

MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES ON MAY 15, 2013

Commission Chairman John D. Quackenbush called the meeting to order at 10:14 a.m.  
Executive Secretary Mary Jo Kunkle called the roll and declared there was a quorum.

**PRESENT**

Commission: John D. Quackenbush, Chairman  
Orjiakor N. Isiogu, Commissioner  
Greg R. White, Commissioner

Staff: Karen Kostbade  
Judy Palnau  
Mary Jo Kunkle  
Derrell Slaughter  
Sharron Allen  
Patrick Hudson  
Jovita Moffett  
Janet Schafer  
Christina Forist  
Dan Blair  
Geri Hunter  
Tayler Becker  
Paul Proudfoot  
Lisa Felice

Public: Michael Oliva, Loomis Law Firm  
Michael Krikava, Briggs Law Firm  
Bev Roberts, Consumers Energy  
Kahryn Rombach, Consumers Energy  
Donald Hazzard  
Clifford Grimm, DTE  
Philip Dennis, DTE  
Robin Gleason, AT&T  
Dave Piasecki, AT&T  
Karen Wienke, Consumers Energy  
Suzy Westmoreland, MEGA  
Tim Hoffman, Consumers Energy  
Jim Padgett, DTE

I. Chairman Quackenbush announced an amendment to the published agenda, Commissioner Isiogu moved to approve the amended agenda, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The amended agenda was approved

Commissioner Isiogu moved to approve today’s agenda, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The agenda was approved.

**II.** Commissioner Isiogu moved to approve the minutes of the Regular Commission Meeting of April 25, 2013, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The minutes were approved.

**III. ORDERS**

**A. COMMUNICATIONS**

1. U-15105 AT&T MICHIGAN AND AMERICAN MESSAGING SERVICES, LLC  
U-15536 BLOOMINGDALE TELEPHONE COMPANY AND SPRINT  
SPECTRUM L.P. d/b/a SPRINT PCS AND NEXTEL WEST  
CORPORATION  
(interconnection agreements and amendments)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which requests Commission approval of interconnection agreements and amendments. The order before you approves the requests, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

2. U-15489 COMMISSION’S OWN MOTION

(9-1-1 surcharge court remand)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves a remand from the Court of Appeals to determine the reasonable and necessary county 9-1-1 surcharge for 2008 for 23 appellant counties. The order before you approves a settlement agreement involving 12 of the appellant counties, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

3. U-17165 EMON EMMONS DAWKINS v AT&T MICHIGAN

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves a complaint by Emon Emmons Dawkins against AT&T Michigan. The order before you dismisses the complaint with prejudice, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

4. U-17211 DAVE CHIKOSI v COMCAST CABLEVISION OF THE SOUTH, INC.

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves a complaint filed by Dave Chikosi against Comcast Cablevision of the South, Inc. The order before you dismisses the complaint and closes the docket because the matter was resolved via mediation, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

5. U-17217 HANDS ON BATTLE CREEK, INC., (f/k/a VOLUNTEER CENTER OF BATTLE CREEK, INC.), AND UNITED WAY OF THE BATTLE

CREEK AND KALAMAZOO REGION

(2-1-1 application)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves an application filed by HandsOn Battle Creek, Inc., requesting authority to merge with United Way of the Battle Creek and Kalamazoo Region. The order before you approves the request, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

6. U-17226 AT&T MICHIGAN v CMC TELECOM, INC.

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves a complaint filed by AT&T Michigan against CMC Telecom, Inc. The order before you dismisses the complaint without prejudice at the request of the parties, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

**B. ELECTRIC**

1. U-16200 INTERNATIONAL TRANSMISSION COMPANY, d/b/a  
ITC*TRANSMISSION*  
(siting issue)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves an application filed by International Transmission Company, d/b/a ITC*Transmission*, for an expedited siting certificate. The order before you grants a petition to intervene out of time filed by the Murdoch Trust, and sets a schedule for further briefing, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

2. U-16885-R CLOVERLAND ELECTRIC COOPERATIVE

(extension of waiver)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves a motion by Cloverland Electric Cooperative to suspend its times interest earned ratio ratemaking filing requirement for the 12-month period ended December 31, 2012. The order before you grants the request, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

3. U-17053 THE DETROIT EDISON COMPANY  
(AMI tariff)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves an application filed by The Detroit Edison Company for authority to implement an advanced metering infrastructure non-transmitting meter provision. The order before you approves the application and an associated tariff, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

4. U-17087 CONSUMERS ENERGY COMPANY  
(rate case)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves an application filed by Consumers Energy Company for authority to increase its rates for the generation and distribution of electricity and for other relief. The order before you approves a settlement agreement resolving most of the issues in the case, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

5. U-17092 WISCONSIN PUBLIC SERVICE CORPORATION

('13 PSCR plan)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves an application by the Wisconsin Public Service Corporation for approval of a power supply cost recovery plan and authorization of monthly power supply cost recovery factors for the year ending 2013. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

6. U-17152 JAMES BORDEN v CONSUMERS ENERGY COMPANY

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves a complaint filed by James Borden against Consumers Energy Company. The order before you dismisses the complaint with prejudice at the request of the complainant, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

7. U-17160 SANTANNA NATURAL GAS CORPORATION d/b/a SANTANNA ENERGY SERVICES  
U-17254 SANTANNA NATURAL GAS CORPORATION d/b/a SANTANNA ENERGY SERVICES  
(alternative electric supplier license)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves an application filed by Santanna Natural Gas Corporation d/b/a Santanna Energy Services for a license as an alternative electric supplier. Case No. U-17254 is a docket opened by the Commission for the alternative electric supplier to comply with Act 295. The order before you grants the requested license and requires compliance with Act 295, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

