

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)	
WOLVERINE POWER MARKETING)	
COOPERATIVE for approval of a)	Case No. U-15847
renewable energy plan to comply with)	
the requirements of Public Act 295 of 2008.)	
_____)	

At the April 16, 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 Wolverine Power Marketing Cooperative (Wolverine), a licensed alternative electric supplier (AES), 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 February 25, 2009, Wolverine filed with the Commission an application for approval of its renewable energy plan. In its application, Wolverine proposes to meet renewable energy portfolio requirements by using the average number of megawatt hours (MWh) of electricity sold annually to its customers during the previous three years. Wolverine proposes to meet its renewable portfolio standard percentage requirements with qualifying renewable power supply purchases, renewable energy credit (REC) purchases, banked renewable power supply, or a combination of these. Wolverine proposes to meet its renewable energy requirements through applicable banked RECs (not expected to expire until after January of 2013) and ongoing renewable power supply purchases from renewable resources located within the State of Michigan. Wolverine does not expect a renewable energy surcharge for customers before 2012. However, if REC purchases are required, Wolverine proposes to assess incremental charges not exceeding the rates authorized in Section 45 of Act 295.

The Commission Staff reviewed Wolverine's application and recommends the Commission find that Wolverine is in compliance with the requirements of Act 295.

Section 23(2) of Act 295, MCL 460.1023(2), provides that an AES's proposed renewable energy plan must fulfill both of the following requirements: (a) the plan must describe how the AES will meet the renewable energy standards, and (b) the plan must specify whether the number of MWhs used in the calculation of the renewable energy portfolio will be weather-normalized or based on the average number of MWh sold to Michigan retail customers annually during the previous three years. The Commission finds that the renewable energy plan filed by Wolverine meets these two requirements.

Section 23(3) of Act 295, MCL 460.1023(3), requires that the Commission provide an opportunity for public comment on Wolverine's renewable energy plan. A notice of the

opportunity for public comment was distributed by Wolverine in accordance with the instructions of the Commission's Executive Secretary. Comments were due to be filed March 27, 2009. No comments were received.

THEREFORE, IT IS ORDERED, that:

A. The renewable energy plan of Wolverine Power Marketing Cooperative is approved.

B. Wolverine Power Marketing Cooperative 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. Absent an earlier application filed by Wolverine Power Marketing Cooperative for authority to amend its plan, the renewable energy plan approved by this order shall be reviewed by the Commission in two years.

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

By its action of April 16, 2009.

Monica Martinez, Commissioner

Mary Jo Kunkle, Executive Secretary

Steven A. Transeth, Commissioner