STATUS OF ELECTRIC COMPETITION IN MICHIGAN

Report for Calendar Year 2014

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MICHIGAN PUBLIC SERVICE COMMISSION Department of Licensing and Regulatory Affairs

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Introduction

The Customer Choice and Electricity Reliability Act (Public Act 141 of 2000, referred to throughout as Act 141) requires the Michigan Public Service Commission (Commission or MPSC) to file a report with the Governor and the Legislature by February 1 each year. The report is to include a discussion of the following topics, pursuant to MCL 460.10u:

- a) The status of competition for the supplying of electricity in Michigan.
- b) Recommendations for legislation, if any.
- c) Actions taken by the Commission to implement measures necessary to protect consumers from unfair or deceptive business practices by utilities, alternative electric suppliers, and other market participants.
- d) Information regarding consumer education programs approved by the Commission to inform consumers of all relevant information regarding the purchase of electricity and related services from alternative electric suppliers.

An important goal of Act 141 is to have competition within the electric industry by offering Michigan customers the opportunity to purchase electric generation services from their incumbent utility or an Alternative Electric Supplier (AES). The Commission does not regulate the prices charged by an AES for its services. Customers may choose between an unregulated AES rate or a regulated utility rate.

Public Act 286 of 2008 (Act 286) was enacted on October 6, 2008 and amended Act 141. Section 10a(1)(a) of Act 286, MCL 460.10a, provides that no more than 10 percent of an electric utility's average weather-adjusted retail sales for the preceding calendar year may take service from an alternative electric supplier at any time.¹ As a result, the Commission outlined the specific procedures pertaining to the implementation of the 10 percent cap and established a Cap Tracking System that utilities are required to make available online.²

¹ With the exception of Section 10a(1)(d) of Act 286 which excludes iron ore mining or processing facilities.

² Order dated September 29, 2009 in Case No. U-15801.

I. Status of Competition for Electric Supply

A. Overview

Retail Open Access (referred to throughout as "ROA", "electric customer choice" or "electric choice") for all customers of Michigan investor-owned electric utilities took effect on January 1, 2002. AESs currently serve electric choice customers in the Consumers Energy Company (Consumers Energy), DTE Electric Company f/k/a Detroit Edison (DTE), Upper Peninsula Power Company (UPPCo), Wisconsin Electric Power Company (WEPCo), Wisconsin Public Service Corporation (WPSC) and Cloverland Electric Cooperative (Cloverland) territories. Indiana Michigan Power Company (I&M) has not experienced customers participating in electric choice since April 2013.

Michigan is one of 19 jurisdictions that had full or limited restructuring of retail electric markets in 2014.³ In Michigan, Act 286 caps electric choice participation at 10 percent of an electric utility's average weather-adjusted retail sales for the preceding year. The 10 percent cap is reset annually to reflect the average weather-adjusted retail sales for the preceding year.

Specific information pertaining to the status of electric choice participation for each utility can be found at the respective websites for Consumers Energy, DTE, I&M, UPPCo, WEPCo, WPSC and Cloverland.⁴

1. Michigan's Electric Customer Choice Program

Electric customer choice is available to all customers of regulated electric utilities, excluding members of electric cooperatives with loads of less than one megawatt (MW).⁵ Michigan's current retail electric market maintains regulation of most utility generation and distribution while allowing for

³ Chart 1 (Appendix 1, p. 23)

⁴ http://www.dleg.state.mi.us/mpsc/electric/restruct/faq/cap_data.html

⁵ MCL 460.10x and MCL 460.10y outline different requirements for implementation of customer choice for cooperatively owned and municipal electric utilities. MCL 460.10x allows any retail customer of a rural electric cooperative with a peak of 1 megawatt or above to select an alternative electric supplier. MCL 460.10y provides that the governing body of a municipally owned utility determines whether it will permit choice programs in its service territory.

competitive energy supply. Prior to 2014, customers of investor-owned utilities were the only such customers to participate in choice. During 2014, one cooperative electric utility customer began participating in choice in the Cloverland territory as well.

As of December 2014, there were approximately 6,460 customers participating in the electric choice programs (compared to 6,660 in 2013). This represents approximately 2,354 MWs of electric demand, which is a decrease of about 56 MW from 2013. As of December 2014, approximately 11,000 customers remain in the queue.

2. Michigan Renewable Energy Programs

In accordance with PA 295 of 2008 (Act 295), the Commission is required to review electric provider renewable energy plans every two years. For nearly all AESs with initial renewable energy plans approved, biennial reviews were required in 2013. In 2014, there were eight AESs with pending biennial reviews or letters from 2013 that were approved. Two AESs were required to file biennial reviews during 2014, one AES filed on time and one AES did not file until January 2015. Additionally, due to the timing of their licensing, four AESs had their initial renewable energy plans approved during 2014.

B. Alternative Electric Suppliers

There were 26 licensed AESs with 13 of those actively serving customers as of December 2014.⁶ The Commission issued one new AES license in 2014 for Plymouth Rock Energy, LLC while Quest Energy Services and TERM Power & Gas, LLC d/b/a ENCOA voluntarily relinquished their AES licenses.⁷

⁶ See Appendix 1: Chart 2 (p. 24), Chart 4 (p. 26), Chart 6 (p. 28), Chart 8 (p. 30), Chart 10 (p. 32), Chart 12 (p. 34), Chart 14 (p. 36)

⁷ See Appendix 2 for a complete list and further detail on these orders.

C. Load Served through Electric Customer Choice Programs

Commercial and industrial customers accounted for almost all of the participation in the electric choice programs during 2014. Typical choice participants are large industrial manufacturers and mid-size commercial customers including retailers, restaurants, healthcare facilities, school systems and other service providers. The number of residential choice customers participating in the electric choice program is negligible.

1. Consumers Energy Electric Customer Choice Program

The number of customers and the electric demand served by each AES in the Consumers Energy service territory at the end of each year is shown in Chart 2 (Appendix 1, p. 24). The electric choice load served in the Consumers Energy service territory at year-end 2014 totaled 771 MW. This compares to 787 MW in 2013. There were 1,050 customers served by AESs at year-end 2014 compared to 1,065 in 2013.⁸

Additional information depicting trends in the Consumers Energy electric customer choice program is included in Appendix 1. Chart 3 (Appendix 1, p. 25) shows the number of customers participating and the load served on a monthly basis from July 2013 through December 2014.

Below is a summary of cap related data for Consumers Energy for 2012 - 2014. To date, Consumers Energy is fully subscribed at the 10 percent cap.

Consumers Energy									
	2012	2013	2014						
Weather-Adjusted Retail Sales	37,398,498 MWh	37,298,206 MWh	36,331,256 MWh						
Participation Level	3,913,906 MWh	4,011,850 MWh	3,948,370 MWh						
Participation Percent	10.47%	10.77%	10.87%						
Customers in Service	1,064	1,065	1,050						
Customers in Queue	5,867	6,074	5,792						
Total Load in Queue	5,048,847 MWh	5,338,503 MWh	6,188,136 MWh						
Participation Percent w/o Cap	23.97%	25.07%	27.90%						

⁸ Chart 2 (Appendix 1, p. 24)

Consumers Energy experienced a decrease of more than four percent in the number of customers in the queue from 2013 to 2014 but an increase of more than 13 percent in load. Hypothetically, if the cap did not exist, choice participation would be approximately 28 percent.

2. DTE Electric Company Electric Customer Choice Program

The number of customers and the electric demand served by each AES in the DTE service territory at the end of the year is shown in Chart 4 (Appendix 1, p. 26). The electric choice load served in the DTE service territory at year-end 2014 totaled 1,168 MW compared to 1,191 MW in 2013. The number of customers served by AESs totaled 5,285 at year-end 2014 compared to 5,491 in 2013. ⁹

Additional information depicting trends in the DTE electric customer choice program is included in Appendix 1. Chart 5 (Appendix 1, p. 27) shows the number of customers participating and the load served on a monthly basis from July 2013 through December 2014.

Below is a summary of cap related data for DTE for 2012 - 2014. To date, DTE is fully subscribed at the 10 percent cap.

