

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter, on the Commission’s own motion,)	
regarding the regulatory reviews, revisions,)	
determinations, and/or approvals necessary for)	Case No. U-16600
BAY CITY ELECTRIC LIGHT & POWER)	
to fully comply with Public Act 295 of 2008.)	
_____)	

At the October 4, 2011 meeting of the Michigan Public Service Commission in Lansing, Michigan.

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

ORDER

Public Act 295 of 2008, MCL 460.1001 *et seq.* (Act 295), also known as the “Clean, Renewable, and Efficient Energy Act,” requires all providers of electric service to file renewable energy plans (REP) with the Commission. On July 1, 2009 in Case No. U-15849, the Commission found that Bay City Electric Light & Power’s (Bay City) initial REP complied with Act 295.

Every two years after the utility’s initial REP is found to be in compliance with Act 295, Section 25(4) of Act 295 requires that the Commission review the plan. On June 30, 2011, Bay City filed an application requesting that the Commission review its REP. Pursuant to Section 25(6) of Act 295, Bay City provided an opportunity for public comment. No comments were received.

The Commission Staff (Staff) reviewed the application and recommended that the Commission find Bay City in compliance with the requirements of Section 25 of Act 295.

The Staff determined that the 2011 REP is not an amendment to the 2009 REP. The Staff found that Bay City still expects to meet the renewable energy standard through contracts with Michigan Public Power Agency projects. The expected incremental cost of compliance to its customers will not exceed the retail rate impacts described in Section 45(2) of Act 295. To calculate the renewable energy credit requirement, Bay City plans to use the average of the previous three years of electricity sold to its customers.

THEREFORE, IT IS ORDERED that:

A. The renewable energy plan filed by Bay City Electric Light & Power is in compliance with the requirements of Public Act 295 of 2008.

B. Bay City Electric Light & Power shall register with the Michigan Renewable Energy Certification System no later than January 2012.

C. Bay City Electric Light & Power shall file an annual report with the Commission describing the status of compliance with the requirements of Public Act 295 of 2008 by June 30, 2012, and annually thereafter until further order of the Commission.

D. Absent an earlier application filed by Bay City Electric Light & Power for authority to amend its plan, the renewable energy plan shall be reviewed by the Commission in two years.

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, under MCL 462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

Orjiakor N. Isiogu, Chairman

Greg R. White, Commissioner

By its action of October 4, 2011.

Mary Jo Kunkle, Executive Secretary