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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 AUGUST 7, 2025.

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 Shaquila Myers, Commissioner

Staff: Jana Bachman

Matt Helms Lisa Felice Blair Renfro Ryan Wilson Al Freeman

Stephanie Fitzgerald

Laura Weir Advait Rode **Bridget Corwin** Erik Hanger Amelia Arnold Ryan Boutet Tayler Becker Andrea Taylor Steve Kimbrell Anne Armstrong Dave Isakson Anna Schiller Roger Doherty Jason Mailloux Charlie Tidwell Kate Daymon

Jerry McClung Mike Byrne Zach Heidemann Alena Clark

Dolores Midkiff-Powell

Andy Hannum Al Freeman Public: Karol Sanborn

Andrew Minegar, MIRS

Additional Staff & Public Attending Telephonically/Video Conferencing: 180 Participants

Chair Scripps commented:

"Before we begin the meeting's business today, I want to express a special welcome to Commissioner Shaquila Myers, who is participating in her first meeting as commissioner. Commissioner Myers brings deep policy expertise, having served as Chief of Staff to Lieutenant Governor Gilchrist, where she was actively involved in Michigan's efforts on broadband expansion, a trusted senior advisor to Governor Grethen Whitmer, where she was instrumental in infrastructure policy, and as Chief of Staff to House Speaker Joe Tate, she helped negotiate the 2023 energy reforms, the 2024 MEAP expansion law, and countless others. We often say that the Michigan Public Service Commission is a creature of statute. We are excited to have someone that has been so instrumental in enacting the statutes join us to help implement them and oversee the statutory framework that we've been entrusted with.

Commissioner Myers, speaking for myself and Commissioner Peretick, welcome and we're excited to work with you."

Commissioner Myers commented:

"Thank you, Chair Scripps and Commissioner Peretick. I have to say thank you to you and the wonderful staff at the MPSC. You guys have made my transition very comfortable and easy. Your willingness to welcome me in has been very much appreciated. Thank you."

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

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

The agenda was approved.

II. Commissioner Peretick moved to approve the minutes of the Regular Commission Meeting of July 10, 2025, Chair Scripps seconded.

Vote: Yeas – Scripps, Peretick Nays – None Abstains – Myers

The minutes were approved.

III. CONSENTED ORDERS

A. COMMUNICATIONS

1. U-20149 IN THE MATTER OF THE JOINT REQUEST FOR COMMISSION APPROVAL OF AN INTERCARRIER COMPENSATION AGREEMENT BETWEEN AT&T MICHIGAN AND SPECTROTEL OF THE MIDWEST LLC (first amendment)

B. ELECTRIC

- 1. U-21549 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY TO COMMENCE A RENEWABLE ENERGY COST RECONCILIATION PROCEEDING FOR THE 12-MONTH PERIOD ENDED DECEMBER 31, 2023 (proposed settlement agreement)
- 2. U-21676 IN THE MATTER OF THE APPLICATION OF UPPER MICHIGAN ENERGY RESOURCES CORPORATION FOR AUTHORITY TO RECONCILE THE 2024 ELECTRIC AND NATURAL GAS ENERGY WASTE REDUCTION COSTS AND REVENUES AND RELATED APPROVALS (proposed settlement agreement)
- 3. U-21828 IN THE MATTER OF THE APPLICATION OF ALPENA POWER COMPANY TO COMMENCE A RENEWABLE ENERGY COST RECONCILIATION PROCEEDING FOR THE 12-MONTH PERIOD ENDED DECEMBER 31, 2024 (proposed settlement agreement)
- 4. U-21833 IN THE MATTER OF THE APPLICATION OF UPPER PENINSULA POWER COMPANY TO COMMENCE A RENEWABLE ENERGY COST RECONCILIATION PROCEEDING FOR THE 12-MONTH PERIOD ENDED DECEMBER 31, 2024 (proposed settlement agreement)
- 5. U-21843 IN THE MATTER OF INDIANA MICHIGAN POWER COMPANY'S APPLICATION FOR THE REGULATORY REVIEWS, REVISIONS, DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR AN AMENDED RENEWABLE ENERGY PLAN FOR 2025 TO FULLY COMPLY WITH PUBLIC ACT 295 OF 2008, AS AMENDED (amended renewable energy plan/proposed settlement agreement)

