

DTE Electric's General Comments

How will the stakeholder process be managed if MN issues new versions?

Are there any metrics from MN showing how this version of the rules is operating in real time?

We are concerned that many of the terms in the rules are as-yet undefined or are undefined in Michigan law (they may be defined elsewhere in MN law). We believe that it would make sense to begin agreeing on definitions of key terms at the outset, so that we are all certain we are on the same page in drafting the rules. One suggestion would be to keep a running list of terms that need to be defined that come up in review of each section, and during those sessions attempt to reach consensus on a definition of each. Those definitions could then be included in the new rules.

The MN rules do not appear to solve the challenges created by the recent unprecedented volume and complexity of projects currently in the interconnection process. This MI stakeholder process should first identify the list of existing issues and concerns, and then determine if the MN rules propose an adequate solution.

The MN rules use of footnotes is not generally accepted in MI rulemaking. Provisions in footnotes need to be brought up into the main text.

Definitions should be in a definition section of the rule itself, rather than in an attached or referenced glossary.

In order to encourage all parties to engage in thoughtful and constructive dialogue during the stakeholder process, it should be made clear that a) stakeholder meetings will be treated like settlement conferences under rule 408 and statements made by any participants may not be used as evidence in current or future legal proceedings; b) the parties by their participation do not waive the right to challenge any provisions or take any positions in this proceeding or in future proceedings regarding the interconnection rules.