



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION

MARLON I. BROWN, DPA
DIRECTOR

KATHERINE PERETICK
COMMISSIONER

DAN SCRIPPS
CHAIR

SHAQUILA MYERS
COMMISSIONER

November 4, 2025

Case No. U-21985

Bret A. Totoraitis
CMS Energy Corporation
1 Energy Plaza, EP11-229
Jackson, MI 49201

Dear Mr. Totoraitis:

Consumers Energy Company shall mail, by November 12, 2025, a copy of the enclosed notice of hearing to all cities, incorporated villages, townships and counties in its electric service area, and to intervenors in Case No. U-21585. Proof of service shall be filed by the prehearing conference on November 24, 2025.

Consumers Energy Company shall cause the enclosed notice of hearing to be published, by November 12, 2025, in newspapers of general circulation in its electric service area. Publishing requirements and a copy of the publishing format are enclosed. Affidavits of publication shall be filed by the prehearing conference on November 24, 2025.

Consumers Energy Company shall, by November 24, 2025, serve upon each person who has petitioned to intervene a copy of the written direct testimony of its proposed witnesses and the proposed exhibits as filed with the Commission. Proofs of service shall be filed with the Commission by December 1, 2025.

Sincerely,

Lisa Felice
Executive Secretary

Enclosures

LARA is an equal opportunity employer/program.

Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.
7109 W. SAGINAW HIGHWAY • P.O. BOX 30221 • LANSING, MICHIGAN 48909 • www.michigan.gov/mpsc • 517-284-8100

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION
NOTICE OF HEARING
FOR THE ELECTRIC CUSTOMERS OF
CONSUMERS ENERGY COMPANY
CASE NO. U-21985**

- Consumers Energy Company requests Michigan Public Service Commission for approval of the sale of its 13 river hydroelectric generating plants to Confluence Hydro, LLC, approval of the Power Purchase Agreement between Consumers Energy Company and Confluence Hydro, LLC, including a Financial Compensation Mechanism, and approval of deferred accounting treatment and other relief related to the sale.
- The information below describes how a person may participate in this case.
- You may call or write Consumers Energy Company, One Energy Plaza, Jackson, MI 49201, 800-477-5050, for a free copy of its application. Any person may review the documents at the offices of Consumers Energy Company or on the Commission's website at: <https://mi-psc.my.site.com/s/>.
- A pre-hearing will be held:

DATE/TIME: Monday, November 24, 2025 at 10:00 AM

BEFORE: Administrative Law Judge James M. Varchetti

LOCATION: Video/Teleconference

PARTICIPATION: Any interested person may participate. Persons needing any assistance to participate or who are seeking access to the video/teleconference should contact the Administrative Law Judge's secretary at (517) 284-8130 or by email at LARA-MOHR-PSC@michigan.gov in advance of the hearing.

The Michigan Public Service Commission (Commission) will hold a pre-hearing to consider Consumers Energy Company's (Consumers Energy) October 31, 2025 application requesting the Commission to: 1) approve the confidential treatment to the redacted confidential portions of the Purchase and Sale Agreements and the Power Purchase Agreement in accordance with MCL 460.6q(10) and to protect the confidential information at the prehearing conference; 2) approve the transaction between Consumers Energy and Confluence as proposed, including the Purchase and Sales Agreement, the Power Purchase Agreement, and all other related agreements and attachments thereto within 180 days of the application as provided under MCL 460.6q(5); 3) approve Consumers Energy's requested accounting treatment for the gain on the sale with offsets for expenses related to the transaction; 4) affirm that the Power Purchase Agreement is eligible for a Financial Compensation Mechanism under the provisions of MCL 460.6t(15) and MCL 460.1028(8); and 5) Grant Consumers Energy such other and further authority and approvals as may be lawful and proper.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: <https://mi-psc.my.site.com/s/>. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at: mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by November 19, 2025. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy Company's attorney, Bret A. Totoraitis, 1 Energy Plaza, EP11-229, Jackson, MI 49201.

The prehearing is scheduled to be held remotely by video conference or teleconference. Persons filing a petition to intervene will be advised of the process for participating in the hearing.

Any person wishing to appear at the hearing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of their wish to make a statement of position. Mich Admin Code, R 792.10413 (Rule 413).

Any person wishing to file a public comment may do so by filing a written statement in this docket. The written statement may be mailed or emailed and should reference Case No. **U-21985**. Statements may be emailed to: mpscedockets@michigan.gov. Statements may be mailed to: Executive Secretary, Michigan Public Service Commission, 7109 West Saginaw Hwy., Lansing, MI 48917.

All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private. For more information on how to participate in a case, you may contact the Executive Secretary at the above address or by telephone at (517) 284-8090.

Requests for adjournment must be made pursuant to Michigan Office of Administrative Hearings and Rules R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

Jurisdiction is pursuant to 2008 PA 286, MCL 460.6q et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and Parts 1 & 4 of the Administrative Hearing Rules of the Michigan Office of Administrative Hearing and Rules, Mich. Admin Code, R 792.10106(2), (3), (4), (5), (6), and (7); R 792.10121; and R 792.10401 through R792.10448.

U-21985

R 792.10422 Adjournments.

Rule 422

(1) Unless the presiding officer allows otherwise, a request for adjournment shall be by motion or stipulation made orally at a hearing or in writing and shall be based on good cause.

(2) A motion or stipulation for adjournment shall state the party who is requesting the adjournment and the reason for the adjournment.

(3) An adjournment may be granted for good cause and shall be in writing or on the record.

