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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 6, 2026.**

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: Alissa Day
Blair Renfro
Matt Helms
Lisa Felice
Justin Miller
Stephanie Fitzgerald
Dan Williams, Jr.
Ben Johnson
Jerry McClung
Charlie Tidwell
Andy Hannum
Joe Cole
Cathy Cole
Zoe Salamey

Additional Staff & Public Attending Telephonically/Video Conferencing: 257 Participants

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

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

The motion was approved.

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

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

The amended agenda was approved.

**II.** Commissioner Peretick moved to approve the minutes of the Regular Commission Meeting of July 16, 2026, Commissioner Myers seconded.

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

The minutes were approved.

## III. Consented Orders

### A. Electric

| | | |
|---|---|---|
| 1. | U-22029 | In the matter of the application of Northern States Power Company to commence a renewable energy cost reconciliation proceeding for the 12-month period ended December 31, 2025<br>(proposed settlement agreement) |
| 2. | U-22130 | In the matter of the application of Walker Road Solar Farm LLC for a renewable energy or storage siting certificate to construct a solar energy facility<br>(request to withdraw application/final order) |
| 3. | Minute Action | Approval of Administrative Law Judges Heather M.S. Durian and Sarah A. Stancati |
| 4. | Minute Action | International Transmission Company, tariff filing regarding request for construction work in progress<br>(FERC Docket No. ER26-2902-000) |

### B. Gas

| | | |
|---|---|---|
| 1. | U-21440 | In the matter of the application of DTE Gas Company for reconciliation of its gas cost recovery plan (Case No. U-21439) for the 12 months ended March 31, 2025<br>(proposed settlement agreement) |

2. U-21889 In the matter of the application of DTE Gas Company for approval of a gas cost recovery plan and authorization of gas cost recovery factors for the 12 months ending March 31, 2027
(proposed settlement agreement)

**C. Steam**

1. U-21897 In the matter of the application of Detroit Thermal, LLC for approval of a steam supply cost recovery plan and authorization of steam cost recovery factors for the 12 months ending March 31, 2027
(proposed settlement agreement)

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

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

The 5 orders and 2 minute actions were adopted.

**IV. Other Orders**

**A. Electric**

1. 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
(opportunity to comment/interim order)

Case No. U-21400 involves a matter, on the Commission's own motion, to commence a workgroup for the consideration of financial incentives and penalties as they relate to the reliability and resilience of the electric power system in Michigan. The order before you commences a comment period on a straw proposal to refine the initial focus areas for the reliability-plus initiative; to solicit feedback on updated metrics, scorecards, and performance incentive mechanisms for the reliability-plus initiative; and to outline next steps for this proceeding. Commissioner Peretick moved that the Commission approve the order at its August 6, 2026 meeting. Commissioner Myers seconded that motion.

**Chair Scripps commented**:
"The Commission's work on performance-based regulatory approaches goes back a number of years. We initiated this docket in April 2023 with an initial focus on how to use performance-based incentives and penalties to better connect utility financial performance with the reliability performance they deliver to their customers, including specific metrics on outage restoration timelines, the number of customers experiencing multiple outages that exceed the system performance measures contained in the Commission's service quality rules and technical standards, and progress in addressing the worst-performing circuits, among others. In March 2025 we expanded that focus to go beyond just reliability-bases metrics and the goal there was to consider challenges around the readiness of utility distribution grids to effectively accommodate and leverage the increasing and further anticipated growth of distributed generation electric vehicles and other distributed energy resources.

Today's order reviews initial comments that we received as we expanded the scope of this work to include those elements and provides a straw proposal that includes recommendations around more efficient use of the distribution grid, maximizing existing investments and supporting cost effective additions of aggregated distributed energy resources, sometimes called virtual power plants, which aggregate distributed energy resources such as rooftop solar batteries, vehicle changing and smart thermostats to reduce peak grid demand. These efforts can defer or avoid the need for costly, new electricity generation, as well as grid enhancements and reduce upward pressure on customers' utility rates. If phase one was fixing the grid, the order in front of us and the straw proposal that we now seek comment on is about the future of the grid.

I want to express my appreciation for staff and their work in developing this straw proposal, as well as the parties that provided comment in this docket, including Association of Businesses Advocating Tariff Equity, the City of Ann Arbor, Consumers Energy, DTE Electric Company, the Ecology Center, the Environmental Law and Policy Center, the Union of Concerned Scientists, Vote Solar, the Michigan Electric and Gas Association, the Michigan Energy Innovation Business Council, and Advanced Energy United. One of the hallmarks of the work throughout this docket, both on reliability focused, and now on the reliability plus elements, has been the involvement of different perspectives, has made the ultimate result stronger in my view and ultimately, more durable as well.

