES CORPORATION
(electric and gas)
 - U-21677 MICHIGAN GAS UTILITIES CORPORATION
 - U-21678 SEMCO ENERGY GAS COMPANY
4. U-21679 ENERGY WASTE REDUCTION BIENNIAL PLAN FILING FOR
PLAN YEAR 2026/2027
(order assigning dockets)
- U-21680 ALPENA POWER COMPANY
CONSUMERS ENERGY COMPANY
(electric and gas)
 - U-21681 DTE ENERGY COMPANY
(electric and gas)
 - U-21682 INDIANA MICHIGAN POWER COMPANY
 - U-21683 NORTHERN STATES POWER COMPANY
(electric and gas)
 - U-21684 UPPER PENINSULA POWER COMPANY
 - U-21685 UPPER MICHIGAN ENERGY RESOURCES CORPORATION
(electric and gas)
 - U-21686 MICHIGAN GAS UTILITIES CORPORATION
 - U-21687 SEMCO ENERGY GAS COMPANY

Commission Staff Katie Smith, Energy Resources Division, presented a brief synopsis of the cases listed above. Commissioner Peretick moved that the Commission approve the orders at its November 7, 2024 meeting. Chair Scripps seconded that motion.

Chair Scripps commented:

“First, I would like to offer my thanks to Ms. Smith and our Energy Optimization Section. In particular, it was the Energy Waste Reduction Section until the passage of this new legislation which brought us back once again to focusing on energy optimization. I also want to recognize this as an important step in implementing Public Act 235 of 2023 and building on the Commission's energy waste reduction activities that have been recognized by the American Council for Energy for an energy efficient economy as some of the best utility programs in the country, which continue to save money for Michigan residents and businesses generating \$2.54 in savings for every \$1 invested according to the most recent data.

Ms. Smith talked about the energy optimization collaborative which has been in place for more than a decade at this point and is a model of public engagement. It only makes sense to use that collaborative as the appropriate vehicle as we continue to implement energy waste reduction programs and explore the new opportunities provided by the Legislature around efficient electrification.

Again, I appreciate staff and Ms. Smith for their work on this as well as all those who commented in this proceeding that gave us a strong range of options in formulating these next steps.”

Vote: Yeas – Scripps, Peretick
Nays – None

The order in Case No. U-21567 was adopted.

Vote: Yeas – Scripps, Peretick
Nays – None

The order in Case No. U-21670, *et al* was adopted.

Vote: Yeas – Scripps, Peretick
Nays – None

The order in Case No. U-21679, *et al* was adopted.

5. U-21783 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR ACCOUNTING AND RATE MAKING APPROVAL OF DEPRECIATION PRACTICES FOR ELECTRIC AND COMMON UTILITY PLANT (motion for extension to file)

Case No. U-21783 involves a motion filed by Consumers Energy Company requesting approval for an extension of time to file its next electric and common utility plant depreciation case. The order before you grants the motion. Commissioner Peretick moved that the Commission approve the order at its November 7, 2024 meeting. Chair Scripps seconded that motion.

Vote: Yeas – Scripps, Peretick
Nays – None

The order was adopted.

C. GAS

1. U-21384 IN THE MATTER OF THE APPLICATION OF DTE GAS COMPANY FOR APPROVAL OF DEPRECIATION ACCRUAL RATES AND OTHER RELATED MATTERS (final order)

Case No. U-21384 involves an application filed by DTE Gas Company for approval of depreciation accrual rates. The order before you approves adjusted depreciation accrual rates, as described in the order. Commissioner Peretick moved that the Commission approve the order at its November 7, 2024 meeting. Chair Scripps seconded that motion.

Commissioner Peretick commented:

“I’d like to thank the Company, the Staff and the city of Ann Arbor for their thoughtful testimony on this issue. While most depreciation accrual rate cases tend to be straightforward and don’t draw many comments from the bench like this, especially when the order in front of us is to approve the depreciation rates that are not a significant departure from the status quo, I wanted to highlight a few of the arguments that Ann Arbor brought up in this case. Ann Arbor argued that the changing usage patterns, resulting from state and local climate policies and other electrification trends, may result in shorter lifetimes for natural gas infrastructure. And while this order does in front of us presently not accept the shorter lifetimes for the calculation based on the evidence presented on this record, I am pleased to see a detailed discussion about the future of natural gas usage. It is crucially important that gas utilities are using accurate projections for natural gas usage for their calculations. This is fundamental for setting both depreciation rates like in this case, as well as natural gas service rates in general rate cases. Even absent any direction from the commission, this is a fundamental piece of what a utility must do: consider how policy objectives, customer demands, and any other foreseeable factors can affect the depreciable lives of assets, including historical trends of natural gas demand, projected demand, the impacts of changing demand, and the projected impacts of the transition toward electrification and decarbonization.”

Vote: Yeas – Scripps, Peretick
Nays – None

The order was adopted.

