

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of	)	
<b>CMS MS&amp;T MICHIGAN L.L.C.</b> for a	)	Case No. U-12567
license as an alternative electric supplier.	)	
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At the August 17, 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

**OPINION AND ORDER**

On July 27, 2000, CMS MS&T Michigan L.L.C. submitted an application, pursuant to the Customer Choice and Electricity Reliability Act, MCL 460.10 et seq.; MSA 22.13(10) et seq., for a license as an alternative electric supplier. An alternative electric supplier is a person selling electric generation service to retail customers in this state, other than a person who physically delivers electricity directly to retail customers. MCL 460.10g(a); MSA 22.13(10g)(a). With its application, CMS MS&T Michigan submitted information designed to show its compliance with the statutory requirements for an alternative electric supplier. The Commission Staff has reviewed that information, and concluded that CMS MS&T Michigan should be granted a license.

After a review of the applicant's submission, the Commission finds that approval of the application is in the public interest. On numerous occasions, the Commission has found that

competition can be advantageous to the citizens of this state. Approval of the request for a license as an alternative electric supplier will expand the opportunities for competition. Accordingly, the application should be approved. The grant of a license is conditioned on compliance with all applicable provisions of the statute and the Commission's orders. Failure to comply fully may result in revocation of the license or other penalties. Further, the grant of a license is conditioned upon the provision of service to customers within a reasonable time. Failure to do so may result in revocation of the license.

The Commission FINDS that:

a. Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; MSA 22.151 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. CMS MS&T Michigan has satisfied the statutory requirements to obtain a license as an alternative electric supplier.

THEREFORE, IT IS ORDERED that:

A. CMS MS&T Michigan L.L.C. is granted a license as an alternative electric supplier.

B. CMS MS&T Michigan L.L.C. shall operate as an alternative electric supplier in compliance with the regulatory requirements specified in the Customer Choice and Electricity Reliability Act, MCL 460.10 et seq.; MSA 22.13(10) et seq., and the Commission's orders.

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 August 17, 2000.

/s/ Dorothy Wideman  
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

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Chairman

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Commissioner

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By its action of August 17, 2000.

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Case No. U-12567

Suggested Minute:

“Adopt and issue order dated August 17, 2000 granting CMS MS&T Michigan L.L.C. a license as an alternative electric supplier, as set forth in the order.”