

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)	
CLOVERLAND ELECTRIC COOPERATIVE)	
for authority to reconcile renewable energy plan)	
costs associated with the plan approved in Case)	Case No. U-16352
No. U-15816 for the period ended)	
December 31, 2009.)	
_____)	

At the January 20, 2011 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. Orjiakor N. Isiogu, Chairman
Hon. Monica Martinez, Commissioner
Hon. Greg R. White, Commissioner

ORDER APPROVING SETTLEMENT AGREEMENT

On August 31, 2010, Cloverland Electric Cooperative (Cloverland) filed an application for authority to reconcile its renewable energy plan (REP) for the period ended December 31, 2009.

A prehearing conference was held on November 30, 2010 before Administrative Law Judge Barbara A. Stump. The Commission Staff also participated in the proceedings. Subsequently, the parties submitted a settlement agreement resolving all issues in the case.

According to the terms of the settlement agreement, attached as Exhibit A, the parties agree that the Commission should approve Cloverland’s application for authority to reconcile REP costs associated with the plan approved in Case No. U-15816, for the period ended December 31, 2009. The parties further agree that the Commission should find that for the 12-month period ended December 31, 2009, Cloverland was not authorized to charge, nor did it collect, a renewable

energy surcharge, and there are no revenues or expenditures to reconcile within the 2009 REP reconciliation.

After review of the settlement agreement, the Commission finds that it is reasonable and in the public interest, and should be approved.

THEREFORE IT IS ORDERED that:

A. The settlement agreement, attached as Exhibit A, is approved.

B. Cloverland Electric Cooperative's application for authority to reconcile renewable energy plan costs associated with the plan approved in Case No. U-15816 for the period ended December 31, 2009 is approved.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

Orjiakor N. Isiogu, Chairman

By its action of January 20, 2011.

Monica Martinez, Commissioner

Mary Jo Kunkle, Executive Secretary

Greg R. White, Commissioner

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of CLOVERLAND)
ELECTRIC COOPERATIVE for authority to)
reconcile renewable energy plan costs associated)
with the plan approved in Case No. U-15816)
for the period that ended December 31, 2009.)

Case No. U-16352

SETTLEMENT AGREEMENT

On August 31, 2010, Cloverland Electric Cooperative ("Cloverland") filed an application for authority to reconcile its Renewable Energy Plan ("REP") for the period that ended December 31, 2009.

For the 12-month period that ended December 31, 2009, Cloverland's REP did not include a request for a renewable energy surcharge pursuant to Section 45 of 2008 PA 295 or changes to the expenses recovered through the Power Supply Cost Recovery mechanism pursuant to Section 47 of 2008 PA 295, and no renewable energy surcharges were applied to Cloverland's customers in 2009. Thus, Cloverland reported no collections and no expenditures.

At the prehearing conference on November 30, 2010, Administrative Law Judge Barbara A. Stump, Esq. presiding, Cloverland presented proof of service of the mailing of the Notice of Hearing on all cities, incorporated villages, townships, and counties in its service area and also presented an affidavit evidencing the requisite publication of the notice.

Only the Michigan Public Service Commission Staff ("Staff") and Cloverland participated in the proceedings. No other parties attempted to intervene or otherwise

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participate. This proceeding was conducted as a contested case matter pursuant to Chapter 4 of the Administrative Procedures Act of 1969, 1969 PA 306.

It is the opinion of Cloverland and Staff that this Settlement Agreement will promote the public interest, will aid the expeditious conclusion of this case, and will minimize the time and expense which would otherwise have to be devoted to this matter by the Commission and the parties. This Settlement Agreement is for the purpose of final resolution of this case and all provisions of same are dependent upon all other provisions contained herein.

This Settlement Agreement is submitted pursuant to Section 78 of the Administrative Procedures Act of 1969, as amended (1969 PA 306, §78; MCLA 24.278; MSA 3.560 (178)). By this Settlement Agreement, Cloverland and Staff hereby agree and stipulate as follows:

1. Cloverland's 2009 Renewable Energy Annual Report satisfies the requirements of 2008 Public Act 295.
2. For the 12-month period that ended December 31, 2009, Cloverland was not authorized to charge, nor did it collect, a renewable energy surcharge. Thus, there are no revenues or expenditures to reconcile.
3. Cloverland and Staff jointly recommend that the Commission issue its Order Adopting Settlement Agreement.
4. This Settlement Agreement has been made for the sole and express purpose of reaching compromise among the positions of the signatory parties without prejudice to their rights to take new and/or different positions in other proceedings. If the Commission approves this Settlement Agreement without modification, neither the parties to this Settlement Agreement nor the Commission shall make any reference to

or use of the Settlement Agreement or the order approving it as a reason, authority, rationale or example for taking any action or position or making any subsequent decision in this case or any other cases or proceedings; provided, however, such reference or use may be made to enforce the Settlement Agreement and order.

5. Section 81 of the Administrative Procedures Act of 1969 is waived by the signatories.



Dated: January 11, 2011

MICHIGAN PUBLIC SERVICE COMMISSION
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Shaun Johnson

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Dated: January 11, 2011

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