

S T A T E   O F   M I C H I G A N  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of )  
MICHIGAN GAS UTILITIES COMPANY for )  
a certificate of public convenience )  
and necessity for the Cortright )  
Storage Field in Calhoun County. )

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Case No. U-4872

At a session of the Michigan Public Service Commission held at its offices  
in the city of Lansing, Michigan, on the 23rd day of February, 1976.

PRESENT: Hon. Daniel J. Demlow, Chairman  
Hon. Lenton G. Sculthorp, Commissioner  
Hon. William R. Ralls, Commissioner

ORDER DISMISSING PROCEEDINGS

On July 11, 1975, Michigan Gas Utilities Company (Applicant) filed an appli-  
cation for a certificate of public convenience and necessity pursuant to Section 2,  
1923 PA 238 (MCLA 486.252), as amended by 1973 PA 26.

Pursuant to the Commission's Notice of Hearing dated August 14, 1975, the  
matter was scheduled for a public hearing to be held on September 17, 1975.

On September 5, 1975, H. vdB. Hatch filed an appearance on behalf of  
Franklin K. Line and Jane A. Line, d/b/a Trenton Petroleum Co. (Line).

On September 11, 1975, H. vdB. Hatch filed a Petition to Dismiss Application on  
behalf of Line.

On September 17, 1975, the hearing was held, at which appearances were filed by  
Applicant, the Commission Staff and two other parties who appeared without petitions

to intervene. The two parties were H. vdB. Hatch on behalf of Line and Theodore VanDellen on behalf of Lloyd Wilson and Virgie M. Wilson, property owners. Applicant presented its direct case on such date and the hearing was adjourned until October 27, 1975 and subsequently adjourned to November 4, 1975 for cross-examination of Applicant's witnesses. Mr. Hatch and Mr. VanDellen were to file Petitions to Intervene on or before September 24, 1975.

On September 24, 1975, H. vdB. Hatch filed a Petition to Intervene on behalf of Line.

On November 4, 1975, Applicant along with Intervenor Line filed a Stipulation for Adjournment to adjourn the hearing without date to allow the parties the necessary time to complete negotiations toward a possible settlement of all matters in dispute. The November 4, 1975 hearing was adjourned without date.

On December 29, 1975, Applicant filed a Stipulation for Dismissal executed by its Attorney, William A. Boos, Jr., and by Intervenors' Attorney, H. vdB. Hatch, asking the Commission to issue an order dismissing the case inasmuch as the parties have settled their differences.

The Commission FINDS that:

a. Jurisdiction is pursuant to Section 2 of Act 238, P.A. 1923, M.C.L.A. 486.252, as amended by Act 26, P.A. 1973; Act 306, P.A. 1969, as amended, M.C.L.A. 24.201 et seq.; and the Commission's Rules of Practice and Procedure, 1954 Administrative Code, Supplement No. 54, R 460.11 et seq.

b. The Stipulation for Dismissal filed December 29, 1975, is just, reasonable and in the public interest, and Case No. U-4872 should be dismissed.

IT IS SO ORDERED.

The Commission specifically reserves jurisdiction of the matters herein contained and the authority to issue such further order or orders as the facts and circumstances may require.

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ Daniel J. Demlow  
Chairman

( S E A L )

/s/ Lenton G. Sculthorp  
Commissioner

/s/ William R. Ralls  
Commissioner

By the Commission and pursuant to its action of February 23, 1976.

/s/ Earl B. Klomprens  
Its Secretary