

MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES AND AVAILABLE VIA MICROSOFT TEAMS VIDEO CONFERENCING ON DECEMBER 5, 2025.

Commission Chair Daniel C. Scripps called the meeting to order at 1:07 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: Corrie Schmidt-Parker
Matt Helms
Lisa Felice
Blair Renfro
Ryan Wilson
Jill Rusnak
Taylor Becker
Sarah Mullkoff
Jesse Harlow
Charlie Tidwell
Kate Daymon
Andy Hannum
Ben Johnson
Jerry McClung
Ryan Cook
Al Freeman
Julie Ginevan
Andi Taylor
Mike Byrne
Paul Proudfoot

Additional Staff & Public Attending Telephonically/Video Conferencing: 327 Participants

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 November 6, 2025, Commissioner Myers seconded.

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

The minutes were approved.

III. CONSENTED ORDERS

A. COMMUNICATIONS

1. U-21952 IN THE MATTER OF THE APPLICATION OF INTERACTIVE SERVICES NETWORK, INC. FOR A TEMPORARY AND PERMANENT LICENSE TO PROVIDE LOCAL EXCHANGE SERVICE IN THE STATE OF MICHIGAN
(interim order)

2. MINUTE ACTION PENINSULA FIBER NETWORK NEXT GENERATION SERVICES, LLC
(9-1-1 wireless, U-14000, invoice no. INV-1316 dated November 10, 2025)

B. ELECTRIC

1. U-21673 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, REGARDING THE REGULATORY REVIEWS, REVISIONS, DETERMINATIONS, AND/OR APPROVALS NECESSARY FOR INDIANA MICHIGAN POWER COMPANY TO FULLY COMPLY WITH PUBLIC ACT 295 OF 2008, AS AMENDED
(energy waste reduction reconciliation/proposed settlement agreement)

2. U-21919 IN THE MATTER OF THE APPLICATION OF DTE ELECTRIC COMPANY FOR RECONCILIATION OF ITS 2024 DEMAND RESPONSE PROGRAM COSTS
(proposed settlement agreement)

Commissioner Peretick moved that the Commission approve all the orders and minute action on the consent agenda.
Commissioner Myers seconded that motion.

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

The 3 orders and 1 minute action were adopted.

IV. OTHER ORDERS

A. COMMUNICATIONS

1. U-21934 IN THE MATTER OF THE APPLICATION OF BW BROADBAND INC. FOR TEMPORARY AND PERMANENT LICENSE TO PROVIDE LOCAL EXCHANGE SERVICE
(final order)

Case No. U- 21934 involves an application, as amended, filed by BW Broadband Inc. for a permanent license to provide basic local exchange service in the Winn Exchange currently served by Winn Telephone Company. The order before you grants the permanent license. Commissioner Peretick moved that the Commission approve the order at its December 5, 2025 meeting. Commissioner Myers seconded that motion.

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

The order was adopted.

B. ELECTRIC

1. U-21258 IN THE MATTER OF THE APPLICATION OF CONSUMER ENERGY COMPANY FOR RECONCILIATION OF ITS POWER SUPPLY COST RECOVERY PLAN (CASE NO. U-21257) FOR THE 12 MONTHS ENDED DECEMBER 31, 2023
(final order)

Case No. U-21258 involves an application filed by Consumers Energy Company for reconciliation of power supply cost recovery expenses and revenues for calendar year 2023. The order before you approves the application, as modified by the order. Commissioner Peretick moved that the Commission approve the order at its December 5, 2025 meeting. Commissioner Myers seconded that motion.

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

The order was adopted.

2. U-21285 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 (*ex parte*/Deckerville Solar Park Project)

Case No. U-21285 involves an application filed by DTE Electric Company requesting *ex parte* approval of the Deckerville Solar Park Project and the accompanying Engineering Procurement and Construction Master Service Agreement and the Master Supply Agreement for solar panel modules. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its December 5, 2025 meeting. Commissioner Myers seconded that motion.

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

The order was adopted.