6. U-21846 IN THE MATTER OF ALPENA POWER COMPANY'S
APPLICATION REGARDING THE REGULATORY REVIEWS,
REVISIONS, DETERMINATIONS, AND/OR APPROVALS
NECESSARY TO FULLY COMPLY WITH PUBLIC ACT 295 OF
2008, AS AMENDED
(amended renewable energy plan/proposed settlement agreement)

C. GAS

- 1. U-21606 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-MONTH PERIOD ENDING MARCH 31, 2026 (proposed settlement agreement)
- 2. U-21678 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 (energy waste reduction reconciliation/proposed settlement agreement)

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

> Vote: Yeas – Scripps, Peretick Nays – None Abstains – Myers

Commissioner Myers commented:

"I began my service of the Commission on July 21, 2025. Having just been appointed, I have determined to abstain from voting on this motion. I am not sufficiently familiar with these matters to make an informed decision. I also intend to abstain from voting on all motions to approve orders on today's agenda for the same reason."

The 9 orders were adopted.

IV. OTHER ORDERS

A. COMMUNICATIONS

1. U-21910 IN THE MATTER OF THE APPLICATION OF PB MICHIGAN FIBER ASSET ENTITY, LLC FOR A TEMPORARY AND PERMANENT LICENSE TO PROVIDE BASIC LOCAL EXCHANGE SERVICE IN THE INCUMBENT LOCAL EXCHANGE CARRIERS' SERVICE TERRITORIES THROUGHOUT THE STATE OF MICHIGAN

(final order)

Case No. U-21910 involves an application, as amended, filed by PB Michigan Fiber Asset Entity, LLC, for a permanent license to provide basic local exchange service in the incumbent local exchange carriers' service territories throughout the state of Michigan. The order before you grants the permanent license. Commissioner Peretick moved that the Commission approve the order at its August 7,2025 meeting. Chair Scripps seconded that motion.

Vote: Yeas – Scripps, Peretick

Nays – None Abstains – Myers

The order was adopted.

B. ELECTRIC

1. U-18425 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR APPROVAL OF POWER PURCHASE AGREEMENT WITH STS HYDROPOWER, LTD. (ex parte/final order)

Case No. U-18425 involves an application filed by Consumers Energy Company requesting *ex parte* approval of a power purchase agreement with STS Hydropower Ltd. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its August 7, 2025 meeting. Chair Scripps seconded that motion.

Vote: Yeas – Scripps, Peretick Nays – None Abstains – Myers

The order was adopted.

2. U-20140

IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING EXTREME WEATHER CONDITION POLICIES FILED IN COMPLIANCE WITH MICH ADMIN CODE, R 460.134 FOR APPROVAL

(opportunity to comment/interim order)

Case No. U-20140 involves the review and approval of extreme weather condition policies filed by the utilities in compliance with Mich Admin Code, R 460.134 of the Commission's Consumer Standards and Billing Practices for Electric and Natural Gas Service. The order before you invites comment on related issues, and directs the Commission Staff to hold a technical conference and file a report providing recommendations to the Commission. Commissioner Peretick moved that the Commission approve the order at its August 7, 2025 meeting. Chair Scripps seconded that motion.

Commissioner Peretick commented:

"I would like to thank our staff for all their work on reviewing and suggesting potential modifications to our current extreme weather policies for all regulated energy companies. With the more frequent and severe heat and cold we have been experiencing in Michigan, we realized it was time to review our policies that our regulated electric and natural gas utilities follow on suspending service shutoffs during periods of extreme temperatures.

In the order before us, we're asking a series of questions about best practices and would like to get recommendations from any interested party for if or how these extreme weather policies should be modified. For example, we'd like to know what temperature thresholds should be used, whether the policies should be uniform across the state or vary by utility, how long protections should be in place after the extreme weather event, and what assistance measures utilities are providing to customers during the extreme weather and how it is communicated.

If you would like to submit your own suggestions for us to consider, please submit your comments to this docket – U-20140 – by September 18th. Reply comments will be due by Oct 16th, and we plan to host a technical conference examining the policies, recommendations, and proposed changes before Dec 1st of this year.

It's an active docket right now, and I'd love as much participation we can get to make sure we get this right."

