

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)	
NORDIC MARKETING, L.L.C.,)	
for approval of a renewable energy plan to)	Case No. U-15838
comply with the requirements of Public Act)	
295 of 2008.)	
_____)	

At the May 26, 2009 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. Orjiakor N. Isiogu, Chairman
Hon. Monica Martinez, Commissioner
Hon. Steven A. Transeth, Commissioner

ORDER

On October 21, 2008, the Commission opened a docket in this case addressing the regulatory issues created by the passage of Public Act 286 of 2008, an amendment to the “Customer Choice and Electricity Reliability Act,” 2000 PA 141; MCL 460.10 *et seq.*, and Public Act 295 of 2008, the “Clean, Renewable and Efficient Energy Act,” MCL 460.1001 *et seq.* (Act 295). In the order, the Commission required Nordic Marketing, L.L.C. (Nordic), a licensed alternative electric supplier, to file with the Commission a plan for establishing a renewable energy program. The plan was to be filed within 90 days after the Commission issued a temporary order pursuant to Section 191 of Act 295. The Commission issued a temporary order in Case No. U-15800 on December 4, 2008.

On April 3, 2009, Nordic filed with the Commission a letter regarding its renewable energy plan. In the letter, Nordic states that it has not served any retail customers in Michigan since December 31, 2005. However, in the event Nordic begins serving electric customers in Michigan during the 2009 calendar year or thereafter, an application for approval of its renewable energy plan will be submitted to the Commission pursuant to the requirements of Act 295.

The Commission Staff (Staff) reviewed Nordic's letter and agrees that Nordic does not have any retail customers in Michigan, has no affected parties to notify, and is not required to file a renewable energy plan. The Staff recommends the Commission find that Nordic is in compliance with the requirements of Act 295 and order Nordic to file an application for approval of a renewable energy plan in the event Nordic begins serving retail customers in Michigan.

THEREFORE, IT IS ORDERED, that:

A. Nordic Marketing, L.L.C., shall not be required to file a renewable energy plan until it begins serving retail customers in Michigan.

B. Nordic Marketing, L.L.C., shall not be required to file an annual report with the Commission. In the event Nordic Marketing, L.L.C., begins serving retail customers in Michigan, it shall file an annual report with the Commission describing the status of compliance with the requirements of Public Act 295 of 2008 by May 1, 2010, and annually thereafter until further order of the Commission.

C. Nordic Marketing, L.L.C., shall file with the Commission every two years from the date of the Commission's initial order in this case a statement that it serves no retail customers in Michigan or, in the alternative, a renewable energy plan meeting the requirements of Public Act 295 of 2008.

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, under MCL 462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

Orjiakor N. Isiogu, Chairman

Monica Martinez, Commissioner

Steven A. Transeth, Commissioner

By its action of May 26, 2009.

Mary Jo Kunkle, Executive Secretary