This provides us with an opportunity to look at opportunities to save customers money while increasing the performance of the distribution grid, on which we all increasingly rely. I'm excited to hear comments from those based on the straw proposal included in this order."

**Commissioner Peretick commented**:
"I would like to highlight the opportunity to comment on this proposal we've suggested to help tie utility earnings and financial penalties directly to consumer outcomes. As the chair mentioned, it covers a host of areas, including virtual power plants, non-wires alternatives, distributed energy resources, distribution system utilization, advanced metering infrastructure, and grid modernization. We believe that getting performance incentives and disincentives right on these topics can not only bring our grid up to modern-day standards, but also lower costs to customers and keep our utilities focused on solutions that bring value to all of us."

Vote: Yeas – Scripps, Peretick, Myers

Nays – None

The order was adopted.

2. U-21568 In the matter, on the Commission's own motion, to implement the provisions of Sections 22 through 49 and related definitions of Public Act 235 of 2023
(opportunity to comment/interim order)

U-22112 In the matter of the petition of Energy Michigan for a declaratory ruling regarding the interpretation of Sections 28 and 29 of 2023 PA 235, concerning the bundling requirements for renewable energy credits
(final order)

U-22113 In the matter of the petition of Billerud Americas Corporation for a declaratory ruling regarding the interpretation of Sections 28 and 29 of 2023 PA 235, concerning the bundling requirements for renewable energy credits
(final order)

Case Nos. U-21568 *et al*. involve a matter on the Commission's own motion, to implement Sections 22 through 49 of Public Act 235 of 2023. The order before you grants Energy Michigan's January 6, 2026 request for a declaratory ruling, denies the requests for declaratory rulings filed by Energy Michigan and Billerud Americas Corporation in Case Nos. U-22112 and U-22113 on April 29, 2026, and opens a comment period in Case No. U-21568, as described in this order. Commissioner Peretick moved that the Commission approve the order at its August 6, 2026 meeting. Commissioner Myers seconded that motion.

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

The order was adopted.

3. U-21637 In the matter, on the Commission's own motion, to investigate opportunities for improving the process by which it reviews applications filed under MCL 460.6a
(final order/closing docket)

Case No. U-21637 involves a matter, on the Commission's own motion, to investigate opportunities for improving the process by which the Commission reviews rate case applications. The order before you finds that the revenue requirement, cost of service, and rate design should continue to be decided in a single proceeding and that this docket should be closed. Commissioner Peretick moved that the Commission approve the order at its August 6, 2026 meeting. Commissioner Myers seconded that motion.

**Chair Scripps commented**:
"We opened this docket in response to the clean energy laws that were enacted at the end of 2023. One of the pieces of those required us, not later than June 1, 2024, to open a proceeding to investigate opportunities for improving the process by which we review applications filed under Section 6A. For all of you who don't live and breathe our statutory sections, that's the rate case section of Michigan law. So, we did that and looked at opportunities to consider contested settlements. We looked at the information that utilities need to share in terms of the potential for increased costs associated with their rate cases at the beginning of the proceeding, and then ultimately at the end as well, how demand response resources were considered through the rate case process and opportunities to streamline that and at the end took a look at whether in fact it would be wise to separate cost of service and rate design issues from the underlying revenue requirements in the preceding as a way to streamline and simplify the process. It was an idea worth pursuing, but ultimately the feedback that we received was overwhelmingly shouldn't be - shouldn't be pursued any further. This is a case, I think, where the Commission listened to the feedback that we've received and ultimately agreed with the many parties that provided comments in this docket. After taking a number of steps to in fact improve the rate case process, we found that this one would not. I sort of highlight the fact that we're not doing anything in this orders, but it's in response to significant feedback that we received from parties that often are parties or commenters that are often parties to these rate case proceedings, in terms of the value of keeping them holistically considered as we look at revenue requirements, rate design, and cost of service. I'm pleased to support the order."

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

The order was adopted.

~~DELETED 4. U-21906 In the matter of the application of Consumers Energy Company for reconciliation of its 2024 demand response program costs (final order)~~

5. U-21958 In the matter, on the Commission's own motion, to promulgate rules required by MCL 484.2202(1)(c)(iv)
(rulemaking/interim order)

Case No. U-21958 involves re-promulgation of rules governing the obligations of providers of basic local exchange service that cease to provide service. The order before you approves the rules for submission to the Michigan Office of Administrative Hearings and Rules and the Legislative Service Bureau for formal approval. Commissioner Peretick moved that the Commission approve the order at its August 6, 2026 meeting. Commissioner Myers seconded that motion.

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

The order was adopted.

6. U-22109 In the matter of the application of DTE Electric Company for a financing order approving the securitization of qualified costs
(final order)

Case No. U-22109 involves an application filed by DTE Electric Company for a financing order approving the securitization of qualified costs. The order before you approves a settlement agreement resolving all issues in the case and constitutes a financing order approving the application as filed. Commissioner Peretick moved that the Commission approve the order at its August 6, 2026 meeting. Commissioner Myers seconded that motion.