Vote: Yeas – Scripps, Peretick Nays – None Abstains – Myers

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/Grand Basin, Hackett & Lakeside Energy Storage/power purchase agreements/final order)

Case No. U-21090 involves an application filed by Consumers Energy Company requesting *ex parte* approval of power purchase agreements with Grand Basin Energy Storage LLC, Hackett Energy Storage LLC, and Lakeside Energy Storage LLC. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its August 7, 2025 meeting. Chair Scripps seconded that motion.

Chair Scripps commented:

"I would like to note that each of these storage projects is a 100-megawatt (MW) storage project. The three in front of us today will ultimately add 300-megawatts of energy storage onto Michigan's grid. I appreciate the companies bringing these projects forward and the staff's review of the projects. It's a significant step forward towards meeting the energy storage target that was included in the 2023 energy laws and, ultimately, gives us greater flexibility on our grid. I am happy to support the motion that is in front of us today."

Vote: Yeas – Scripps, Peretick Nays – None Abstains – Myers

The order was adopted.

4. U-21193 IN THE MATTER OF THE APPLICATION OF DTE ELECTRIC COMPANY FOR APPROVAL OF ITS INTEGRATED RESOURCE PLAN PURSUANT TO MCL 460.6t AND FOR OTHER RELIEF (ex parte/Monroe Storage, Fermi Storage & Au Gres Solar projects/interim order)

Case No. U-21193 involves an application filed by DTE Electric Company seeking *ex parte* approval of a request for the relevant electric retail regulatory authority's verification that the Monroe Storage Project, the Fermi Storage Project, and the Au Gres Solar Park Project qualify for inclusion in the Midcontinent Independent System Operator, Inc.'s Expedited Resource Addition Study process. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its August 7, 2025 meeting. Chair Scripps seconded that motion.

Chair Scripps commented:

"A few words on this as well. There are three projects here as well. There are two storage and one solar project. Notably, these were filed under the interim process that we had articulated earlier in the year when MISO first initiated their RERRA's application. They are being considered and approved under that interim process. We will have more to say later on a final process later in today's agenda but ultimately makes these three projects eligible for consideration under the expedited interconnection queue process and ultimately provides a meaningful pathway to the addition of additional storage and solar projects, should they ultimately be selected and move forward.

I would note that this is not the approval of the underlying contracts in this, simply approval for their eligibility for the RERRA's process. It also doesn't provide guarantee of cost recovery or any other ratemaking treatment. Simply, a way of moving them forward in the time-limited, expedited interconnection queue process that MISO has established and that FERC recently approved."

Vote: Yeas – Scripps, Peretick Nays – None Abstains – Myers

The order was adopted.

5. 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)

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

Case Nos. U-21509 *et al.* involve an application filed by Alger-Delta Co-operative Electric Association, Cherryland Electric Cooperative, Great Lakes Energy Cooperative, Homeworks Tri-County Electric Cooperative, Midwest Energy & Communications, The Ontonagon County Rural Electrification Association, Presque Isle Electric & Gas Co-op, and Thumb Electric Cooperative of Michigan, individually and collectively, for waivers from certain service quality and reliability standards. The order before you grants temporary waivers for certain cooperatives until December 31, 2026, and requires updated reporting. Commissioner Peretick moved that

the Commission approve the order at its August 7, 2025 meeting. Chair Scripps seconded that motion.

Vote: Yeas – Scripps, Peretick Nays – None Abstains – Myers

The order was adopted.

6. U-21662 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, AS AMENDED (amended renewable energy plan/ petition for rehearing)

Case No. U-21662 involves an application filed by DTE Electric Company requesting approval of its amended renewable energy plan. The order before you denies a petition for rehearing or clarification of the May 15, 2025 order in this docket filed by the Michigan Environmental Council. Commissioner Peretick moved that the Commission approve the order at its August 7, 2025 meeting. Chair Scripps seconded that motion.

Vote: Yeas – Scripps, Peretick Nays – None Abstains – Myers

The order was adopted.

7. U-21901 IN THE MATTER OF THE APPLICATION OF DTE ELECTRIC COMPANY AND DTE GAS COMPANY FOR *EX PARTE*AUTHORITY TO WAIVE ONE ATTRIBUTE OF ITS DATA PRIVACY TARIFFS
(final order)

Case No. U-21901 involves an *ex parte* request filed by DTE Electric Company and DTE Gas Company for authority to waive one attribute of the companies' data privacy tariffs as it relates to personally identifiable information for the single, specific purpose of assisting the City of Detroit with the creation of an occupancy model to allow for the equitable distribution of services and access to resources in the City of Detroit. The order before you approves the waiver, effective on the date of this order and continuing until 5:00 p.m. (Eastern time) on December 31, 2028. Commissioner Peretick moved that the Commission approve the order at its August 7, 2025 meeting. Chair Scripps seconded that motion.

