

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of)
GREAT LAKES ENERGY GAS SERVICES, L.L.C.,)
for a certificate of public convenience and necessity)
to provide gas service in Section 22 of Littlefield)
Township, Emmet County.)
_____)

Case No. U-12362

At the August 4, 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

ORDER APPROVING SETTLEMENT AGREEMENT

On March 30, 2000, Great Lakes Energy Gas Services, L.L.C., (GLE Gas Services) filed an application pursuant to the provisions of 1929 PA 69, as amended, MCL 460.501 et seq.; MSA 22.141 et seq., requesting a certificate of public convenience and necessity to extend its facilities and to provide gas service to the Eagle Beach Project located in Section 22 of Littlefield Township, Emmet County.

Pursuant to due notice, a prehearing conference was held on May 16, 2000 before Administrative Law Judge James N. Rigas. GLE Gas Services, the Commission Staff, and Michigan Consolidated Gas Company participated in the proceedings.

Subsequently, the parties submitted a settlement agreement resolving all issues in this case.

According to the terms of the settlement agreement, attached as Exhibit A, the parties agree that (1) GLE Gas Services has obtained the requisite franchise to provide gas service in Section 22 of Littlefield Township, (2) GLE Gas Services has demonstrated its ability to obtain adequate gas supplies to meet the current and projected demand of its customers, (3) providing GLE Gas Services with its requested certificate of public convenience and necessity will, assuming the satisfaction of certain conditions, benefit the public interest, and (4) the requested certificate should be granted.

The Commission FINDS that:

a. Jurisdiction is pursuant to 1929 PA 69, as amended, MCL 460.501 et seq.; MSA 22.141 et seq.; 1909 PA 300, as amended, MCL 462.2 et seq.; MSA 22.21 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 AACRS, R 460.17101 et seq.

b. The settlement agreement is reasonable and in the public interest, and should be approved.

THEREFORE, IT IS ORDERED that:

A. The settlement agreement, attached as Exhibit A, is approved.

B. Great Lakes Energy Gas Services, L.L.C., is granted a certificate of public convenience and necessity authorizing it to provide gas service in Section 22 of Littlefield Township, Emmet County, Michigan, provided (1) construction and maintenance of the system complies with the Michigan Gas Safety Standards and applicable Commission rules and no newly constructed lines cross another utility's gas mains or service lines or parallel another utility's mains or service lines

within a street or right of way, (2) any extension of service must be consistent with Great Lakes Energy Gas Services, L.L.C.'s, then existing customer attachment program or main extension policy, (3) prior to constructing any extension of a main within a township occupied by another utility, Great Lakes Energy Gas Services, L.L.C., must give 30 days' written notice to the Commission's Gas Division's Competitive Services Section and the other utility, identifying the location of the proposed extension and including a copy of the customer attachment program worksheet or main extension policy, if applicable, and (4) Great Lakes Energy Gas Services, L.L.C., may not construct facilities to serve an existing customer of another gas utility.

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 E A L)

/s/ John G. Strand
Chairman

By its action of August 4, 2000.

/s/ David A. Svanda
Commissioner

/s/ Dorothy Wideman
Its Executive Secretary

/s/ Robert B. Nelson
Commissioner

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Suggested Minute:

“Adopt and issue order dated August 4, 2000 approving the settlement agreement and granting Great Lakes Energy Gas Services, L.L.C., a certificate of public convenience and necessity to provide gas service in Section 22, Littlefield Township, Emmet County, as set forth in the order.”