DTE Electric Company									
	2012	2013	2014						
Weather-Adjusted Retail Sales	47,093,408 MWh	46,830,494 MWh	47,714,848 MWh						
Participation Level	5,316,260 MWh	5,163,132 MWh	5,154,814 MWh						
Participation Percent	11.29%	11.03%	10.80%						
Customers in Service	5,672	5,491	5,285						
Customers in Queue	4,600	5,295	5,262						
Total Load in Queue	4,382,423 MWh	5,181,881 MWh	5,379,877 MWh						
Participation Percent w/o Cap	20.59%	22.09%	22.08%						

DTE experienced less than a one percent decrease in the number of customers in the queue from 2013 to 2014 but a four percent load increase. Hypothetically, if the cap did not exist, choice participation would be approximately 22 percent.

⁹ Chart 4 (Appendix 1, p. 26)

3. I&M Electric Customer Choice Program

In February 2012, Case No. U-17032 was initiated by the Commission to establish a state compensation mechanism for AES capacity in I&M's Michigan service territory. In May 2012, customers began taking choice service in I&M's service territory and by June 2012, I&M's choice program was fully subscribed at the 10 percent cap. In September 2012, the Commission approved the creation of a state compensation mechanism for AES capacity in I&M's Michigan service territory in Case No. U-17032. Since April 2013, there has been no choice participation in I&M's territory.

The number of customers and the electric demand served by each AES in the I&M service territory at the end of the year is shown in Chart 6 (Appendix 1, p. 28). No electric choice load was being served at year-end 2013 or 2014 compared to 36 MW served (122 customers) in 2012.¹⁰

Additional information depicting trends in the I&M electric customer choice program is included in Appendix 1. Chart 7 (Appendix 1, p. 29) shows the trend in the number of customers participating and the load served in I&M's electric choice program on a monthly basis, from August 2012 through December 2014.

Below is a summary of cap related data for I&M for 2012-2014. No electric choice load was being served at year-end 2014.

Indiana Michigan Power Company									
	2012	2013	2014						
Weather-Adjusted Retail Sales	2,839,271 MWh	2,835,839 MWh	2,835,050 MWh						
Participation Level	163,950 MWh	0 MWh	0 MWh						
Participation Percent	5.8%	0%	0%						
Customers in Service	122	0	0						
Customers in Queue	0	0	0						
Total Load in Queue	0 MWh	0 MWh	0 MWh						
Participation Percent w/o Cap	N/A	N/A	N/A						

¹⁰ Chart 6 (Appendix 1, p. 28)

4. UPPCo Electric Customer Choice Program

The number of customers and the electric demand served by each AES at the end of the year is shown in Chart 8 (Appendix 1, p. 30). The electric choice load served in the UPPCo service territory at year-end 2014 totaled 14.24 MW compared to 15.38 MW in 2013. The number of customers served totaled 60 at year-end 2014 compared to 39 in 2013.¹¹

Additional information depicting trends in the UPPCo electric customer choice program is included in Appendix 1. Chart 9 (Appendix 1, p. 31) shows the number of customers participating and the load served on a monthly basis from January 2012 through December 2014.

Below is a summary of cap related data for UPPCo for 2012-2014. The current level of choice participation is approximately 10.52 percent. Hypothetically, if the cap did not exist, choice participation would be approximately 16 percent.

Upper Peninsula Power Company									
	2012	2013	2014						
Weather-Adjusted Retail Sales	795,049 MWh	847,567 MWh	836,194 MWh						
Participation Level	13,732 MWh	84,686 MWh	87,947 MWh						
Participation Percent	1.7%	9.99%	10.52%						
Customers in Service	4	39	60						
Customers in Queue	0	31	65						
Total Load in Queue	0	10,289 MWh	42,417 MWh						
Participation Percent w/o Cap	N/A	11.21%	15.59%						

5. WEPCo Electric Customer Choice Program

The number of customers and the electric demand served by each AES at the end of the year is shown in Chart 10 (Appendix 1, p. 32). The electric choice load served in the WEPCo service territory at year-end 2014 totaled 386 MW compared to 412 MW in 2013. The number of customers served totaled 51 which is the same amount of customers at year end 2013.¹²

 ¹¹ Chart 8 (Appendix 1, p. 30)
 ¹² Chart 10 (Appendix 1, p. 32)

Additional information depicting trends in the WEPCo electric customer choice program is included in Appendix 1. Chart 11 (Appendix 1, p. 33) shows the number of customers participating and the load served on a monthly basis from July 2013 through December 2014.

Below is a summary of cap related data for WEPCo for 2012-2014. Two mining facilities migrated to choice within WEPCo's service territory during 2013 which, when combined with several other industrial customers that began being served by AESs in 2013, resulted in approximately 84 percent of WEPCo's load taking choice service. Act 286 provides that any customer operating an iron ore mining facility, iron ore processing facility, or both, located in the Upper Peninsula of this state, is permitted to purchase all or any portion of its electricity from an AES, regardless of whether the sales exceed 10 percent of the serving electric utility's average weather-adjusted retail sales.

Wisconsin Electric Power Company									
	2012	2013	2014						
Weather-Adjusted Retail Sales	2,935,546 MWh	2,549,536 MWh	2,496,185 MWh						
Participation Level	0 MWh	2,173,619 MWh	2,084,930 MWh						
Participation Percent	0%	85.26%	83.52%						
Customers in Service	0	51	51						
Customers in Queue	0	2	8						
Total Load in Queue	0 MWh	1,350 MWh	3,208 MWh						
Participation Percent w/o Cap	N/A	85.31%	83.65%						

Looking beyond 2014, the mining facilities that migrated to choice during 2013 have entered into non-binding agreements in principle that would result in the mining facilities taking a significant majority of its power supply from UPPCo. This outcome is predicated on a series of binding agreements being reached and subsequent regulatory approvals, and would be expected to occur no earlier than the third quarter 2015. In the meantime, the mining facilities are scheduled to return to WEPCo power supply on February 1, 2015.

6. WPSC Electric Customer Choice Program

The number of customers and the electric demand served by each AES at the end of the year is shown in Chart 12 (Appendix 1, p. 34). The electric choice load served in the WPSC service territory at year-end 2014 totaled 4.5 MW compared to 5 MW in 2013. The number of customers served totaled 13 at year-end 2014, the same as in 2013.

Additional information depicting trends in the WPSC electric customer choice program is included in Chart 13 (Appendix 1, p. 35) which shows the number of customers participating and the load served on a monthly basis during 2014.

Below is a summary of cap related data for WPSC for 2012-2014. The current level of choice participation is approximately 7.58 percent.

Wisconsin Public Service Company									
	2012	2013	2014						
Weather-Adjusted Retail Sales	285,174 MWh	286,303 MWh	282,845 MWh						
Participation Level	0 MWh	21,537 MWh	21,431 MWh						
Participation Percent	0%	7.52%	7.58%						
Customers in Service	0	13	13						
Customers in Queue	0	0	0						
Total Load in Queue	0 MWh	0 MWh	0 MWh						
Participation Percent w/o Cap	N/A	N/A	N/A						

7. Cloverland Electric Customer Choice Program

During 2014, one customer began taking electric choice service in the Cloverland service territory. The number of customers and the electric demand served by the AES at the end of the year is shown in Chart 14 (Appendix 1, p. 36). The electric choice load served in the Cloverland service territory at year-end 2014 totaled 9.4 MW, all of which was attributable to one customer.

Additional information depicting trends in the Cloverland electric customer choice program is included in Chart 15 (Appendix 1, p. 37) which shows the number of customers participating and the load served on a monthly basis from January 2014 through December 2014.

Below is a summary of cap related data for Cloverland. The current level of choice

participation is approximately 9.98 percent.

Cloverland Electric Cooperative							
	2014						
Weather-Adjusted Retail Sales	824,820 MWh						
Participation Level	82,344 MWh						
Participation Percent	9.98%						
Customers in Service	1						
Customers in Queue	0						
Total Load in Queue	0 MWh						
Participation Percent w/o Cap	N/A						

D. Benchmarking Michigan's Electric Prices

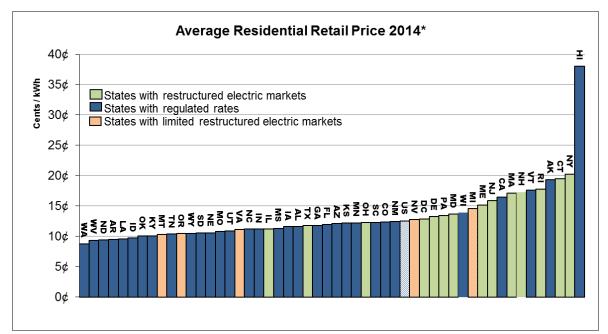
This report provides benchmark data that compares Michigan's electric prices to those of other jurisdictions based on customer class. The data shown in the following charts for 2014 reflects January through August 2014.