3. U-21338 IN THE MATTER OF THE APPLICATION OF DTE ELECTRIC COMPANY FOR A FINANCING ORDER APPROVING THE SECURITIZATION OF QUALIFIED COSTS (annual true-up adjustment/proposed charges)

Case No. U-21338 involves an application filed by DTE Electric Company for approval of new securitization charges for the period of December 2025 through November 2026. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its December 5, 2025 meeting. Commissioner Myers seconded that motion.

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

The order was adopted.

4. U-21388 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO OPEN A DOCKET THAT WILL BE USED TO COLLABORATIVELY CONSIDER AND ADDRESS ISSUES AND CONCERNs RELATED TO THE RELIABILITY AND RESILIENCE OF THE ELECTRIC POWER SYSTEM IN MICHIGAN IN A COMMISSION-SPONSORED TECHNICAL CONFERENCE (Critical Facility Resilience/interim order)

Commission Staff Julie Ginevan, Energy Operations Division, presented a brief synopsis of the case listed above. Commissioner Peretick moved that the Commission approve the order at its December 5, 2025 meeting. Commissioner Myers seconded that motion.

Commissioner Myers commented:

“This order highlights how important system resiliency is, specifically in the context of critical and priority facilities. A resilient approach begins with clear and consistent communication before, during, and after outages, supported by a post-event summary report that identifies lessons learned and areas for improvement. Resiliency also depends on ensuring that every critical and priority facility is fully aware of its designated status and knows exactly how to communicate with the utility during an emergency, eliminating confusion when rapid coordination matters most. Regular mock storm and severe weather exercises are another essential resiliency practice, allowing utilities and critical facilities to test their communication channels, restoration processes, and decision-making under realistic conditions. And finally, resiliency is strengthened through ongoing engagement with city and county emergency managers, creating a shared understanding of reliability challenges, improving restoration coordination, and reinforcing community preparedness. Together, these practices form a resilient operational framework that ensures critical facilities remain supported and functional when the electric system is under the greatest stress.”

Commissioner Peretick commented:

“The order before us is crucial for improving our processes and procedures to ensure critical facilities like schools, hospitals, nursing homes, police stations, fire stations, and other locations that provide essential services can be restored very quickly after a power outage – or never lose power at all in the first place. MPSC Staff put together a set of 13 recommendations, as outlined by Ms. Ginevan, that have been reviewed by a host of interested parties and refined over the last year to get us to the robust set of changes in the order before us today. We talk a lot about improving reliability – making power outages less likely to happen – but resilience – the ability to bounce back when an outage does happen – is important as well. And it’s especially important for the critical customers that are the focus of this order.

I’m especially thankful for the work of Julie Ginevan and Alex Morese who led the effort to get this right.”

Chair Scripps commented:

“As Commissioner Peretick described, there’s been a real focus on reliability over the last several years and we have put in place a whole suite of strategies to improve reliability performance. The first of its kind, third-party audit of DTE and Consumer’s distribution systems. This is the requirement that utilities file distribution plans. Reporting requirements, investment in vegetation management, and tree trimming, as well as grid hardening, strengthening our rules around service quality and the technical standards for electrical service, and a performance-based framework to better link the utility earnings to their reliability performance – just to cite just a couple of those.

As a result, we are seeing significant progress. Data issued earlier this week by the Federal Energy Information Administration shows the fourth consecutive year of year-on-year improvement in weather adjusted metrics relating to the duration of outages, putting us in the top half of states,

which is significantly improved from our position just a couple of years ago when we were very close to the bottom. But at the same time, we know that challenges remain, particularly in storm conditions. Today's order addresses an important gap in that framework, how to strengthen resilience, particularly for critical facilities, but also looking more broadly at the system as a whole.

One element that I'd flag, in addition to those that were highlighted by my colleagues, is a requirement that utilities restore power to critical facilities in all conditions, including those catastrophic storm conditions within 72 hours of the power going out. Seventy-two hours wasn't chosen randomly. It actually links with the requirements in other state and federal agencies, including in Michigan around hospital rules - where hospitals need to be able to maintain power for the first 72 hours after an outage. So, by putting in place a requirement that the utilities are there within 72 hours, we're helping to ensure that there is no disruption of service even in the most challenging conditions on the grid. This coordination between Commission regulations and requirements and other state and federal requirements, I think, takes a holistic approach. I'm not sure government always does a great job of doing.

