

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of	)	
<b>MICHIGAN GAS UTILITIES</b> for approval of	)	
tariff provisions concerning service curtailment,	)	Case No. U-11439
extreme condition overrun charges, and related	)	
matters.	)	
_____	)	

At the November 25, 1997 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. John G. Strand, Chairman  
 Hon. John C. Shea, Commissioner  
 Hon. David A. Svanda, Commissioner

**ORDER APPROVING SETTLEMENT AGREEMENT**

On June 25, 1997, Michigan Gas Utilities (MGU) filed an application, with supporting testimony and exhibits, seeking to revise Rule B.4 - Curtailment of Gas Service. The application was filed pursuant to the Commission's March 27, 1997 order in Case No. U-10960, MGU's most recent rate case. That order directed MGU to file an application for approval of a revised gas curtailment tariff and to include in that filing a proposed extreme condition overrun charge.

Pursuant to due notice, a prehearing conference was held on September 4, 1997 before Administrative Law Judge Theodora M. Mace. MGU, Attorney General Frank J. Kelley, the Association of Businesses Advocating Tariff Equity, and the Commission Staff participated in the proceedings.

Subsequently, the parties submitted a settlement agreement resolving all issues in this case. The settlement agreement, appended to this order as Attachment A, provides that MGU may incorporate the tariff language attached as Exhibit A to the settlement agreement into its current tariff.

The Commission FINDS that:

- a. Jurisdiction is pursuant to 1909 PA 300, as amended, MCL 462.2 et seq.; MSA 22.21 et seq.; 1919 PA 419, as amended, MCL 460.51 et seq.; MSA 22.1 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; MSA 22.13(1) et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; MSA 3.560(101) et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1992 AACS, R 460.17101 et seq.
- b. The settlement agreement is reasonable and in the public interest, and should be approved.

THEREFORE, IT IS ORDERED that:

- A. The settlement agreement, appended to this order as Attachment A, is approved.
- B. Michigan Gas Utilities is authorized to replace its existing Rule B.4 with the tariff language set forth on Exhibit A to the settlement agreement.
- C. Michigan Gas Utilities shall file an application with the Commission within 90 days of the date of this order to resolve issues concerning the Commission Staff's proposed transportation standards of conduct and complaint procedures, as described in paragraph 5.b. of the settlement agreement, unless a proceeding concerning those issues is commenced by the Commission.
- D. Michigan Gas Utilities shall, within 30 days, file with the Commission four sets of tariff sheets essentially the same as those described in Exhibit A to the settlement agreement.

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, pursuant to MCL 462.26; MSA 22.45.

MICHIGAN PUBLIC SERVICE COMMISSION

John G. Strand  
Chairman

( S E A L )

John C. Shea  
Commissioner

David A. Svanda  
Commissioner

By its action of November 25, 1997.

Dorothy Wideman  
Executive Secretary

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D. Michigan Gas Utilities shall, within 30 days, file with the Commission four sets of tariff sheets essentially the same as those described in Exhibit A to the settlement agreement.

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Case No. U-11439

Suggested Minute:

“Adopt and issue order dated November 25, 1997 approving the settlement agreement and authorizing Michigan Gas Utilities to implement a revised gas curtailment tariff, as set forth in the order.”