1. Residential Rates

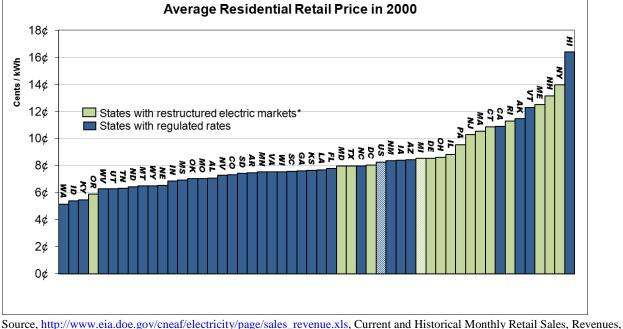
The charts below reflect the 2014 and 2000 average residential retail rates. In 2014,

Michigan's average residential retail rates ranked eighth highest among the 19 jurisdictions with some

type of restructured market at \$0.1456/kWh. Michigan ranked fifth lowest in 2000.

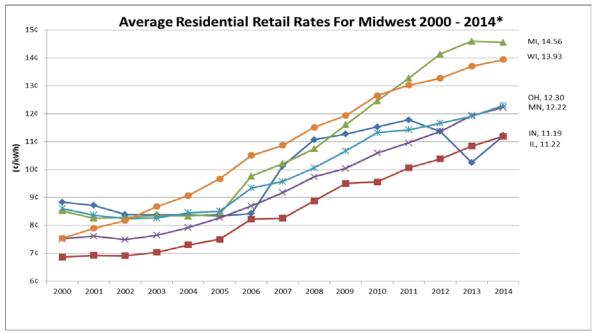


Source, <u>http://www.eia.doe.gov/cneaf/electricity/page/sales_revenue.xls</u>, Current and Historical Monthly Retail Sales, Revenues, Average Retail Price by State and By Sector (Form EIA-826). *2014 data is through August.



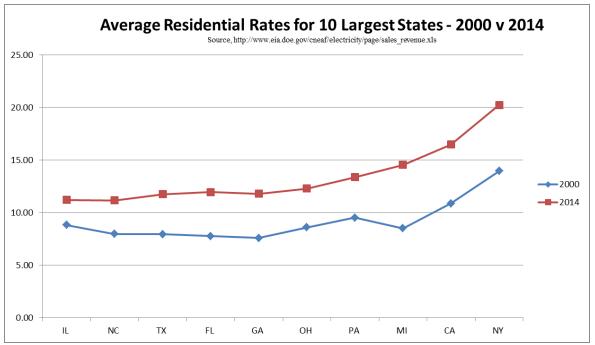
Source, <u>http://www.eia.doe.gov/cneaf/electricity/page/sales_revenue.xls</u>, Current and Historical Monthly Retail Sales, Revenues Average Retail Price by State and By Sector (Form EIA-826). Based on 2010 market structure.

The chart below reflects the average residential retail rates for neighboring Midwest states from 2000 through 2014. In 2014, Michigan's average residential retail rates ranked the highest among six Midwest states at \$0.1456/kWh. Michigan ranked third highest in 2000.



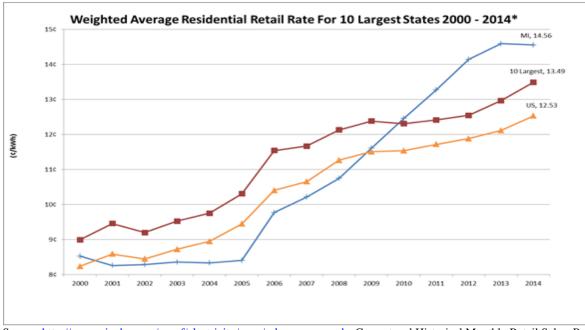
Source, <u>http://www.eia.doe.gov/cneaf/electricity/page/sales_revenue.xls</u>, Current and Historical Monthly Retail Sales, Revenues, and Average Retail Price by State and By Sector (Form EIA-826). *2014 data is through August.

The chart below compares the average residential retail rates for the 10 largest states by population for 2000 and 2014. Michigan's rates were third highest among these states in 2014 at \$0.1456/kWh. Michigan ranked fifth lowest in 2000.



Source, <u>http://www.eia.doe.gov/cneaf/electricity/page/sales_revenue.xls</u>, Current and Historical Monthly Retail Sales, Revenues, and Average Retail Price by State and By Sector (Form EIA-826). *2014 data is through August.

The chart below reflects the weighted average residential retail rates for the 10 largest states, as well as the national average, from 2000 to 2014.¹³ Michigan's weighted average residential retail rate was below the national average from 2001 to 2008 and has been above the national average since 2009. Similarly, Michigan was below the 10 largest average from 2000 to 2019.



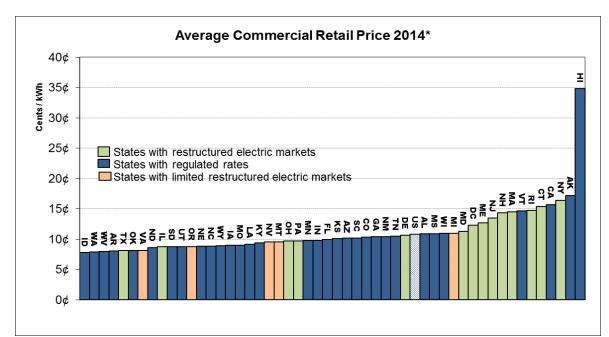
Source, <u>http://www.eia.doe.gov/cneaf/electricity/page/sales_revenue.xls</u>, Current and Historical Monthly Retail Sales, Revenues, and Average Retail Price by State and By Sector (Form EIA-826). *2014 data is through August.

2. Commercial Rates

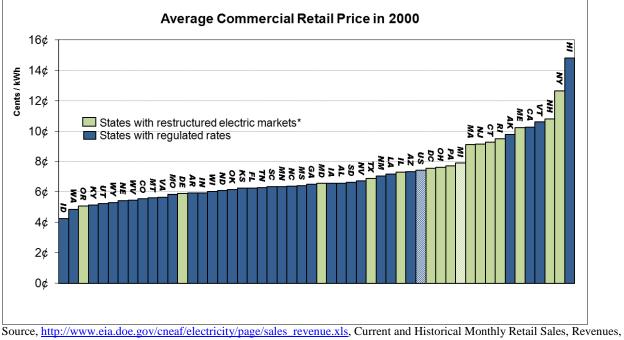
The charts below reflect the 2014 and 2000 average commercial retail rates. In 2014,

Michigan's commercial average retail rates ranked in the middle among the 19 jurisdictions with some type of restructured market at \$0.1097/kWh. Michigan ranked eighth highest in 2000.

¹³ Weighted average is determined by taking total revenue divided by total sales.

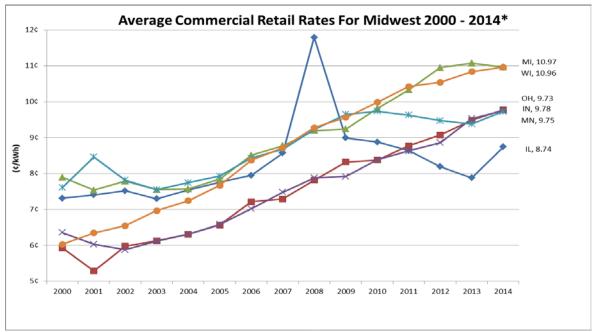


Source, <u>http://www.eia.doe.gov/cneaf/electricity/page/sales_revenue.xls</u>, Current and Historical Monthly Retail Sales, Revenues, Average Retail Price by State and By Sector (Form EIA-826). *2014 data is through August.



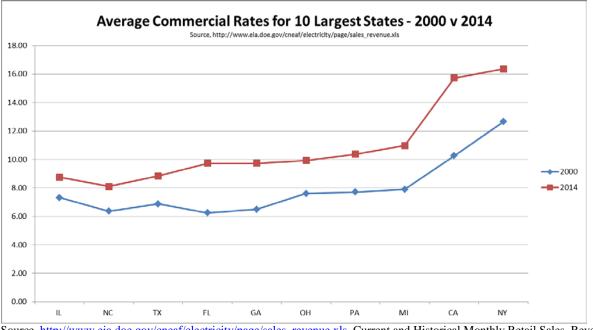
Average Retail Price by State and By Sector (Form EIA-826). Based on 2010 market structure.

