

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION
NOTICE OF HEARING
CASE NO. U-22062

The Michigan Public Service Commission will consider the complaint of Michael Fong against Consumers Energy Company.

- A pre-hearing in this matter will be held:

DATE/TIME: Thursday, April 30, 2026 at 9:00 AM

BEFORE: Administrative Law Judge Katherine E. Talbot

LOCATION: Video/Teleconference

Phone Number:

1 (248) 509-0316

Phone Conference ID: 704 962 67

URL: <https://tinyurl.com/bd4f6afa>

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.

On March 12, 2026, Michael Fong (Complainant) filed a formal complaint against Consumers Energy Company (Consumers Energy), for alleged billing discrepancies and improper shut-off of electricity service to Complainant's residence on February 11, 2026. Complainant requests the Commission to consider the following relief: 1) approve an immediate stay of all disconnection, shutoff, and enforcement activity with Consumers Energy; 2) approve Consumers Energy to place and maintain an official dispute hold-no disconnection, no coercive demands tied to disputed sums, and to suspend all late-payment charges, reconnection fees, collection escalation, third-party referral, and adverse reporting attributable to the disputed and back-billed amounts; 3) Require Consumers Energy to produce, within ten (10) days, the following records currently withheld: (i) the complete Enhanced Message Management Analysis (EMMA) case clarification file and meter read logs for September-November 2025; (ii) the Double-Hold system metadata and timestamp logs; (iii) internal Customer Service Representative call notes and interaction history for Becky, Belinda, Dustin Behnke, Stephanie, and Jason Milstone; (iv) Michigan Department of Health & Human Services Agency Hold communication logs underlying the "Year 9999" notice; (v) outage ticket/work order numbers and customer notification logs for the February 11, February 17, and March 1 planned outages; (vi) the internal billing manuals referenced in the Behnke letter that govern billing procedures for EMMA-flagged accounts; (vii) the August call record referenced in Consumers Energy's communications that its own Behnke letter claims does not exist; and (viii) meter calibration and accuracy documentation for the meter at the service address; 4) approve the forensic reconciliation of the account including a month-by-month breakdown of all charges from July 2025 through present with underlying meter reads, read-type codes, rate schedule, and all adjustments; a line-item explanation of the \$11.00 balance drift; an explanation of the \$1,879.64 internal discrepancy; and a determination of the correct balance after removing all charges contaminated by the EMMA billing failure; 5) approve the voiding of all late fees, reconnection fees, and unverified charges generated during the billing blackout period (September-November 2025), and all charges accruing after January 6, 2026 that are attributable to Consumers Energy's wrongful disconnection or procedural non-compliances regarding Complainant's account; 6) require Consumers Energy to offer Complainant a payment arrangement for the back-billed

amounts over a period no less than the duration of the billing blackout (a minimum of 90 days), taking into account the customer's financial circumstances as required by rule; authorizes fines of \$1,000-\$20,000 for a first offense, \$2,000-\$40,000 for a second, and \$5,000-\$50,000 for third and subsequent offenses, plus refunds, attorney fees, and other relief; 7) require Consumers Energy to: (i) correct its Critical Care System Double-Hold and to prevent overwrite of protective holds; (ii) correct its customer-facing notice templates to prevent display of raw database sentinel values; (iii) implement a mandatory human review step before any remote winter disconnection; (iv) retrain customer service staff on the actual scope of Michigan's Winter Protection Plan and dispute rights; (v) include all R 460.140 mandatory disclosures in email shutoff notices and deliver all shutoff notices by first-class mail per R 460.139(1); (vi) provide advance notice for all planned outages per R 460.3705(3); (vii) immediately preserve all records, logs, call recordings, system metadata, and related communications, including but not limited to the Belinda, Becky, and Stephanie call recordings; and 8) grant Complainant such other and further relief as is deemed necessary by the Commission.

On April 2, 2026, the Commission served the complaint upon Consumers Energy Company, directing a response on or before April 23, 2026.

The complaint may be dismissed if the Complainant fails to attend the hearing (remotely if telehearing) without requesting an adjournment pursuant to Michigan Office of Administrative Hearings and Rules R 792.10422 and R 792.10432. The same complaint may not be refiled at a later time unless a compelling reason is provided for not appearing or requesting another hearing. Requests for further information on adjournment should be directed to (517) 284-8130.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 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 Hearings and Rules, Mich. Admin Code, R 792.10106(2), (3), (4), (5), (6), and (7); R 792.10121; and R 792.10401 through R 792.10448.

MICHIGAN PUBLIC SERVICE COMMISSION

Lisa Felice
Executive Secretary

April 20, 2026

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.

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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U-22062

In the Matter of the Complaint of Michael Fong)
against Consumers Energy Company)

PROOF OF SERVICE

STATE OF MICHIGAN)
)
County of Eaton)

Angela Pearl Sanderson being duly sworn, deposes and says that on **April 20, 2026**, she served a copy of the attached **Notice of Hearing** by e-mail/regular mail to those persons as shown on the below service list.

Angela P. Sanderson
Angela P. Sanderson

Subscribed and sworn to before me
this 20th day of April, 2026.

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

Service List - Case No. U-22062

Name	On Behalf of	Email Address
Adam M. Cozort	MPSC Staff	cozort1@michigan.gov
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
Katherine E. Talbot	ALJs - MPSC	talbotk@michigan.gov
Michael Fong	Michael Fong Household	<div style="background-color: black; width: 150px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> Flint, MI 48507
Attorney General	Michigan Department of Attorney General – Public Service Division	7109 West Saginaw Highway Lansing, MI 48917