(4) In granting an adjournment, the presiding officer, administrative law manager assigned by the hearing system to the commission, or commission may impose reasonable conditions.

R 792.10432 Motion practice.

Rule 432

(1) In a pending proceeding, a request to the commission or presiding officer for a ruling or order, other than a final order, shall be by motion. Unless made during a hearing, a motion shall be in compliance with all of the following provisions:

(a) Be in writing.

(b) State with particularity the grounds and authority on which the motion is based. (c) State the relief or order sought.

(d) Be signed by the party or the party's attorney.

(2) Unless a different time is set by the commission or presiding officer or unless the motion is one that may be heard ex parte, a written motion, notice of the hearing on the motion, and any supporting brief or affidavits shall be served as follows:

(a) Not less than 9 days before the hearing, if served electronically or by mail.

(b) Not less than 7 days before the hearing, if served electronically or by delivery to the attorney or party under Michigan court rule 2.107(c)(1) or (2).

(3) Unless a different time is set by the commission or presiding officer, any response to a motion, including a brief or an affidavit, shall be served as follows:

(a) Not less than 5 days before the hearing, if served electronically or by mail.

(b) Not less than 3 days before the hearing, if served electronically or by delivery to the attorney or party under Michigan court rule 2.107(c)(1) or (2).

(4) Motions shall be noticed for hearing at the time designated by the commission or presiding officer.

(5) When a motion is based on facts not appearing on the record, the commission or presiding officer may hear the motion on affidavits presented by the parties or may direct that the motion be heard wholly or partly as oral testimony or deposition.

(6) The commission or presiding officer may limit oral arguments on motions and may require the parties to file briefs in support of, and in opposition to, a motion. The commission may dispense with oral argument on matters brought before the commission.

MICHIGAN PUBLIC SERVICE COMMISSION
RATE-REGULATED UTILITIES
PUBLISHING REQUIREMENTS FOR NOTICE

- Attached notice shall be published in at least 3 newspapers of general circulation in service area (rate-regulated utilities with greater than 20,000 customers) or in one newspaper of general circulation that covers the entire service area (rate-regulated utilities with fewer than 20,000 customers)
- Published title of notice shall be printed in at least 12-point boldface type
- Body of notice shall be in 9-point type surrounded by a black border 1/8 inch from the body of the notice
- Company logo shall be displayed at the end of the published notice
- Affidavits of publication with annexed notice shall be filed by the date of the prehearing conference

STATE OF MICHIGAN
BEFORE THE
MICHIGAN PUBLIC
SERVICE COMMISSION
NOTICE OF HEARING
FOR THE CUSTOMERS
OF
(COMPANY)
CASE NO. U-(CASE
NUMBER)

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- (COMPANY) will implement a **(proposed action)** if the Michigan Public Service Commission (Commission) approves its request.
- The information below describes how a person may participate in this case.
- You may call or write **(Company, Address, Telephone Number)** for a free copy of its application. Any person may review the documents at the offices of **(Company)**.
- A (Hearing Type) will be held:

DATE/TIME: **Month, day, year** (e.g. April 5, 2018) at **Time** (e.g. 9:00 a.m.)

BEFORE: Administrative Law Judge **(Name)**

LOCATION: Michigan Public Service Commission
7109 West Saginaw Highway
Lansing, Michigan 48917

PARTICIPATION: Any interested person may participate. Persons needing any assistance to participate or who are seeking access to the video/teleconference should contact the Administrative Law Judge's secretary at (517) 284-8130 or by email at LARA-MOHR-PSC@michigan.gov in advance of the hearing.

The Michigan Public Service Commission (Commission) will hold a (Hearing Type) to consider (Company's) (Date) application for (brief summary of application).

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by **(Date)**. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon **(Company's) Attorney, (Name), (Address)**.

Any person wishing to appear at the hearing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his or her wish to make a statement of position. All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private.

Requests for adjournment must be made pursuant to Michigan Office of Administrative Hearings and Rules R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

A copy of (Company's) application may be reviewed on the Commission's website at: <https://mi-psc.my.site.com/s/> and at the office of and at the office of (Company). For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

The Commission has jurisdiction pursuant to **(cite appropriate jurisdiction)**.

(Company Logo)

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

U-21985

In the matter of the application of Consumers Energy)
Company for approval of the sale of its River)
Hydroelectric Generating Fleet, related Power)
Purchase Agreement, and other relief.)

PROOF OF SERVICE

STATE OF MICHIGAN)
)
County of Eaton)

Angela Pearl Sanderson being duly sworn, deposes and says that on **November 4, 2025**, she served a copy of the attached **Notice of Hearing** by e-mail to those persons as shown on the below service list.

Angela P. Sanderson
Angela P. Sanderson

Subscribed and sworn to before me
this 4th day of November, 2025.

Lisa Felice
Notary Public, Eaton County, Michigan
My Commission Expires: April 15, 2028

Service List - Case No. U-21985

Name	On Behalf of	Email Address
Bret A. Totoraitis	Consumers Energy Company	bret.totoraitis@cmsenergy.com
Consumers Energy Company (1 of 2)	Consumers Energy Company	mpsc.filings@cmsenergy.com
Consumers Energy Company (2 of 2)	Consumers Energy Company	kelly.hall@cmsenergy.com
James M. Varchetti	ALJs - MPSC	varchetti@michigan.gov
Attorney General	Michigan Department of Attorney General – Public Service Division	7109 West Saginaw Highway Lansing, MI 48917