Vote: Yeas – Scripps, Peretick Nays – None Abstains – Myers

The order was adopted.

8. U-21902

IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO ESTABLISH A PROCESS FOR ADDRESSING THE MIDCONTINENT INDEPENDENT SYSTEM OPERATOR, INC.'S EXPEDITED RESOURCE ADDITION STUDY TARIFF (interim order)

Case No. U-21902 involves a matter, on the Commission's own motion, to establish a process for addressing requests filed under the Midcontinent Independent System Operator, Inc.'s Expedited Resource Addition Study tariff. The order before you adopts a process for addressing requests filed pursuant to that tariff. Commissioner Peretick moved that the Commission approve the order at its August 7, 2025 meeting. Chair Scripps seconded that motion.

Chair Scripps commented:

"The RERRA's tariff was ultimately approved by FERC. It requires the sign-off of the local state public utility commission, in most instances, for projects to be eligible for consideration for the expedited resource addition interconnection queue process. This provides a framework for how that process will work in Michigan. We are, as I think most know, a little different. We have both 90% bundle load and then 10% that participates in retail open access. We wanted to make sure that we were addressing both of those elements, as well as the process for independent power producers that are also eligible to bring forward projects under the RERRA's process.

Notably, for the investor-owned utilities, the projects that would be eligible for consideration for fast-tracked interconnection through MISO RERRA's process must be consistent with approved plans. Those could be renewable energy plans, integrated resource plans, and others to ensure that there's consistency between state policy, and the projects ultimately being considered for expedited consideration under process.

I think it provides a meaningful opportunity to move those projects forward and we saw, obviously, three projects from DTE under the interim framework that we had in place, and the three projects that I mentioned earlier that we approved the underlying projects for Consumers Energy would also be then eligible under this process. I expect that we'll see a significant number of those projects ultimately be proposed. I would expect and hope that they would ultimately move forward through that process and provide real benefits to Michigan's grid going forward.

I am excited to have this order in front of us and appreciate the work of the companies and the intervening parties who provided comments; I think making the process here robust and truly reflective of Michigan's unique regulatory environment."

Vote: Yeas – Scripps, Peretick Nays – None Abstains – Myers

The order was adopted.

9. U-21937 IN THE MATTER OF THE APPLICATION OF CONSUMERS
ENERGY COMPANY FOR APPROVAL OF VOLUNTARY GREEN
PRICING PROGRAM TARIFF REVISIONS
(ex parte/final order)

Case No. U-21937 involves an application filed by Consumers Energy Company requesting *ex parte* approval of revisions to the company's Voluntary Green Pricing program tariffs. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its August 7, 2025 meeting. Chair Scripps seconded that motion.

Commissioner Peretick commented:

"I would just like to highlight a few of the changes that are being made to Consumers Energy's voluntary green pricing tariff that are in the order before us.

If approved, this order will expand the definition of 'income qualified customer' under the utility's Green Giving Program so that the program can be extended to more customers. The Green Giving Program uses sponsored funds to provide access to the benefits of renewable energy projects, including savings on utility bills, at no cost to eligible customers who enroll. This order also expands the definition of income-qualified customer to include those participating in additional programs.

It also removes a 12-month enrollment requirement for full-service residential customers participating in Consumers' Renewable Energy Program. This will provide additional financial flexibility to residential customers and encourage additional enrollments in the program.

It also clarifies that the program is available to metered and unmetered customers, which would support municipalities participating if they are interested.

And finally, it removes an exclusion from eligibility for customers receiving benefits from the Company's Affordable Resource for Energy, Low-income Assistance Credit, and Percentage of Income Payment Plan programs.

Michigan has some of the strongest voluntary green pricing programs in the country, with over 100,000 customers enrolled in the state, and includes the largest contract ever signed in the

country for voluntary green power – a 650 MW deal between Ford and DTE, which just broke ground this past April.

The changes that are in the order before us for the Consumers Energy voluntary green pricing programs are great steps to make our programs even stronger."

Vote: Yeas – Scripps, Peretick Nays – None Abstains – Myers

The order was adopted.