2. U-21291 IN THE MATTER OF THE APPLICATION OF DTE GAS COMPANY FOR AUTHORITY TO INCREASE ITS RATES, AMEND ITS RATE SCHEDULES AND RULES GOVERNING THE DISTRIBUTION AND SUPPLY OF NATURAL GAS, AND FOR MISCELLANEOUS ACCOUNTING AUTHORITY (final decision)

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 November 7, 2024 meeting. Chair Scripps seconded that motion.

Commissioner Peretick commented:

“I’d like to thank all the intervening parties for their testimony in this case, particularly our MPSC Staff. The record for this case included testimony from 53 witnesses, almost 2,700 pages of transcript, and 533 exhibits.

It’s been three years since the last DTE Gas rate case, and I’m pleased to see the progress made over those years in increasing the safety and lowering the carbon intensity of the gas distribution system. The order before us extends the Infrastructure Recovery Mechanism, which includes replacement of aging gas mains, moving gas meters outside of people’s homes, and a pipeline integrity program, and has to this point been successful in achieving those goals.

This order also includes direction to extend a gas demand response program, helping to reduce gas usage during weather or reduced supply events.

This order also emphasizes the importance of accurate gas usage forecasts, similar to my comments on the last DTE Gas depreciation order, which include considerations and projections for gas delivery needed, accounting for state and local policies and emissions reduction goals. It is important that we are planning properly for the future to be able to ensure reliability and affordability for Michigan gas customers.”

Chair Scripps commented:

“The order in front of us ultimately represents a 2.28% increase in bills for the typical residential customer of DTE Gas. That increase will help support important investments in the safety of DTE Gas’s natural gas infrastructure, as well as the other elements that you mentioned, Commissioner Peretick.

I am pleased with what I think is a thoughtful resolution of this order that was based on the record evidence provided by the company, our staff, the Attorney General, and the many other intervening parties to this case.”

Vote: Yeas – Scripps, Peretick
Nays – None

The order was adopted.

V. PUBLIC COMMENTS

Karol Sanborn, Pewamo, addressed her concerns regarding Case No. U-21471.

Val Wohlscheid-Brennan, Eagle Township presented the attached map and provided comments in Case No. U-21471.

Charity, Detroit requested that the Commission not increase the rates of DTE Electric and commented on frequent outages, and financial assistance for customers.

Chair Scripps announced:

“The Commission offices will be closed on Monday, November 11th in celebration of Veteran’s Day. I want to offer my thanks and that of the Commission, my appreciation, and respect to all those who have served our nation in uniform, whether in the Army, Navy, Air Force, Marines, Coast Guard, or Space Force. I also want to recognize those who have carried that commitment to service into roles with the Michigan Public Service Commission itself. We have the privilege of working with a number of veterans at the MPSC. We have benefited greatly from their military backgrounds and continued service. I would also note that the Michigan Department of Licensing and Regulatory Affairs (which is the department in which the MPSC is housed) is certified as a gold level veteran-friendly employer by the Michigan Veterans Affairs agency. I also recognize both Consumers Energy and DTE Energy for their gold level certifications, with a number of other energy and telecommunications providers certified at the silver and bronze levels. Happy Veteran’s Day and thank you to all who have served our nation in uniform. We will be closed next Monday, November 11th to honor your commitment.

Second, November is National Native American Heritage Month. A time when we celebrate the traditions, languages and stories of Native American and Alaskan native communities and ensure that their rich histories and contributions continue to thrive with each passing generation. This November, and indeed every month, we celebrate the culture and heritage of these remarkable Americans who deeply enrich the quality and character of our nation.

We celebrate Indian country with its remarkable diversity of American Indian cultures and peoples, while remembering and honoring our veterans who have sacrificed so much to defend our nation. I would note on that and consistent with our celebration of Veteran’s Day that Native Americans have historically served our nation at a significantly higher percentage than the population as a whole and continue to do so today.

This year we have made a conscientious effort to expand our outreach to the 12 federally recognized tribes in Michigan, including meetings with the leadership of individual tribes and attending the Governor’s Annual Tribal Summit earlier this fall in Marquette, among other efforts. We look forward to continuing and building on these activities and discussions in the months and years ahead.

Third, I want to recognize Erik Hanser, who is the manager of our Energy Markets Section. He was awarded the David Carr award for outstanding staff contributions to the organization of MISO states at their annual meeting last month. Erik has been with the Commission and been contributing to our work with OMS and MISO, as well as PJM and the organization of PJM states, and our work with the Federal Energy Regulatory Commission for a number of years. There is nobody more deserving among the ranks of the staff who contribute so much to the organization of MISO states than Erik. I had the privilege of knowing David Carr (after whom the award is named) who is a Mississippi staff member for a number of years, a graduate of Old Miss, both for undergraduate and law school and just as good a human being as you would ever want to meet. I was pleased during my presidency of the organization of MISO states to change the outstanding staff contribution award to be named

after David. His parents were there when we did that. I could not be more pleased to see that the David Carr award this year was given to Erik Hanser.

Finally, as I think everybody is well aware, Tuesday was Election Day. I want to express my thanks to all those who put themselves forward as candidates and also to congratulate those who won. The results include a change in leadership of the Michigan House. We look forward to welcoming the members who begin their service on the second Wednesday of January.