The chart below reflects the average commercial retail rates for neighboring Midwest states from 2000 through August 2014. In 2014, Michigan's average commercial retail rates ranked the highest among six Midwest states at \$0.1097/kWh. Michigan also ranked the highest in 2000.



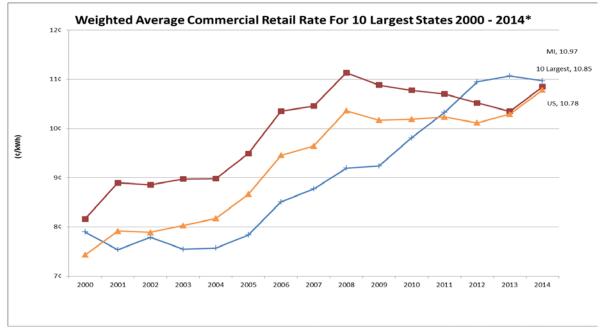
Source, <u>http://www.eia.doe.gov/cneaf/electricity/page/sales_revenue.xls</u>, Current and Historical Monthly Retail Sales, Revenues, and Average Retail Price by State and By Sector (Form EIA-826). *2014 data is through August.

The chart below compares the average commercial retail rates for the 10 largest states by population for 2000 and 2014. Michigan's rates were third highest among these states in 2014 at \$0.1097/kWh. Michigan ranked third highest in 2000.



Source, <u>http://www.eia.doe.gov/cneaf/electricity/page/sales_revenue.xls</u>, Current and Historical Monthly Retail Sales, Revenues, and Average Retail Price by State and By Sector (Form EIA-826). *2014 data is through August.

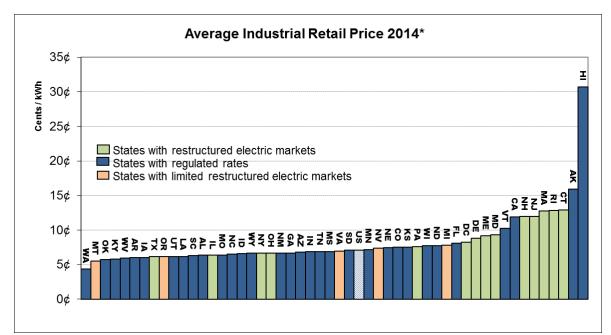
The chart below reflects the weighted average commercial retail rates for the 10 largest states, as well as the national average, from 2000 to 2014. Michigan's weighted average commercial retail rates were below the national average from 2001 to 2010 and surpassed the national average in 2011 and remained above in 2014. Michigan was below the 10 largest average from 2000 to 2011 and surpassed the 10 largest average in 2012 and remained above in 2014.



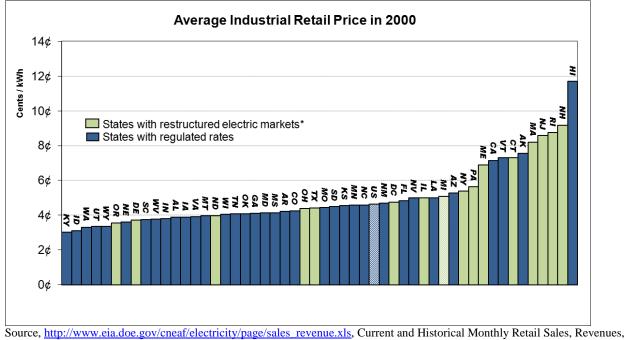
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3. Industrial Rates

The charts below reflect the 2000 and 2014 average industrial retail rates. In 2014, Michigan's industrial retail rates ranked in the middle amongst jurisdictions with some type of restructured market at \$0.0778/kWh. Michigan ranked eighth lowest in 2000.

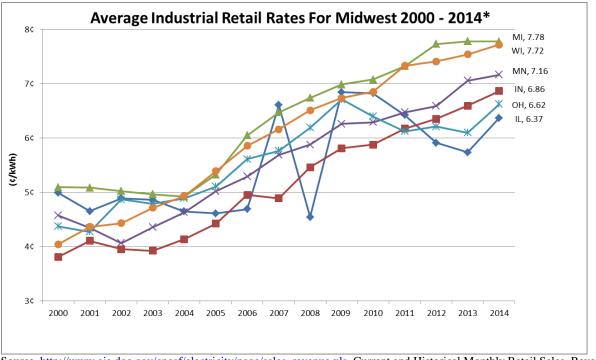


Source, <u>http://www.eia.doe.gov/cneaf/electricity/page/sales_revenue.xls</u>, Current and Historical Monthly Retail Sales, Revenues, Average Retail Price by State and By Sector (Form EIA-826). *2014 data is through August.



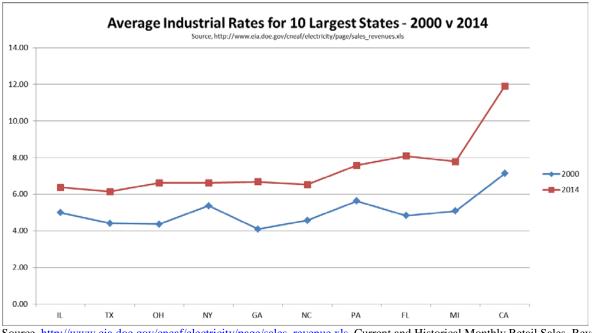
Average Retail Price by State and By Sector (Form EIA-826). Based on 2010 market structure.

The chart below reflects the average industrial retail rates for the neighboring Midwest states from 2000 through August 2014. In 2014, Michigan's average industrial retail rates ranked the highest among the six Midwest states at \$0.0778/kWh. Michigan also ranked the highest in 2000.



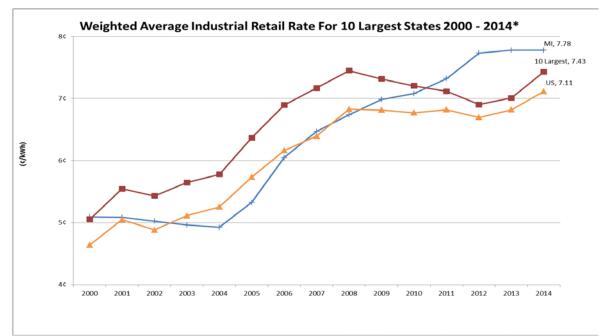
Source, <u>http://www.eia.doe.gov/cneaf/electricity/page/sales_revenue.xls</u>, Current and Historical Monthly Retail Sales, Revenues, and Average Retail Price by State and By Sector (Form EIA-826). *2014 data is through August.

The chart below compares the average industrial retail rates for the 10 largest states by population for 2000 and 2014. Michigan's rates were third highest among these states in 2014 at \$0.0778/kWh. Michigan ranked fourth highest in 2000.



Source, <u>http://www.eia.doe.gov/cneaf/electricity/page/sales_revenue.xls</u>, Current and Historical Monthly Retail Sales, Revenues, and Average Retail Price by State and By Sector (Form EIA-826). *2014 data is through August.

The chart below reflects the weighted average industrial retail rates for the 10 largest states, as well as the national average, from 2000 to 2014. Michigan's weighted average industrial retail rate straddled the national average from 2001 to 2008 and has been above the national average since 2009. Michigan was below the 10 largest average from 2001 to 2010 and has been above the 10 largest average since 2011.



Source, <u>http://www.eia.doe.gov/cneaf/electricity/page/sales_revenue.xls</u>, Current and Historical Monthly Retail Sales, Revenues, and Average Retail Price by State and By Sector (Form EIA-826). *2014 data is through August.

II. Commission Action Related to Electric Customer Choice and Consumer Protections

The following orders further supported and implemented the framework for Michigan's electric

customer choice programs, the provisions of Act 141 and the amendments of Act 286 and Act 295.¹⁴

Throughout 2014, the Commission issued the following orders in relation to Electric Customer Choice:

- One order granting a new AES license;
- Two orders rescinding AES licenses;
- 13 orders approving renewable energy plans for AESs

¹⁴ Commission orders are available on the Commission website at www.dleg.state.mi.us/mpsc/orders/electric/. Documents and orders associated with many cases are available in the MPSC Electronic Case Filings system at http://efile.mpsc.cis.state.mi.us/efile/cases.