10. U-21939 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO ESTABLISH A WORKGROUP TO REVIEW AND RECOMMEND IMPROVEMENTS TO THE CRITICAL CARE CUSTOMER SHUT OFF PROTECTION UNDER MICH ADMIN CODE, R 460.130a

(order opening docket)

Case No. U-21939 involves a matter, on the Commission's own motion, to open a docket to explore potential changes to Mich Admin Code, R 460.130a, Critical care customer shut off protection. The order before you directs the Commission's Critical Care Collaborative to continue to explore potential changes to the rule and directs the Commission Staff to file a report in this docket by March 27, 2026. Commissioner Peretick moved that the Commission approve the order at its August 7, 2025 meeting. Chair Scripps seconded that motion.

Vote: Yeas – Scripps, Peretick Nays – None Abstains – Myers

The order was adopted.

C. GAS

1. U-21065 IN THE MATTER OF THE APPLICATION OF DTE GAS COMPANY FOR A GAS COST RECOVERY RECONCILIATION PROCEEDING FOR THE 12 MONTHS ENDING MARCH 31, 2023 (final order)

Case No. U-21065 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, 2023. The order before you approves the application, as modified. Commissioner Peretick moved that the Commission approve the order at its August 7, 2025 meeting. Chair Scripps seconded that motion.

Commissioner Peretick commented:

"The order before us approves the application that DTE Gas filed requesting authority to reconcile its gas cost recovery revenues and expenses for the 12-month period ended March 31, 2023. One of the contentious issues in this case involves the purchase of Responsibly Sourced Gas, or RSG.

For its past four GCR plan applications, DTE Gas has requested approval for recovery of the premiums associated with its purchase of RSG. As described by the company, Responsibly Sourced Gas is 'natural gas that has been verified by a third party to have met specified environmental targets during production.'

In each of the prior relevant plan orders, the Commission has issued a Section 7 warning that indicates RSG premiums may not be recoverable in the company's future reconciliation cases without first providing and quantifying evidence of how RSG delivers a benefit to DTE Gas customers, and that such costs are reasonable and prudent. The Commission even indicates in our orders that we continue to recognize there may be potential value in RSG, but this does not exempt the company from providing sufficient evidence to quantify the benefits related to the RSG premium paid.

In the order before us, the Commission adopts the ALJ's recommendation to disallow cost recovery of the RSG premium in the absence of clear value to customers. DTE Gas also needed to present sufficient evidence that the company fully evaluated the commodity price for RSG too, which the order before us deems it has not.

And while the Commission has repeated its request to improve its presentation of evidence on customer benefits related to RSG several times, I would also like to remind DTE Gas they need to do better in response to discovery questions. As quoted from the PFD, Staff noted 'that the Company did not address the discrepancy between the discovery responses provided to Staff and those provided to the Attorney General. And Staff argue DTE gas failed to evaluate any alternative to non-RSG purchases noting the company confirmed it did not have contemporaneous bids for non-RSG purchases.'

DTE Gas still affirms its aspiration to be 'Best in the world and best for the world.' The procurement of RSG is one of many steps the Company is taking to decarbonize, and an area where the Company can have a direct positive impact by reducing the methane intensity of its portfolio, in alignment with the Company's priorities as an environmental leader. We just need to evaluate it."

Chair Scripps commented:

"I mentioned at the beginning that we are, at the Commission, a creature of statute. I agree that there may be potential value in responsibly sourced gas and still believe that it is true. But the Company must demonstrate what I would call a legally, cognizable benefit under

Act 304. Simply saying that there's a benefit or even a decarbonization benefit, doesn't line up with what needs to be established under Act 304 to allow for recovery of these costs.

I encourage the Company to take another look at how it frames the arguments that it's making around responsibly sourced gas and to provide us something that we can, under statute, approve in the future."

Vote: Yeas – Scripps, Peretick Nays – None Abstains – Myers

The order was adopted.

V. PUBLIC COMMENTS

Karol Sanborn, Lebanon Township, commented on Case No. U-21471.

Darren Villarreal, Oakland County addressed his concerns regarding DTE Electric's extended and frequent power outages.

Chair Scripps announced that the next regularly scheduled Commission Meeting will be held on Thursday, August 21, 2025 at 1:00 p.m.

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

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

The motion was approved.

The meeting adjourned at 1:38 p.m.

Lisa Felice
Executive Secretary