

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of)
GREAT LAKES ENERGY GAS SERVICES, L.L.C.,)
for a certificate of public convenience and)
necessity to provide gas service in Hayes Township,)
Charlevoix County.)
_____)

Case No. U-12495

At the December 4, 2000 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. John G. Strand, Chairman
Hon. David A. Svanda, Commissioner
Hon. Robert B. Nelson, Commissioner

ORDER APPROVING SETTLEMENT AGREEMENT

On June 19, 2000, Great Lakes Energy Gas Services, L.L.C., (GLE Gas Services) filed an application, pursuant to the provisions of 1929 PA 69, as amended, MCL 460.501 et seq.; MSA 22.141 et seq., requesting a certificate of public convenience and necessity to extend its facilities and to provide gas service in Hayes Township, Charlevoix County.

Pursuant to due notice, a prehearing conference was held on July 31, 2000 before Administrative Law Judge James N. Rigas. GLE Gas Services, the Commission Staff, and Michigan Consolidated Gas Company participated in the proceedings.

Subsequently, the parties submitted a settlement agreement resolving all issues in this case.

According to the terms of the settlement agreement, appended as Attachment A, GLE Gas Services acknowledges that it previously installed gas lines in parts of the state without first receiving the appropriate authority, and pledges to refrain from that practice in the future. The settlement agreement further indicates that, based on that acknowledgment and pledge, the parties agree that (1) GLE Gas Services has obtained the requisite franchises to provide gas service in Hayes Township, (2) providing GLE Gas Services with a certificate of public convenience and necessity for that township will serve the public interest, and (3) the requested certificate of public convenience and necessity should be granted.

The Commission FINDS that:

- a. Jurisdiction is pursuant to 1929 PA 69, as amended, MCL 460.501 et seq.; MSA 22.141 et seq.; 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 AACRS, R 460.17101 et seq.
- b. The settlement agreement is reasonable and in the public interest, and should be approved.
- c. Any further installation of gas lines by GLE Services without prior receipt of all appropriate authority may result in the imposition of sanctions pursuant to MCL 462.43; MSA 22.61.

THEREFORE, IT IS ORDERED that:

- A. The settlement agreement, appended as Attachment A, is approved.
- B. Great Lakes Energy Gas Services, L.L.C., is granted a certificate of public convenience and necessity to extend its facilities and provide gas service in Hayes Township, Charlevoix County.

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

/s/ John G. Strand

Chairman

(S E A L)

/s/ David A. Svanda

Commissioner

/s/ Robert B. Nelson

Commissioner

By its action of December 4, 2000.

/s/ Dorothy Wideman

Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

Chairman

Commissioner

Commissioner

By its action of December 4, 2000.

Its Executive Secretary

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Suggested Minute:

“Adopt and issue order dated December 4, 2000 approving the settlement agreement and granting Great Lakes Energy Gas Services, L.L.C., a certificate of public convenience and necessity to construct facilities and provide gas service in Hayes Township, Charlevoix County, as set forth in the order.”