

UTILITY CONSUMER PARTICIPATION BOARD

12:30 p.m.

Zoom Meeting

REGULAR MEETING MINUTES

Present: Paul Isely (Acting Chairperson), Elise Matz (Board Member), Sam Passmore (Board Member), Bali Kumar (Board Member), Kelly Jo Kitchen (Board Assistant), Chris Bzdok (MEC), Don Keskey (RCG and GLREA), Greg Rivet (LARA), Amy Bandyk (CUB of MI), John Freeman (GLREA), Tonya Paslewski (MEGA), Jackson Koeppel (Solardarity), Michael Moody (AG), Shay Gaffey (LARA), John Liskey (CARE), Margrethe Kearney (ELPC), Jocelyn Krueger (LARA), Douglas Jester (CARE), Bob Nelson (CUB of MI), Shawn Worden (LARA), John Richter (GLREA), Corey Connelly (MEIBC), Charlotte Jamieson (MEC)

Monday April 13, 2020

I. Call to Order and Roll Call of Members

- a. Approval of Agenda and February 3, 2020 minutes (including consent items)

Moved: Bali Kumar, Seconded: Sam Passmore
Motion Carried

- b. LARA Budget Update

Shawn Worden presented the budget update \$62,888 in spending authority is available for grants. There is an additional \$21,826 coming back to the UCRF from CARE closing out of a case due to a settlement and returning unused funds.

II. Business Items

- a. Attorney General Update: Michael Moody gave an update for the AG's office. AG is making progress in CEC Co Gas Rate Case (U-20650). DTE Electric Rate Case is moving forward, the PFD has come out and is favorable to residential rate payers, waiting for Commission order. DTE will be filing another Rate Case in July. AG is in all the PSCR and GCR Cases. A big issue is the moratorium on shutoffs due to the pandemic. There is no order in place regarding moratoriums and it is left to the individual utilities to establish these. The MPSC has requested a voluntary moratorium on the larger companies regarding shutoffs. Michigan Gas Utilities is going to file a rate case soon. The AG will be in all cases on the agenda except the MISO participation.
Regarding Souldarity's request for the REP case this is usually not a funding type specified in the statute, would need more information from Jackson Koeppel about what they are working on in the case to give a better analysis.
Q: About funding the REP Case since it is not a delineated statutory case. The letter that that UCPB sent to the AG looking for guidance on these types of cases and requesting an opinion.

Discussion: a previous opinion from the AG said that UCPB could intervene in cases outside of the statutory list if a connection could be made to the delineated types of cases, but a new opinion is needed to determine if this continues to be the interpretation since the law has been updated.

Elise Matz: Thought the proposal was justified since it flows from other cases that are statutorily listed.

Sam Passmore: Is getting the opinion different from the guidance that Mike Moody provides?

Mike Moody: Advice to the board is how the AG operates during the meeting, this isn't technically an AG opinion, which would be binding.

Mike Moody advises that he wouldn't move forward on cases outside of the statutory language without an AG opinion specifically allowing for that. Sincer there is a new person in the position in charge of the AG opinion section and the current pandemic the work is probably backlogged

Q: What is the risk to the board?

Mike Moody: The threat of a lawsuit is small because of the standing criteria. A rate payer may bring a suit, but it would be difficult for them to show harm. Losing the lawsuit would be the repayment of the money with a penalty possibly, which would be small.

BALI KUMAR: Asked the AG if the Board could get an update on the status of the opinion requested.

Mike Moody: Yes, he will get some kind of an answer from the AG for the status of the opinion. Division level memo will also be looked into, the memo would reflect the advice given by Mike Moody, which would be that the board not got outside of the statutory language.

ELISE MATZ: Concerned that setting a precedent of granting outside of the statute my be counterproductive to future grant making.

Mike Moody: If you make the grant contingent on the AG looking over their proposal that may be an option.

Q: What may be coming for the remainder of the fiscal year.

Mike Moody: DTE rate case and any PSCR-R cases that have not been filed.

Q: About the shut-off cases that may be coming.

Mike Moody: Historically the major utilities asked for a tracking mechanism and would then request reimbursement for those losses. This may not be the most efficient method to keep utilities working at reducing these costs. The utility could put it in their rate case or request a separate case.

Jackson Koepfel: The REP Case came directly from the IRP case.