**Chair Scripps commented**:
"The order before us approves a settlement agreement tied to the securitization of qualified costs and specifically, costs associated with tree trimming and vegetation management by DTE Electric, as well as the costs associated with the retirement of coal handling facilities at the utilities' Belle River Plant in St. Clair County as it transition from coal to natural gas. I'd note that the importance of this order is ultimately the savings that result for customers by using securitization to recover the remaining book values of these costs and the costs associated with tree trimming. DTE Electric's customers are projected to save $62.5 million in financing costs, and this strikes me as a place where we can save customers money by using lower cost applications including securitization. We should absolutely do so. I'm pleased to support this order in front us."

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

The order was adopted.

7. U-22135 In the matter of the *ex parte* application of Consumers Energy Company for accounting authority to defer expenses for the March 2026 extraordinary storm event
(final order)

Case No. U-22135 involves an application filed by Consumers Energy Company's requesting *ex parte* approval for accounting authority to use a regulatory asset to defer operations and maintenance expense associated with the March 2026 storm event. The order before you approves the company's application for accounting purposes only, as set forth in the order, and directs the company to provide comprehensive storm data and a thorough analysis related to this March 2026 event in its next general electric rate case. Commissioner Peretick moved that the Commission approve the order at its August 6, 2026 meeting. Commissioner Myers seconded that motion.

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

The order was adopted.

8. U-22136 In the matter of the application of Consumers Energy Company for *ex parte* approval of amended service connection fees
(final order)

Case No. U-22136 involves an application filed by Consumers Energy Company for *ex parte* approval of amended service connection fees. The order before you approves the application. Commissioner Peretick moved that the Commission approve the order at its August 6, 2026 meeting. Commissioner Myers seconded that motion.

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

The order was adopted.

**B. Steam**

1. U-22133 In the matter of the application of Detroit Thermal, LLC for *ex parte* approval of an energy sales agreement with Detroit Regional Convention Facility Authority
(final order)

Case No. U-22133 involves the application of Detroit Thermal, LLC, for *ex parte* approval of an energy sales agreement with the Detroit Regional Convention Facility Authority. The order before you approves the agreement, which is attached to the order as Exhibit A. Commissioner Peretick moved that the Commission approve the order at its August 6, 2026 meeting. Commissioner Myers seconded that motion.

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

The order was adopted.

## V. Public comments

Roy Davis commented on Consumers Energy and DTE rate cases.

Scott Henry, retired teacher, St. Johns, commented on climate change concerns, recent storm damage, and extended loss of power, future outages, and the vision for the power grid.

James Ward, Hardy Pond, commented on Consumers Energy's sale of the dams to Confluence Hydro and safety concerns.

Jake Veith, Supervisor, Bear Lakee Schools, Manistee County, commented on Consumers Energy's sale of the dams to Confluence Hydro and his concerns about the community if the sale does not go through.

Michael Krcatovich, Supervisor, Valley Township, urged the Commission to approve Consumers Energy's sale of the dams to Confluence Hydro and the property values of the community.

Christopher Wren, Newago County supports Consumers Energy's sale of the dams to Confluence Hydro.

Andy Fias, Croton Township Trustee, urges the Commission to approve the sale of the dams to Confluence Hydro.

Fred Lewis, Township Supervisor, Plainfield, urges the sale of the dams to Confluence Hydro.

Tyler Huntley, Mecosta Township Trustee, addressed his concerns regarding the impact of the sale of the dams affecting all communities involved.

Cocoa Soodek, President Lake Allegan Association, approves the sale of the dams, but is concerned about the safety of the community.

Joe Porterfield, Wexford County Administrator, approves the sale of the dams.

**Chair Scripps announced**:
"As noted, for those who are paying particular attention to the consent agenda, we approved a minute action welcoming two new administrative law judges to the Michigan Office of Administrative Hearings and Rules who will adjudicate proceedings before us. I'm particularly excited to welcome Judge Heather Durian and Judge Sarah Stacati to the Office of Administrative Hearings and Rules. I don't know Judge Stacati as well. Judge Durian is well known to all of us, having formally represented the Commission through the Attorney General's office in a number of proceedings. I have full confidence that both Judge Durian and Judge Stacati will make excellent

members of the Office of Administrative Hearings and Rules and look forward to working with both of them in their new capacities."

A recording of the proceedings of the August 6, 2026 meeting is archived at: https://www.youtube.com/watch?v=_RuwdjRv5ZM .

Chair Scripps announced that the next regularly scheduled Commission Meeting will be held on Thursday, August 27, 2026 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 2:13 p.m.

Lisa Felice

Lisa Felice
Executive Secretary