8. U-17192 FARRAND PAGE V DTE GAS COMPANY f/k/a MICHIGAN CONSOLIDATED GAS COMPANY; DTE ELECTRIC COMPANY f/k/a THE DETROIT EDISON COMPANY; AND JUST ENERGY MICHIGAN CORPORATION

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves a complaint filed by Farrand Page against DTE Electric Company, DTE Gas Company, and Just Energy Michigan Corporation. The order before you dismisses the complaint, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

9. U-17232 WISCONSIN PUBLIC SERVICE CORPORATION  
(deferred accounting)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves an *ex parte* application of Wisconsin Public Service Corporation for deferred accounting approval associated with the utility's acquisition of the Fox Energy Center. The order before you approves the *ex parte* request, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

10. U-17235 CONSUMERS ENERGY COMPANY  
(refund of stranded cost recovery surcharge)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves an application by Consumers Energy Company for authority to refund the over-collection associated with its stranded cost recovery surcharge. The order before you approves the application, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

11. U-17307 WISCONSIN ELECTRIC POWER COMPANY  
(REP – biennial review)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which opens a docket for the regulatory reviews, revisions, determinations, and/or approvals necessary for Wisconsin Electric Power Company to fully comply with Public Acts 286 and 295 of 2008. The order before you suspends the date for the company's next renewable energy plan biennial review, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

12. MINUTE CONSUMERS ENERGY COMPANY AND GREAT LAKES ENERGY  
ACTION COOPERATIVE  
(Joint Waiver Letter Request regarding R 460.3411(12))

Commissioner Isiogu moved that the Commission adopt and issue minute dated May 15, 2013 directing the Commission's Executive Secretary to inform Consumers Energy Company and Great Lakes Energy Cooperative in writing that the Michigan Public Service Commission has no objection to the agreement expressed in their Joint Waiver Letter Request regarding R 460.3411(12) (Rule 411) that was submitted to the Commission's Executive Secretary on April 23, 2013 wherein the utilities indicated that Great Lakes Energy Cooperative would be willing to waive its right to serve a possible State of Michigan Data Center that might be located in Pere Marquette Township, Mason County (as more fully described in paragraph 1 of the letter) under the condition that the facilities constructed by Consumers Energy Company to serve the above-mentioned premises will not qualify as a measuring point in determining which utility will serve new customers located on property other than the above-mentioned premises in the future. Notwithstanding the Commission's non-objection to the Rule 411 waiver, nothing else in this minute action shall be interpreted as an endorsement by the Commission for locating the above-described data center at the premises described in paragraph 1 of the April 23, 2013 Joint Waiver Letter Request, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None



The minute was adopted.

**C. GAS**

1. U-16481-R MICHIGAN GAS UTILITIES CORPORATION  
(’12 GCR reconciliation)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves an application by Michigan Gas Utilities Corporation requesting authority to reconcile its gas cost recovery revenues and expenses for the 12-month period ended March 31, 2012, and requesting authority to reconcile costs and revenues from the implementation of a reservation charge to gas cost recovery and gas customer choice customers. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

2. U-16769 MICHIGAN CONSOLIDATED GAS COMPANY  
(depreciation rates)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves an application by Michigan Consolidated Gas Company for accounting and ratemaking approval of depreciation rates for gas utility plant. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

3. U-17134 NORTHERN STATES POWER COMPANY  
(’14 GCR plan)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves a request by Northern States Power Company for approval of a gas cost recovery plan and factors for the 12-month period ending March 31, 2014. The order

before you approves a settlement agreement resolving all issues in the case, and authorizes Northern States Power Company to implement a gas cost recovery factor of \$0.507 per therm for the 12-month period ending March 31, 2014, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

4. U-17135 PRESQUE ISLE ELECTRIC & GAS CO-OP  
(’14 GCR plan)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves a request by Presque Isle Electric & Gas Co-op for approval of a gas cost recovery plan and factor for the 12-month period ending March 31, 2014. The order before you approves a settlement agreement resolving all issues in the case, and authorizes Presque Isle Electric & Gas Co-op to implement a gas cost recovery factor of \$0.5417 per hundred cubic feet for the 12-month period ending March 31, 2014, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

5. U-17203 CONSUMERS ENERGY COMPANY  
(pipeline)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves an application by Consumers Energy Company to construct and operate the Hackman Road to Lutes Road Pipeline located in St. Joseph and Branch counties. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

6. U-17241 CHEVRON MICHIGAN, LLC

(Act 9 pipeline)

Commissioner Isiogu moved that the Commission adopt and issue order dated May 15, 2013 which involves an application by Chevron Michigan, LLC, for authority to construct and operate the Westerman 29 Pipeline in Rapid River Township, Kalkaska County. The order before you approves the application subject to the applicant obtaining all easements and rights of way before constructing the pipeline, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White

Nays – None

The order was adopted.

#### **IV. PUBLIC COMMENTS**

There were no public comments.

Chairman Quackenbush announced that the next regularly scheduled Commission Meeting will be held on May 29, 2013 at 1:30 p.m. Chairman Quackenbush also announced a Special Commission Meeting will be held on May 17, 2013 at 3:00 p.m.

Commissioner Isiogu moved that the Commission adjourn, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White

Nays – None

The motion was approved.

The meeting adjourned at 10:31 a.m.

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Mary Jo Kunkle  
Executive Secretary