

CONSUMERS ENERGY COMMENTS ON THE TECHNICAL STANDARDS FOR ELECTRIC SERVICE STAFF INITIAL REPORT

Dear Messrs. Becker and Sheldon,

Consumers Energy Company ("Consumers Energy" or "the Company") appreciates the opportunity to provide comments on the initial report on the Technical Standards for Electric Rules published by the Michigan Public Service Commission Staff ("Staff") on July 31, 2020. The Company would like to thank you and the Staff for your efforts in developing this report.

In providing these comments, Consumers Energy reiterates and incorporates by reference its prior feedback regarding these standards. The Company requests consideration of these prior submissions in addition to the additional points outlined below.

- **R 460.3203 Documents and information; required submission.**
 - The Company proposes the elimination of sub rule (i), the provision requiring a quarterly line-clearing report. The 'information concerning the utility's approved line clearing amounts, line clearing amounts spent, miles or units cleared, and progress toward achieving the utility's targeted line clearing cycle' is provided as part of the electric rate case process, and supplying partial updates in the interim has no effect on the utility's ability to make progress on these targets. In lieu of a quarterly report, the Company proposes to continue providing updates about this information during in-person meetings annually or semi-annually. These sessions have been highly productive when hosted in the past, and they provide more value than reports because they offer the opportunity for the Company to share context for the data and rationale behind trends that may seem unexpected.
 - Consumers Energy also proposes the elimination of sub rule (j), the provision requiring an annual solid-state meter report. This information does not frequently change, so there is little value in providing it annually. Nevertheless, if it is required, it should be included in the annual Smart Grid Report rather than as a stand-alone filing, in order to prevent duplicative filings.
- **R 460.3205 Security reporting & R 460.3506 Cybersecurity program.**
 - The Company supports Staff's recommendation to incorporate a set of cybersecurity standards into the ruleset and appreciates the collaborative development of this new language.

- **R 460.3505 Utility line clearance program.**

- Sub rule (a): Consumers Energy recommends replacing the phrase “tree trimming” in this sub rule with “line clearing” or “vegetation management” as indicated in previous Company feedback. While the phrase “tree trimming” may have been historically understood to include all aspects of line clearing, courts have recently interpreted that language more narrowly to refer to trimming only – excluding, for instance, removals and herbicide treatments, which is in conflict with industry standard use of Integrated Vegetation Management best practices.
- Sub rule (b): Consumers Energy is pleased to see that by proposing a “best efforts” standard, Staff acknowledges that not all conditions are conducive to customer notification.
 - This sub rule should be made clearer by defining what is meant by “best efforts” in this context. If not, the phrase will be interpreted according to definitions contained elsewhere in state law which direct the use of all available contact data, including property tax records, to notify customers prior to performing work. The language does not address instances in which the Company will not attempt customer notification, and this default definition would unduly burden the Company and its customers with increased costs and worse service. This sub rule should specify the different work types where “best efforts” may vary based on the nature of the work, whether emergent or scheduled.
 - Clearing associated with service restoration or emergencies should be exempt from notification requirements. Restoration of service in a timely manner should not be delayed by performing a “best effort” for notifying a customer of the impending emergency work.
 - Line clearing required to facilitate emergent work or scheduled clearing should be exempted from a “best effort” notification standard. There are many instances where work being performed by line workers is impeded due to vegetation growing near the work site. While utilities attempt to identify the need for line clearing work and complete it prior to the line work, line workers on site may request additional line clearing work to facilitate the emergent work or for safety during scheduled work. These situations should be exempt from the “best effort” standard to avoid unnecessary costs to customers associated with delaying the line work while the “best effort” notification process takes place.
 - Customer-requested work should be exempted from this notification requirement. There is no need for a formal and documented “best effort” notification process when the customer has requested and expects the work to be performed.

- This sub rule also conflicts with Michigan Public Act 451, Regulation 637, Pesticide Use. The sub rule requires the utility to perform notification, while Act 451 requires the commercial applicator or its agent to perform the notification. Act 451 forbids the utility to hold itself out to customers or the public as being in the business of applying herbicides, unless the utility is a licensed application firm under the Act and employs qualified commercial applicators to perform the notification. This sub rule should specify that notification requirements for pesticide applications, including herbicide application, must meet requirements of Act 451 which require a "reasonable effort" to notify property owners by the commercial applicator prior to any work.
- Sub rule (c): In lieu of the term "audit," the Company proposes that Staff consider a visual inspection or review of a statistically significant tree sample to ensure that the appropriate line clearances are in effect. Whether a line meets clearing standards is a determination that can be made visually and documented, without the need to evaluate a site tree-by-tree.
- **R 460.3613 Solid state meter and metering equipment testing requirements.**
 - Part 3 Meter Requirements & Part 6 Metering Equipment Inspections and Tests: Consumers Energy wishes to acknowledge Staff for the considerable and lengthy effort by the metering subgroup to collaborate on the technical changes to the rules' metering language. The Company is supportive of the results.

The Company believes the current initial report and redline represent good steps toward an improvement over the existing technical standards and hopes the Staff and Commission will consider the proposed revisions described here and in previously submitted comments. The Company's goal in proposing these revisions is to provide flexibility to adjust utility operations to changing conditions while continuing to protect ratepayers and the reliability of its system.

Consumers Energy would like to thank the Staff for the opportunity to provide this feedback and requests careful consideration of these comments as Staff finalizes its report to the Commission.

Respectfully,

Consumers Energy Company