• Two orders consisting of Choice Tariff revisions

See Appendix 2 for a complete list and further detail on these orders.

III. Commission Action on Customer Education

During 2012, the Commission Staff developed and implemented a new communications plan that included a key constituent outreach component, enhancing existing partnerships with traditional utility stakeholders, as well as targeting specific citizen population groups to disseminate consumer education materials. Throughout 2014, Staff from the Commission attended 75 customer outreach events throughout Michigan to inform and educate customers on matters that included retail choice for natural gas and electricity in Michigan. Approximately 11,900 citizens were reached which exceeded the previous year's goal of 7,500. These activities allowed Commission Staff to engage directly with Michigan citizens and provide them with Consumer Tips, answer questions about electric, natural gas, telecommunications and video matters, as well as resolve disputes with regulated utilities and providers. In addition to its presence at traditional outreach events, the Commission Staff distributed relevant and timely consumer education tips via press release, social media, US mail and through listserv. Electric Consumer Tips are posted on the MPSC website.¹⁵

IV. Recommendations for Legislation

The Commission does not have recommendations for specific legislation at this time. Notwithstanding, the Commission is compelled to highlight a concern related in part to the electric choice program. Given the Commission's mission to ensure reliable energy at reasonable rates and to grow Michigan's economy, the Commission attempts to monitor the plans of regulated electric utilities and AESs to meet their electricity capacity needs in the coming years. However, due to the information that is supplied (or lack thereof), it has been difficult to develop a holistic supply outlook

¹⁵ http://www.michigan.gov/mpsc/0,1607,7-159-16368 42136 42137---,00.html

for the state and ensure that resources are in place over the long term to maintain reliability in a costeffective manner and ensure equitable distribution of associated costs. This is critical because the state will be facing a considerable number of power plant retirements beginning in 2016 due to environmental regulations and other factors. Michigan's Lower Peninsula has a projected capacity shortfall, as identified by the Midcontinent Independent System Operator (MISO).¹⁶

As it relates to electric choice, the Commission found in its most recent assessment, "there appears to be a gap in the planning and procurement of adequate resources for the long term for customers served under the customer choice program."¹⁷ The Commission is not recommending specific legislation but reiterates the urgency and importance of this issue in Michigan to the overall reliability and affordability of electricity supplies.

In addition, as electric choice issues are considered, the Commission recommends that the Legislature take into account the recent reliability experiences in the Upper Peninsula stemming in part from specific provisions in PA 286.

The Commission also notes that it participated in the 2013 public process for informing Michigan's energy future and assisted in the preparation of a report on electric choice as directed in the Governor's <u>Special Message</u> on Energy and the Environment in November 2012.¹⁸ In 2014, the Commission participated in continuing stakeholder discussions in furtherance of the Readying Michigan to Make Good Energy Decisions process related to electric choice. Additionally, the Commission will apprise the Governor and the Legislature of any developments that may require further action.

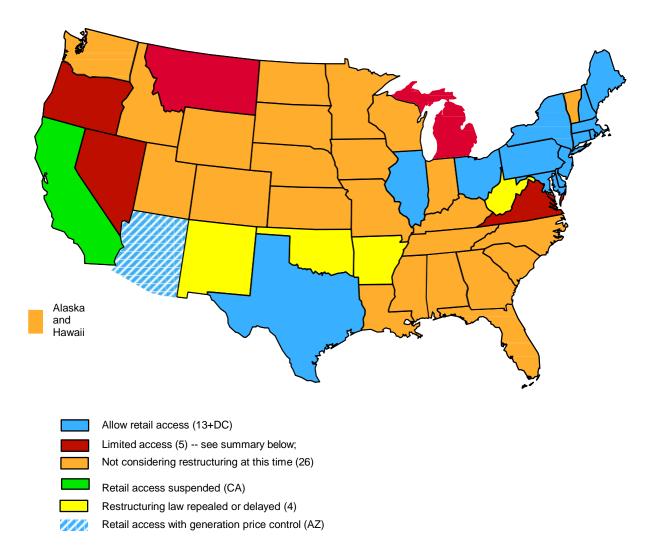
¹⁶ U-17523, Commission Order, December 4, 2014, p. 3-4.

¹⁷ U-17523 Order at 4. See also U-17751, Commission Order (December 4, 2014), calling for filings in February 2015 that address electric providers' capacity plans for five-year period, 2015-2019.

¹⁸ Readying Michigan to Make Good Energy Decisions: Electric Choice, released November 20,2013, <u>http://www.michigan.gov/documents/energy/electricc_report_440539_7.pdf</u>.

APPENDIX 1





MI: alternative suppliers limited to maximum of 10% of electric utility's retail sales

MT: Retail access repealed for customers < 5 MW and for all customers that choose utility service

NV: retail access limited to large customers > or = 1 MW, with permission of the PUC

OR: nonresidential consumers of PGE and Pacific Power have option to buy electricity from an alternative provider

VA: Retail access ended for most customers -- except those >5 MW (w/conditions for return)

Source: Ken Rose, September 2014 IEA Energy Conference

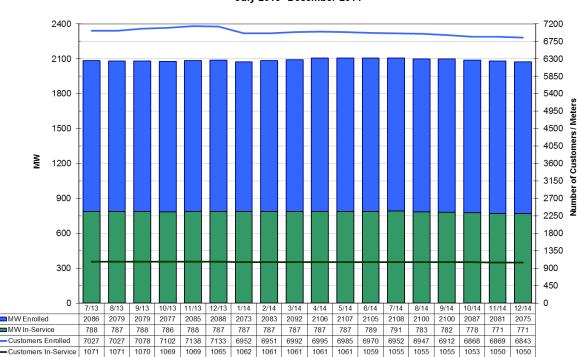
	Number of Customers							MW Served					
AES Name	2009	2010	2011	2012	2013	2014	2009	2010	2011	2012	2013	2014	
Constellation	602	592	573	549	551	541	275	300	247	223	231	216	
Direct Energy Business ¹	46	42	41	54	57	72	4	3	3	5	7	17	
FirstEnergy Solutions	0	0	3	29	89	36	0	0	13	101	124	122	
Integrys ²	165	164	188	233	245	280	88	85	124	167	173	171	
Noble Americas Energy Solutions ³	252	257	237	178	101	95	217	207	201	128	102	91	
Spartan Renewable Energy	1	1	1	1	1	1	10	9	10	10	10	10	
Wolverine Power Marketing	26	27	26	20	21	25	200	203	187	142	140	144	
Totals	1,092	1,083	1,069	1,064	1,065	1,050	794	807	785	776	787	771	

Note: ¹On September 1, 2008, Strategic Energy, LLC, changed its name to Direct Energy Business, LLC.

²On November 3, 2014, Integrys Energy Services, Inc., merged with Constellation, a subsidiary of Exelon Corporation. ³On November 1, 2010, Sempra Energy Solutions, LLC, changed its name to Noble Americas Energy Solutions, LLC.

"The number of customers and MW served between 2003 and 2008 are available in the *Status of Electric Competition in Michigan* report for 2008.





Consumers Energy Electric Customer Choice Program Activity (Cumulative Numbers of Customers & MW, Enrolled and In-Service, by Month) July 2013- December 2014

Source: Consumers Energy Company, December 2014.

Notes:

MW Enrolled – Total megawatts actively being served by an AES plus the total megawatts held by the queued customers MW In Service – Total megawatts actively being served by an AES

Customers Enrolled – Total number of customers actively being served by an AES plus the total number of queued customers Customers In Service – Total customers actively being served by an AES

AES Customers in DTE Electric Company Service Territory, Year End

	Number of Customers							MW Served						
AES Name	2009	2010	2011	2012	2013	2014	2009	2010	2011	2012	2013	2014		
CMS ERM MI	4	4	4	4	4	4	53	53	53	53	53	53		
Commerce ¹	374	337	300	265	228	205	9	8	7	6	5	5		
Constellation	1,284	1,512	1,403	1,393	1,289	1,357	285	342	306	306	284	283		
Direct Energy Business ²	718	753	739	666	733	953	111	117	108	104	115	160		
FirstEnergy Solution	119	351	585	683	775	504	36	256	349	374	396	298		
Glacial Energy of Illinois, Inc. ³	979	1,636	1,155	880	628	471	71	153	90	57	29	19		
Integrys ⁴	456	595	622	672	764	810	82	96	104	127	150	213		
MidAmerican	59	56	55	58	98	37	23	22	20	21	22	8		
Noble Americas Energy Solutions ⁵	337	1,141	1,111	1,049	970	942	82	173	161	137	123	115		
Wolverine Power Marketing	2	2	2	2	2	2	13	13	13	13	13	13		
Totals ⁶	4,332	6,387	5,976	5,672	5,491	5,285	765	1,2366	1,2126	1,1996	1,1916	1,1686		

Note ¹In 2005, Electric-America changed the company name to Commerce Energy Inc.