I think this addresses an important piece of the resilience puzzle even as we continue our obsessive focus on ensuring that our reliability progress that we've seen over the last couple of years continues."

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

The order was adopted.

5. U-21482 IN THE MATTER OF THE APPLICATION OF DTE ELECTRIC COMPANY FOR APPROVAL OF INTERCONNECTION PROCEDURES AND WAIVERS FROM INTERCONNECTION AND DISTRIBUTED GENERATION STANDARDS R 460.901a *ET. SEQ.*
(proposed settlement agreement)

Commission Staff Cody Matthews, Energy Operations Division, presented a brief synopsis of the case listed above. Commissioner Peretick moved that the Commission approve the order at its December 5, 2025 meeting. Commissioner Myers seconded that motion.

Commissioner Peretick commented:

"I'd like to give a special thanks to our staff who put many months of work into the negotiations that got us to the settlement agreement before us now. It was a long road, as you heard from Cody in his presentation, with twists and turns provided by new legislation with new requirements in the middle of it.

There were 8 intervenors in this case in addition to our Commission Staff and DTE and getting all 10 parties to agree on such extensive and detailed interconnection procedures was no small task, and having the buy-in of all of these parties makes the result strong. So, thank you to all 8 intervening parties, DTE, and especially the following Staff who spent much of 2025 negotiating this

settlement: Cody Matthews, Josh Towslee, Tim Sayers, Julie Baldwin, and Anna Stirling from the AG who sat in on all the meetings and negotiations as well.”

Chair Scripps commented:

“Thank you, Commissioner Peretick. As you were reading that list, I smiled at the reference to Julie Baldwin. When I started working at the Commission nearly seven years ago, we were working on these interconnection procedures. Julie, at that point, was manager of the Renewable Energy Section. She then became division director of our Energy Operations Division and has since retired. Here we are adopting the procedures today. It truly has been a long road. Probably eight or more years in the making.

I think the most important piece of this is, and there are a lot of important elements within the settlement agreement, but it was ultimately agreed upon by all of the parties. You had clean energy developers, individuals interested in installing rooftop solar, and other distributed energy resources, the Company, our staff – really a full vetting around the opportunities that distributed energy resources can provide. It is an agreement about what the rules of the road will be in terms of interconnecting those distributed energy resources with DTE’s distribution grid.

I echo our thanks to our staff, echo Mr. Matthews, and thanks to all the parties who brought us this. I think having an agreement means that we can move forward and execute. That is in some ways preferable to a Commission order that simply directs the path forward. We now have buy-in from all the respective perspectives, and I think that will ease the path forward from here. I appreciate the work that has gone into this.”

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

The order was adopted.

6. U-21596 IN THE MATTER OF THE APPLICATION OF INDIANA MICHIGAN POWER COMPANY FOR APPROVAL TO IMPLEMENT A POWER SUPPLY COST RECOVERY PLAN FOR THE 12 MONTHS ENDING DECEMBER 31, 2025
(final order)

Case No. U-21596 involves an application filed by Indiana Michigan Power Company requesting approval to implement a power supply cost recovery plan for the 12 months ending December 31, 2025. The order before you approves the application and power supply cost recovery factor, as described in this order, accepts the company’s five-year forecast, and issues a warning under MCL 460.6j(7) that Indiana Michigan Power Company may not be authorized to recover its full costs incurred under the Ohio Valley Electric Corporation’s Intercompany Power Agreement. Commissioner Peretick moved that the Commission approve the

order at its December 5, 2025 meeting. Commissioner Myers seconded that motion.

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

The order was adopted.