I want to specifically congratulate North Dakota Commissioner and current NARUC President Julie Fedorchak on her election to the U.S. House of Representatives. I have had the opportunity to know and learn from Julie over the past several years during my tenure with the MPSC. I know Commissioner Peretick has as well. I am confident that she will make an outstanding and excellent member of Congress representing the good people of North Dakota.”

A recording of the proceedings of the November 7, 2024 meeting is archived at: <https://www.youtube.com/watch?v=RfCxs3u2jOE> .

Chair Scripps announced that the next regularly scheduled Commission Meeting will be held on Thursday, November 21, 2024 at 1:00 p.m.

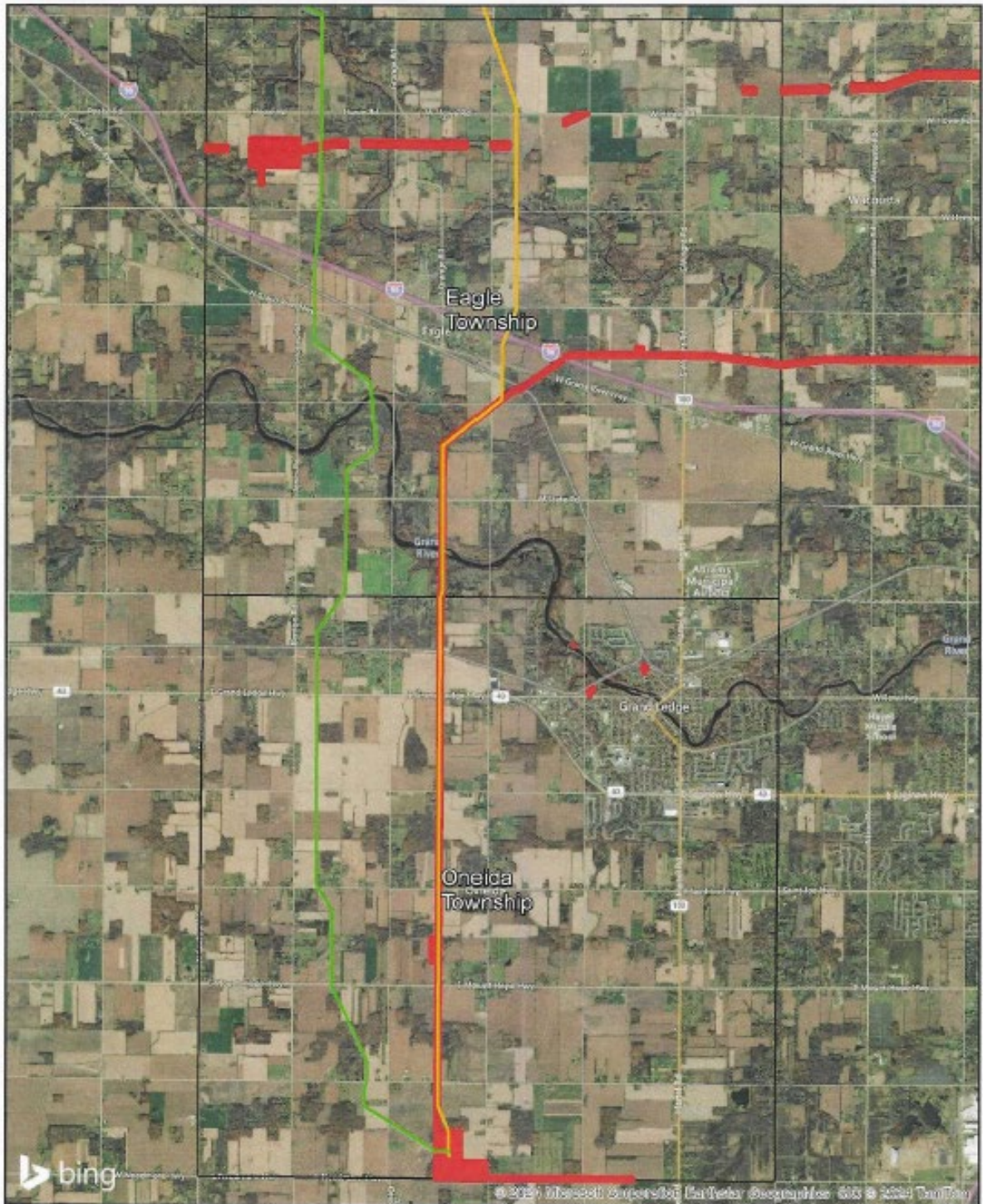
Commissioner Peretick moved that the Commission adjourn, Chair Scripps seconded.

Vote: Yeas – Scripps, Peretick
Nays – None

The motion was approved.

The meeting adjourned at 1:44 p.m.

Lisa Felice
Executive Secretary



**Available Land for Transmission Citing
METC Nelson to Oneida
MPSC Case U21471**



- Proposed Route
- Alternative Route
- Land Approved for Citing