²On September 1, 2008, Strategic Energy, LLC, changed its name to Direct Energy Business, LLC.

³On June 29, 2009, Glacial Energy of Michigan, Inc., changed its name to Glacial Energy of Illinois, Inc.

⁴On November 3, 2014, Integrys Energy Services, Inc., merged with Constellation, a subsidiary of Exelon Corporation.

⁵On November 1, 2010, Sempra Energy Solutions, LLC, changed its name to Noble Americas Energy Solutions, LLC.

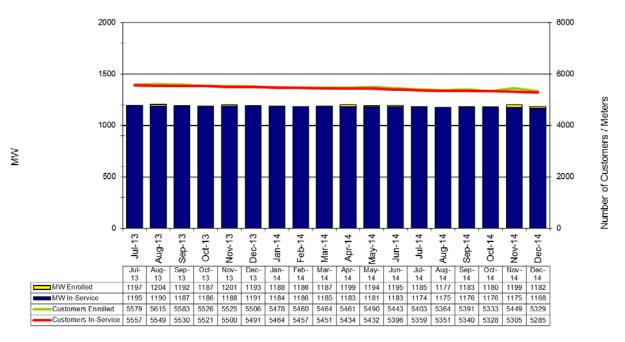
⁶Total does not add correctly due to rounding.

"The number of customers and MW served in 2003 and 2008 are available in the *Status of Electric Competition in Michigan* report for 2008.

Electric Choice Customer Participation July 2013 to Present



DTE Electric Customer Choice Program Activity, as of 01/05/2015 (Cumulative Numbers of Customers & MW, Enrolled and In-Service, by Month)



Source: DTE Electric Company, December 2014.

Notes:

MW Enrolled – Megawatts that have been approved to switch to an AES but are currently not actively taking service from an AES MW In Service – Total megawatts actively being served by an AES

Customers Enrolled – Customers who have been approved to switch to an AES but are currently not actively taking service from an AES

Customers In Service - Total customers actively being served by an AES

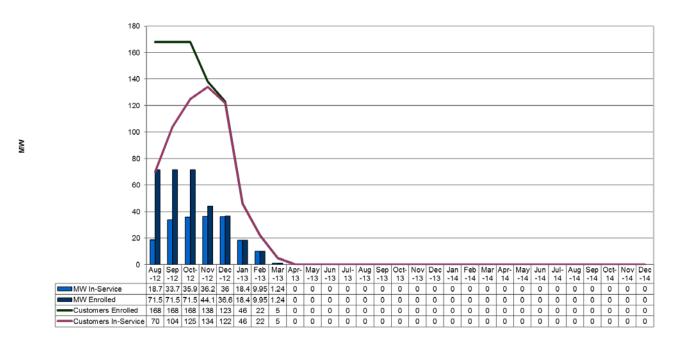
AES Customers in I&M Service Territory, Year End

	Number of Customers							MW Served					
AES Name	2009	2010	2011	2012	2013	2014	2009	2010	2011	2012	2013	2014	
Noble Americas Energy Solutions ¹	0	0	0	122	0	0	0	0	0	36	0	0	
Totals	0	0	0	122	0	0	0	0	0	36	0	0	
									LC.				





Electric Choice Customer Participation August 2012 to Present

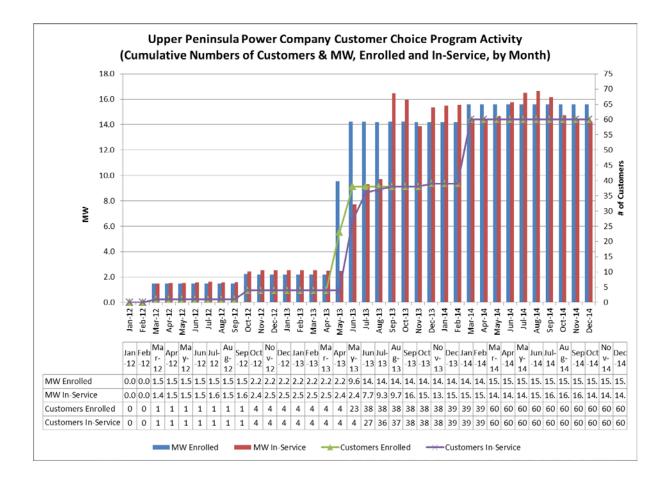


Source: Indiana Michigan Power Company, December 2014.

AES Customers in the UPPCo Service Territory, Year End

	Number of Customers							MW Served					
AES Name	2009	2010	2011	2012	2013	2014	2009	2010	2011	2012	2013	2014	
Integrys ¹	0	0	0	0	17	30	0	0	0	0	5.88	3.69	
UP Power Marketing	0	0	0	4	21	29	0	0	0	2.52	3.88	4.88	
Wolverine Power Marketing	0	0	0	0	1	1	0	0	0	0	5.62	5.67	
Totals	0	0	0	4	39	60	0	0	0	2.52	15.38	14.24	
Note: ¹ On November 3, 2014, Integrys Energy Services, Inc., merged with Constellation, a subsidiary of Exelon Corporation.													

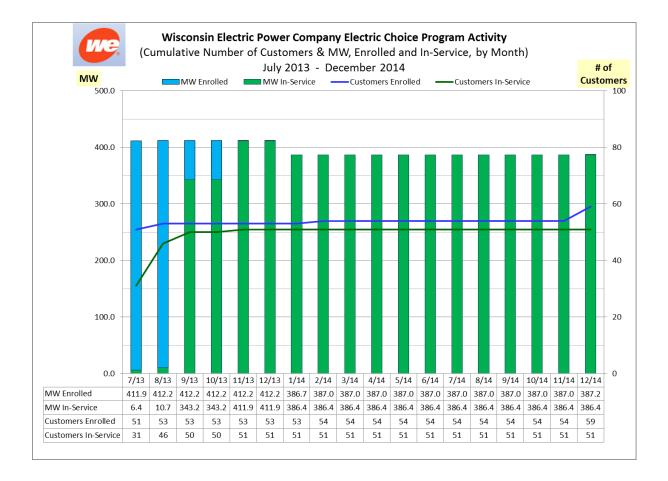




Source: Upper Peninsula Power Company, December 2014.

AES Customers in the WEPCo Service Territory, Year End

AES Name		Ν	umber of	Custome	rs		MW Served					
AES Name	2009	2010	2011	2012	2013	2014	2009	2010	2011	2012	2013	2014
Integrys ¹	0	0	0	0	51	51	0	0	0	0	412	386
Totals	0	0	0	0	51	51	0	0	0	0	412	386
Note: ¹ On November 3, 2014, Integrys Energy Services, Inc., merged with Constellation, a subsidiary of Exelon Corporation.												

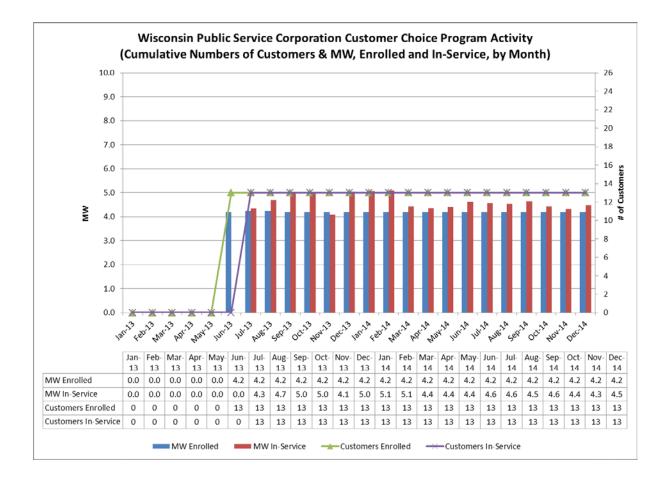


Source: Wisconsin Electric Power Company, December 2014.