7. U-21912 IN THE MATTER OF THE PETITION OF ALPENA POWER COMPANY FOR A TEMPORARY WAIVER OF THE CUSTOMER ACCOMMODATION PROVISIONS OF THE SERVICE QUALITY AND RELIABILITY STANDARDS FOR ELECTRIC DISTRIBUTION SYSTEMS BECAUSE OF AN INTERRUPTION IN SERVICE CAUSED BY A MAJOR SYSTEM FAILURE AND AN "ACT OF GOD," PURSUANT TO R 460.751 AND R 460.752
(proposed settlement agreement)

Case No. U-21912 involves a petition filed by Alpena Power Company for a temporary waiver of the customer accommodation provisions of the Commission's Service Quality and Reliability Standards for Electric Distribution Systems. The order before you approves a settlement agreement resolving all issues in the case. Commissioner Peretick moved that the Commission approve the order at its December 5, 2025 meeting. Commissioner Myers seconded that motion.

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

The order was adopted.

8. U-21931 IN THE MATTER OF THE *EX PARTE* APPLICATION OF ALPENA POWER COMPANY FOR ACCOUNTING AUTHORITY TO DEFER EXPENSES FOR THE MARCH/APRIL 2025 EXTRAORDINARY ICE STORM EVENT
(final order)

Case No. U-21931 involves an application by Alpena Power Company requesting *ex parte* approval for accounting authority to use a regulatory asset to defer operations and maintenance expense associated with the March/April 2025 storm event. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its December 5, 2025 meeting. Commissioner Myers seconded that motion.

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

The order was adopted.

9. U-21976 IN THE MATTER OF THE APPLICATION OF UPPER MICHIGAN ENERGY RESOURCES CORPORATION FOR APPROVAL OF A DISTRIBUTION SYSTEM PLAN
(*ex parte*/request for waiver of Hosting Capacity Analysis/interim order)

Case No. U-21976 involves an *ex parte* request filed by Upper Michigan Energy Resources Corporation for a waiver of the Hosting Capacity Analysis requirement as part of the company's upcoming distribution system plan filing due no later than January 30, 2026. The order before you grants Upper Michigan Energy Resources Corporation's limited request for purposes of the company's upcoming distribution system plan filing. Commissioner Peretick moved that the Commission approve the order at its December 5, 2025 meeting. Commissioner Myers seconded that motion.

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

The order was adopted.

C. GAS

1. U-21270 IN THE MATTER OF THE APPLICATION OF CONSUMERS ENERGY COMPANY FOR RECONCILIATION OF ITS GAS COST RECOVERY PLAN (CASE NO. U-21269) FOR THE 12 MONTHS ENDED MARCH 31, 2024
(final order)

Case No. U-21270 involves an application filed by Consumers Energy Company for reconciliation its gas cost recovery plan for the 12 months ended March 31, 2024. The order before you approves the application, as set forth in the order. Commissioner Peretick moved that the Commission approve the order at its December 5, 2025 meeting. Commissioner Myers seconded that motion.

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

The order was adopted.

2. U-21847 IN THE MATTER, ON THE COMMISSION'S OWN MOTION, TO PROMULGATE RULES GOVERNING GAS SAFETY (rulemaking/ interim order)

Case No. U-21847 involves proposed amendments to the rules governing gas safety. The order before you approves the proposed amendments, directs transmittal of the approved amended rules to the Legislative Service Bureau and the Michigan Office of Administrative Hearings and Rules for their formal approvals, and transmittal of the amended rules to the Joint Committee on Administrative Rules upon receipt of the formal approvals of the amended rules governing gas safety from the Legislative Service Bureau and the Michigan Office of Administrative Hearings and Rules. Commissioner Peretick moved that the Commission approve the order at its December 5, 2025 meeting. Commissioner Myers seconded that motion.

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

The order was adopted.

V. PUBLIC COMMENTS

Jordan Kleinsmith, Tim Bruneau, Wendy Albers, Tammie Bruneau, Madison Goff, Nichole Biber, Abigail Yeager, Anthony Hudson, Jason Dye, Brittany Troyan, Adin McClellan, Daniela Walbridge, Jarad Guerrero-Salinas, Charlene Vanadeer, Christian Alvarado, Sarah Brabbs, Natlie Zimmer, Khadeiza Samihs, Jennifer Oresti, Jacob Knowles, Daniel Huang provided comments and concerns regarding the proposed data center in Saline, Case No. U-21990.

