

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter, on the Commission's own motion, )  
regarding the regulatory reviews, revisions, )  
determinations, and/or approvals necessary for the ) Case No. U-16609  
**CITY OF DOWAGIAC** to fully comply with )  
Public Act 295 of 2008. )  
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At the December 19, 2013 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. John D. Quackenbush, Chairman  
Hon. Greg R. White, Commissioner  
Hon. Sally A. Talberg, Commissioner

**ORDER**

Public Act 295 of 2008, MCL 460.1001 *et seq.* (Act 295), requires all providers of electric service in this state to establish renewable energy programs by filing renewable energy plans (REPs) with the Commission. On July 1, 2009, the Commission determined that the City of Dowagiac's (Dowagiac) initial REP in Case No. U-15858 was in compliance with Act 295.

Section 25(4) of Act 295 provides that every two years after the Commission determines the initial REP is in compliance with Act 295, the Commission shall review the plan. This review occurs after an opportunity for public comment. On December 6, 2012, the Commission issued an order directing Dowagiac to file its application for biennial REP review by July 1, 2013, in this docket. On June 28, 2013, Dowagiac filed an application seeking review of its REP.

The Commission Staff (Staff) reviewed the application and filed a letter in this docket indicating that the 2013 REP did not amend the 2011 REP. The Staff also found that Dowagiac still expects to meet the renewable energy standard through its wholesale power supplier, Indiana Michigan Power Company, and that the expected incremental cost of compliance to its customers will not exceed the retail rate impacts described in Section 45(2) of Act 295. To calculate the renewable energy credit requirement, Dowagiac will use the average of the previous three years of electricity sold to its retail customers. Further, Dowagiac provided an opportunity for public comments; no comments were received. On the basis of this review, the Staff recommends the Commission find Dowagiac in compliance with the requirements of Section 25 of Act 295.

THEREFORE, IT IS ORDERED that:

A. The renewable energy plan filed by the City of Dowagiac is in compliance with the requirements of Public Act 295 of 2008.

B. The City of Dowagiac shall file an annual report with the Commission describing the status of compliance with the requirements of Public Act 295 of 2008 by June 30, 2014, and annually thereafter until further order of the Commission.

C. Absent an earlier application filed by the City of Dowagiac for authority to amend its plan, the Commission shall review the plan again during the next biennial review period described in MCL 460.1025(4).

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

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John D. Quackenbush, Chairman

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Greg R. White, Commissioner

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Sally A. Talberg, Commissioner

By its action of December 19, 2013.

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Mary Jo Kunkle, Executive Secretary