AES Customers in the WPSC Service Territory, Year End

AES Name		Ν	umber of	Custome	rs		MW Served					
AES Name	2009	2010	2011	2012	2013	2014	2009	2010	2011	2012	2013	2014
Integrys ¹	0	0	0	0	13	13	0	0	0	0	5.0	4.5
Totals	0	0	0	0	13	13	0	0	0	0	5.0	4.5
Note: ¹ On November 3, 2014, Integrys Energy Services, Inc., merged with Constellation, a subsidiary of Exelon Corporation.												





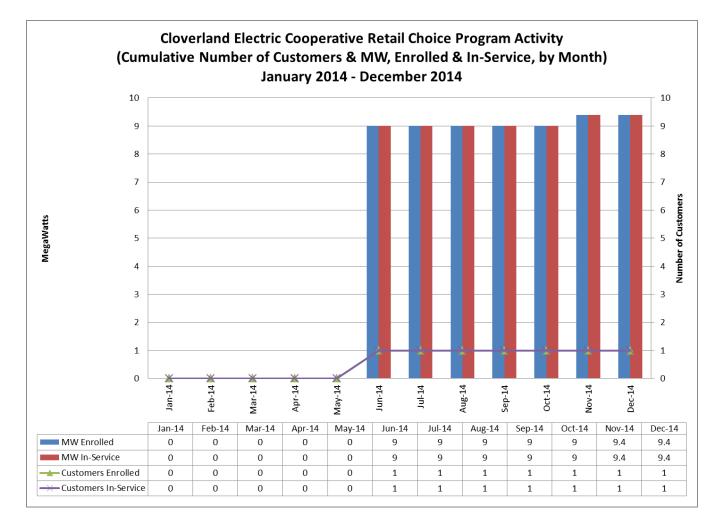
Source: Wisconsin Public Service Corporation, December 2014.

AES Customers in the Cloverland Service Territory, Year End

		N	umber of	Custome	rs		MW Served						
AES Name	2009	2010	2011	2012	2013	2014	2009	2010	2011	2012	2013	2014	
Duke Energy ¹	0	0	0	0	0	1	0	0	0	0	0	9.4	
Totals	0	0	0	0	0	1	0	0	0	0	0	9.4	
Note: ¹ The first Cloverland electric choice customer began taking service in June 2014.													







Source: Cloverland Electric Cooperative, December 2014

APPENDIX 2

Michigan Public Service Commission Orders in 2014 Related to Implementation of 2000 Act 141

Alternative Electric Suppliers

- <u>Plymouth Rock Energy, LLC U-17492</u>: **AES License** 1/23/2014. The MPSC granted a license to Plymouth Rock Energy, LLC (Plymouth) to serve as an alternative electric supplier. Their corporate office is located in Woodmere, NY but have an established Michigan office in Oak Park.
- <u>Quest Energy, LLC U-12566</u>: Voluntary Relinquishment of AES License 1/23/2014. The MPSC rescinded Quest Energy, LLC's (Quest) AES license at the request of the company. Additionally Quest is relieved of any obligation to comply with requirements established by Public Act 295 and in REP Case No. U-15842. Quest has not served customers in Michigan since 2006.
- <u>TERM Power & Gas, LLC d/b/a ENCOA U-17378 –</u> Voluntary Relinquishment of AES License 11/6/2014. The MPSC rescinded TERM Power & Gas, LLC d/b/a ENCOA's (ENCOA) AES license at the request of the company. Additionally ENCOA is relieved of any obligation to comply with requirements established by Public Act 295 and in REP Case No U-17518. ENCOA never provided customers with electric service in Michigan.

Renewable Energy Plans

- <u>AEP Energy, Inc. U-15825</u>: **Renewable Energy Biennial Plan Approvals** 2/20/2014. On 4/8/2013, AEP Energy, Inc. (AEP) filed a letter to the docket indicating that the company continues to serve no retail customers in Michigan. If AEP is not selling power to Michigan customers at the time of the next biennial review, it shall file a letter so indicating, in lieu of filing a renewable energy plan.
- <u>Duke Energy Retail Sales, LLC U-16767</u>: **Renewable Energy Biennial Plan Approvals** 2/20/2014. On 10/18/2013, Duke Energy Retail Sales, LLC (Duke) filed a letter to the docket indicating that the company continues to serve no retail customers in Michigan. If Duke is not selling power to Michigan customers at the time of the next biennial review, the company shall file a letter so indicating, in lieu of filing a renewable energy plan.
- Interstate Gas Supply, Inc. d/b/a IGS Energy U-17338: Renewable Energy Plan 2/20/2014. The MPSC approved Interstate Gas Supply, Inc. d/b/a IGS Energy's initial Renewable Energy Plan submitted on 9/18/2013 as required by Public Act 295 of 2008.
- <u>Energy.Me Midwest, LLC d/b/a energy.me- U-17455</u>: Renewable Energy Plan 2/20/2014. The MPSC approved Energy.Me Midwest, LLC d/b/a energy.me's initial Renewable Energy Plan submitted on 9/17/2013 as required by Public Act 295 of 2008.
- <u>Liberty Power Delaware, LLC U-15834</u>: Renewable Energy Biennial Plan Approvals 2/20/2014. On 8/16/2013, Liberty Power Delaware, LLC filed a letter to the docket indicating that the company continues to serve no retail customers in Michigan. If Liberty Power Delaware is not selling power to Michigan customers at the time of the next biennial review, the company shall file a letter so indicating, in lieu of filing a renewable energy plan.
- <u>Liberty Power Holdings, LLC U-15835</u>: Renewable Energy Biennial Plan Approvals 2/20/2014. On 8/16/2013, Liberty Power Holdings, LLC filed a letter to the docket indicating that the company continues to serve no retail customers in Michigan. If Liberty Power Holdings is not selling power to Michigan customers at the time of the next biennial review, the company shall file a letter so indicating, in lieu of filing a renewable energy plan.
- <u>Premier Energy Marketing, LLC U-16648</u>: **Renewable Energy Biennial Plan Approvals** 2/20/2014. On 7/10/2013, Premier Energy Marketing, LLC (Premier) filed a letter to the docket indicating that the

company continues to serve no retail customers in Michigan. If Premier is not selling power to Michigan customers at the time of the next biennial review, the company shall file a letter so indicating, in lieu of filing a renewable energy plan.

- <u>TERM Power & Gas, LLC d/b/a ENCOA U-17518</u>: **Renewable Energy Plan** 4/15/2014. The MPSC approved TERM Power & Gas, LLC's d/b/a ENCOA's initial Renewable Energy Plan, submitted on 3/6/2014 as required by Public Act 295 of 2008.
- <u>Direct Energy Services, LLC U-15830</u>: Renewable Energy Biennial Plan Approvals 4/15/2014. On 5/2/2013 and 3/14/2014, Direct Energy Services, LLC (Direct) filed a letter to the docket indicating that it does not serve customers in Michigan. If Direct is not selling power to Michigan customers at the time of the next biennial review, it shall file a letter so indicating, in lieu of filing a renewable energy plan.
- <u>Glacial Energy of Illinois, Inc. U-16645</u>: **Renewable Energy Biennial Plan Approvals** 4/15/2014. The MPSC approved Glacial Energy of Illinois, Inc.'s (Glacial) biennial Renewable Energy Plan, submitted on 1/24/2014 as required by Public Act 295 of 2008.
- <u>Plymouth Rock, Energy, LLC U-17549</u>: Renewable Energy Plan 4/15/2014. The MPSC approved Plymouth Rock Energy, LLC's initial Renewable Energy Plan, submitted on 3/4/2014 as required by Public Act 295 of 2008.
- <u>Energy International Power Marketing Corp d/b/a PowerOne U-15840</u>: <u>Renewable Energy Biennial Plan</u> Approvals 6/19/2014. On 5/9/2014, Energy International Power Marketing Corp d/b/a PowerOne (PowerOne) filed a letter indicating that it continues not to serve retail customers in Michigan. If PowerOne is not serving Michigan customers at the time of the next biennial review, it shall file a letter so indicating, in lieu of filing a renewable energy plan.
- <u>Energy Services Providers, Inc. d/b/a Michigan Gas & Electric U-17010</u>: Renewable Energy Biennial Plan Approvals 10/7/2014. On 9/10/2014, Energy Services Providers, Inc. d/b/a Michigan Gas & Electric (MIG&E) filed a letter to the docket indicating that it continues not to serve retail customers in Michigan. If MIG&E is not serving Michigan customers at the time of the next biennial review, it shall file a letter so indicating, in lieu of filing a renewable energy plan.