Bob Jennings, Canon Township, provided comments regarding power outages and referenced data pertaining to Case No. U-21305.

Chair Scripps announced:

“I would like to thank all of you who joined us here today, as well as all of those who joined us on Wednesday. I think we had nearly a thousand individuals logged into the hearing. Despite some technical difficulties, we were able to hear from nearly 50 individuals. I was keeping track today, and I think we got up to another 22 this afternoon. I appreciate all of you for your willingness to participate.

Second, I wanted to highlight and add my support for the announcement earlier this week that the U.S. Department of Energy (DOE) that it had selected Holtec Government Services as one of two first-mover teams for up to \$400 million in federal cost-sharing funding to advance the early

deployment of advanced light-water small modular nuclear reactors (SMRs), specifically Holtec's plans to deploy two SMR-300 reactors at the Palisades Nuclear Generating Station site in Covert, Michigan. According to the DOE announcement, Holtec is pursuing an innovative one-stop-stop approach to SMR deployment by fulfilling the roles of technology vendor, supply chain vendor, nuclear plant constructor in partnership with Hyundai Engineering & Construction, plant operator, and electricity merchant selling the power to nearby utilities and end-users.'

The selections announced today will help deliver new nuclear generation in the early 2030s, and this represents the first awards under DOE's Gen III+ SMR program, with the remaining \$100 million to be awarded later this year to support additional deployments and address key barriers in design, licensing, supply chain, and sit readiness.

This is an exciting opportunity not just for Holtec, but for Michigan and the nation. It's exciting to see continued momentum around the next generation of nuclear deployment, and to see Michigan recognized as one of the leading states in this area.

One of the joys of this job is the unexpected interactions we get to have with individuals who are in some way connected to our work. An example of that is the regular requests for comments, quotes, or other information we would regularly receive from Sondra Gunderman, a long-standing member of the Capital Press Corps who most recently reported for Christ News Service, a radio outlet that was focused on issues important to the Upper Peninsula, and often rooted in her deeply held Christian faith. It seemed like after every meeting we got a follow up from Sondra, giving us the opportunity to share our work with her listeners in the UP. So, I join many others in mourning Sondra's passing last week after a rich life of 82 years. We knew her as a dedicated radio journalist and Yooper – including media requests even in the last months – and join her husband Ken and her children, grandchildren, and great-grandchildren, as well as all who knew her in celebrating the lasting mark Sondra Gunderman left on the UP and our state.

Similarly, I want to share my condolences with the family of former Representative Fred Durhal, Jr, who passed away on November 19th, at the age of 73. Today is Fred's funeral, and I'd also note that Governor Whitmer has ordered U.S. and Michigan flags within the State Capitol Complex to be lowered to half-staff today to honor his memory.

Representative Durhal was first elected to the State House in 2002, serving a partial term, then returned to the House in 2008, where he served an additional three full terms. I had the great privilege of serving and learning from Rep. Durhal during my time in the House, and there is no one who was more committed to Detroit, to our state, or to the ideals of public service than Rep. Durhal.

I join his family, his former constituents, and his countless colleagues, neighbors, and friends in honoring his memory.

Finally, to end on a happier note, I want to offer my enthusiastic congratulations to Chris Forist, the manager of our Customer Assistance team, on her recognition this week with the department-wide Outstanding Customer Service Award at the Michigan Department of Licensing and Regulatory Affairs' annual Employee Recognition Awards ceremony. Chris and her team play a critical role in fielding inquiries and complaints from members of the public, helping to get their questions

answered, resolving billing issues, and connecting them with assistance programs, among a number of other services. There's no one more deserving of this recognition than Chris, and I know Commissioners Peretick and Myers join me in offering our congratulations as well."

A recording of the proceedings of the December 5, 2025 meeting is archived at:
<https://www.youtube.com/watch?v=bDqmXBFOETE> .

Chair Scripps announced that the next regularly scheduled Commission Meeting will be held on Thursday, December 18, 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 2:43 p.m.

Lisa Felice
Executive Secretary