Mike Moody: It would be possible to use funding in the IRP case and use that work product in the REP case thus avoiding funding a case that is not delineated in the statute.

b. RCG

- No Cost Transfer in DTE Electric Rate Case (U-20561) for \$6,637.50 from expert to legal.
DTE may be filing rehearing petitions after the Commission's order and RCG would need additional budget monies for legal work to respond to the petition for rehearing.
The test year issue would be the biggest money issue.
Discussion regarding the PFD and what RCG would do to countermand the PFD if accepted.

Moved: SAM PASSMORE, Seconded: PAUL ISELY

Discussion: Looking at the PFD and the likelihood of success.

Roll Call Vote:

BALI KUMAR: no, ELISE MATZ: no, SAM PASSMORE: yes, PAUL ISELY: no

Motion failed

- CECo PSCR-R (U-20220) for \$16,665

Moved: SAM PASSMORE, Seconded: ELISE MATZ

Roll Call Vote:

ELISE MATZ: yes, SAM PASSMORE: yes, BALI KUMAR: yes, PAUL ISELY: yes

Motion Carried

- CECo Electric Rate Case (U-20697) for \$18,483
- CECo Gas Rate Case (U-20650) for \$16,665

c. MEC

- Approval of expert, Rob Ozar of 5 Lakes Energy, for MEC, CARE and CUB

Moved: SAM PASSMORE, Seconded: BALI KUMAR

Roll Call Vote:

SAM PASSMORE: yes, PAUL ISELY: yes, BALI KUMAR: yes, ELISE MATZ: yes

Motion Carried

- DTE PSCR-R (U-20222) for \$30,300

Moved: SAM PASSMORE, Seconded: BALI KUMAR

Discussion: Should the amount be modified? Decided the UCRF had the funds to not have to split the money.

Roll Call Vote:

PAUL ISELY: yes, BALI KUMAR: yes, ELISE MATZ: yes, SAM PASSMORE: yes

Motion Carried

d. Sourlardarity

- DTE REP (U-18232) for \$5,685; monies coming from remainder of funds from (U-20471) and (U-20561).
Sourlardarity: The case follows the thread of the IRP case which is seen as an extension to the IRP case. They have talked to other interested parties regarding issues and have acquired other funding.

Discussion about the use of UCRF funds for a REP Case.

Q: Could be argued that this REP case is an extension of the work product that could have been done in the IRP case.

No action taken.

e. CARE

- MISO participation for the second half of request for \$17,500
In the first 6 months battery storage was a big topic, CARE worked along with about 18 other consumer groups. FERC has ordered a settlement conference. For the upcoming 6 months, Douglas Jester: Development of transmission; MISO's basic approach is that they begin a process and look at projects that will be pursued. The Cost recovery of those projects will be added into the rates.
Special study of Michigan Capacity import limits. Overall transmission planning is done by developing futures looking into the next 15 years. Develop them with stakeholders.
John Liskey: CARE usually requests PSCR-R requests and have not filed any requests as yet, but may request monies in the June meeting.

Moved: SAM PASSMORE Seconded: ELISE MATZ

Roll Call Vote:

BALI KUMAR: yes ELISE MATZ: yes SAM PASSMORE: yes PAUL ISELY: yes

Motion Carried

CARE will be returning monies from the I & M Rate case that settled.
General Question about giving out grant monies in increments.

f. GLREA:

- Approval of Experts: Ronny Sandoval of ROS Energy Strategies, Karl Rabago of Rabago Energy, and Gabe Chan of the University of Minnesota.

Moved: BALI KUMAR Seconded: ELISE MATZ

Roll Call Vote:

ELISE MATZ: yes, BALI KUMAR: yes, PAUL ISELY: yes SAM PASSMORE: yes

Motion Carried

III. Reports

a. Grantees

RCG: 20209 CEC Co Gas PSCR-R have some major issues. DTE Rate Case is drawing down.

MEC: Provided a memo to the board.

CARE: No Report

CUB: DTE gas testimony is being filed along with CEC Co gas rate case.

GLREA: DTE IRP order from MPSC and DTE agreed.

CECO Rate Case beginning discovery.

IV. Public Comment

V. Next meeting: June 1, 2020

VI. Adjournment: 3:21 Moved: BALI KUMAR, Seconded: ELISE MATZ

Motion Carried