Choice Rate Tariff

- <u>Wisconsin Electric Power Company U-17479:</u> RAS Tariff 7/22/2014. On 9/11/2013, Tilden Mining Company L.C. and Empire Iron Mining Partnership (the Mines) filed an application requesting an order directing Wisconsin Electric Power Company (WEPCo) to amend Section 3.6 of its retail access service RAS-1 tariff to make the distribution loss factor (DLF) conform to the DLF approved in WEPCo's most recent rate case. On 7/22/2014, the MPSC approved a settlement agreement instructing WEPCo to revise its Retail Access Service Tariff RAS-1 to reflect the distribution loss factors listed within the settlement agreement.
- <u>DTE Electric Company 17684</u>: **Choice Tariff Ex Parte'** 10/7/2014. On 8/14/2014, DTE Electric Company (DTE) filed an application requesting authority to amend the terms and conditions of service contained in the company's rate book regarding its retail access service rider (RASR) specifically concerning how the deployment of the automated meter infrastructure system will reduce the cost and operation burdens of customers taking service under the RASR. On 10/7/2014, the MPSC found that DTE Electric's application was reasonable and in the public interest and approved the tariff revisions.

APPENDIX 3

Michigan Licensed Alternative Electric Suppliers

Company Name, Address, Contact Informat	ion	Case Number	Authorization Date
AEP Energy, Inc. 2723 South State Street, Suite 150, Ann Arbor, MI 48104 Phone: 866-258-3782 Fax: 312-628-8663 Email: <u>care@AEPenergy.com</u>	URL: <u>www.AEPenergy.com</u>	U-14764	2/9/2006
CMS ERM Michigan LLC One Energy Plaza, Suite 1060, Jackson, MI 49201-2277 Serving Dearborn Industrial Generation Phone: 517-788-0493 Fax: 517-787-4606		U-12567	8/17/2000
Commerce Energy Inc. 30555 Southfield Rd, Suite 440, Southfield, MI 48076 Phone: 800-556-8457 Fax: 877-332-1067 Email: contactus@commerceenergy.com	URL: www.commerceenergy.com	U-13203	11/20/2001
Constellation NewEnergy, Inc. 3060 Commerce Dr., Suite 2, Fort Gratiot, MI 48049 Phone: 312-704-9200 Email: Mark.Harada@constellation.com	URL: www.constellation.com	U-13660	12/20/2002
Direct Energy Business, LLC 110 W Michigan Ave., Suite 500, Lansing, MI 48933 Email: <u>customerrelations@directenergy.com</u>	URL: www.directenergybusiness.com	U-13609	11/7/2002
Direct Energy Services, LLC 110 W Michigan Ave., Ste. 500, Lansing, MI 48933 Phone: 888-326-8559 Email: <u>customerservice@directenergy.com</u>	URL: <u>www.directenergy.com</u>	U-14724	12/20/2005
Duke Energy Retail Sales, LLC 5035 #2 Progress Drive, Ludington, MI 49431 Phone: 800-920-5039 Fax: 513-629-5560 Email: <u>save.ders@duke-energy.com</u>	URL: retail.duke-energy.com	U-16517	4/26/2011
Energy.me Midwest, LLC d/b/a energy.me 2723 South State Street, Suite 150, Ann Arbor MI, 48104 Phone: 855-243-7270 Fax: 734-794-4701 Email: <u>eric@energy.me</u>	URL: <u>www.energy.me</u>	U-17269	8/13/2013
Energy Services Providers, Inc. d/b/a Michigan Gas & I 1030 State Rd., Suite 10H, Harbor Springs, MI 49740 Phone: 866-705-3610 Fax: 888-829-5797 Email: <u>CustomerRelations@MIGandE.com</u>	Electric URL: <u>www.MIGandE.com</u>	U-16912	4/6/2012
FirstEnergy Solutions 30600 Telegraph Rd. #2345, Bingham Farms, MI 48025 Phone: 888-254-6359 Fax: 888-820-1416 Email: <u>firstchoice@fes.com</u>	URL: <u>www.fes.com</u>	U-13244	1/08/2002
Glacial Energy of Illinois, Inc. 7 West Square Lake Road, Bloomfield, MI 48302 Phone: 888-452-2425 Fax: 214-594-0000	URL: www.glacialenergy.com	U-15922	6/2/2009
Integrys Energy Services, Inc. 2211 Old Earhart Rd., Suite 175, Ann Arbor, MI 48105 Phone: 734-761-3252 Fax: 734-761-2140 Email: <u>RKBazaj@integrysenergy.com</u>	URL: www.integrysenergy.com	U-13245	1/18/2002
Interstate Gas Supply, Inc. d/b/a IGS Energy 306 East Main Street, Suite 230, Niles, MI 49120 Phone: 888-993-0997 Email: <u>choice@igsenergy.com</u>	URL: <u>www.igsenergy.com</u>	U-17243	6/28/2013
Lakeshore Energy Services, LLC 201 State St, Suite 200, Charlevoix, MI 49720 Phone: 888-200-3788 Fax: 248-879-7216 Email: customerchoice@lakeshoreenergy.com	URL: www.lakeshoreenergy.com	U-16905	4/6/2012
	42	I	1

Company Name, Address, Contact Information	Case Number	Authorization Date
Liberty Power Delaware, LLC. Company has received a license. A Michigan office must be established before the company can begin marketing	U-15140	4/24/2007
Liberty Power Holdings, LLC. Company has received a license. A Michigan office must be established before the company can begin marketing	U-15139	4/24/2007
MidAmerican Energy Co. 39555 Orchard Hill Place, Suite 600, Novi, MI 48375 Phone: 800-432-8574 Email: customerservice-retail@midamerican.com URL: www.midamericanchoice.com	U-13928	3/29/2004
Noble Americas Energy Solutions, LLC 2000 Town Center, Suite 1900, Southfield, MI 48075 Phone: 630-390-2714 Fax: 248-351-2699 Email: LKeas@NobleSolutions.com URL: www.NobleSolutions.com	U-13361	4/16/2002
Plymouth Rock Energy, LLC 25900 Greenfield Road, Suite 245, Oak Park, MI 48237 Phone: 855-327-6937 Fax: 516-295-1417 Email: customercare@plymouthenergy.com URL: www.plymouthenergy.com	U-17492	1/23/2014
PowerOne Corporation 6840 N. Haggerty, Canton, MI 48187 Phone: 734-354-2000 Fax: 734-354-4225 Email: Rami.Fawaz@poweronecorp.com URL: www.poweronecorp.com	U-13280	2/1/2002
Premier Energy Marketing, L.L.C. 6111 Jackson Road, Suite 107, Ann Arbor, MI 48103 Phone: 734-769-0675 Fax: 734-769-0675 Email: bschlansker@premierenergyonline.com URL: www.premierenergyonline.com	U-13620	11/7/2002
Santanna Energy Services 2000 Town Center, Suite 1900, Southfield, MI 48075 Phone: 800-764-4427 Fax: 800-877-0673 Email: michigan@ses4energy.com URL: www.santannaenergyservices.com	U-17160	5/15/2013
Spartan Renewable Energy, LLC 10125 W. Watergate Rd., PO Box 189, Cadillac, MI 49601 Phone: 877-288-WIND Fax: 231-775-0172 Email: cgeiger@spartanrenewable.com URL: www.spartanrenewable.com	U-15309	9/18/2007
Texas Retail Energy, LLC 208 N Capitol Ave., 3 rd Floor, Lansing, MI 48933 Phone: 866-532-0761 Fax: 479-204-0936 Email: <u>chris.hendrix@texasretailenergy.com</u>	U-17076	12/6/2012
U.P. Power Marketing LLC 29639 Willow Rd., White Pine, MI 49971 Phone: 906-885-7100 Fax: 906-885-7400 Email: <u>zach.halkola@traxys.com</u> URL: <u>www.traxys.com</u>	U-14594	10/25/2007
Wolverine Power Marketing Cooperative, Inc. 10125 W. Watergate Road, P. O. Box 100, Cadillac, MI 49601 Phone: 877-907-WPMC Fax: 231-775-0172 Email: sfrederick@wpmc.coop URL: www.wpmc.coop	U-12723	11/20/2000

*This list is current as of December 2014. An up-to-date AES directory is kept on the MPSC Website, at <u>http://www.dleg.state.mi.us/mpsc/electric/restruct/esp/aeslist.htm</u>.