



January 30th, 2024

Commissioner Dan Scripps, Chairman
Michigan Public Service Commission
7109 W. Saginaw Highway
Lansing, MI 48917

RE: **2024 Quarterly Update (“Quarterly Update”)** – Duck Lake (renamed Helix) and Oneida – Nelson Road 345 kV MISO Long Range Transmission Planning Projects (“Projects”)

Dear Chairman Scripps:

Michigan Public Power Agency (“MPPA”) is submitting this Quarterly Update to the Michigan Public Service Commission (“Commission”) pursuant to Act 125 of 2021 (“Act 125”), MCL 460.593(3).

Act 125 provided in part: “Until construction of the regionally cost-shared transmission line is complete, the incumbent electric transmission company shall provide a quarterly report to the commission that includes an updated estimate of the cost to construct the regionally cost-shared transmission line and an explanation of changes in the cost estimate from the previous cost estimate.” MCL 460.593(3)(c).

Beginning in January 2023, MPPA has submitted quarterly reports to the Commission regarding MPPA’s “Plan to Construct and Jointly Own the Hiple – Duck Lake (renamed Helix) and Oneida – Nelson Road 345 kV MISO Long Range Transmission Plan Projects (“Projects”).

In a recent lawsuit between METC and MPPA, the Ingham County Circuit Court held that MPPA lacks authority to construct or jointly own the Projects. Specifically, the Court stated that “MPPA may not claim ownership in or otherwise participate in or interfere with the ownership, operation, construction, maintenance, or control of the transmission projects at issue in this case” and MPPA is permanently enjoined from doing so.

On December 6, 2023, MPPA filed a claim of appeal with the Michigan Court of Appeals appealing as of right the Order Granting Motions for Summary Disposition entered on November 15, 2023, in the Ingham County Circuit Court by the Honorable Joyce Draganchuk.

While that appeal is pending, METC and MPPA have stipulated to allow MPPA to submit one further update to the Commission to fulfill its obligation to submit quarterly reports under Act 125. This stipulation does not alter, limit, or modify the Circuit Court’s ruling that “MPPA may not claim ownership in or otherwise participate in or interfere with the ownership, operation, construction, maintenance, or control of the transmission projects at issue in this case” and that MPPA is permanently enjoined from doing so.



MPPA incorporates the cost estimate information that METC provides in its quarterly updates, including that which METC submitted to the Commission on January 12, 2024.

If the Commission believes, for whatever reason, that MPPA must submit additional quarterly filings to preserve its rights while its appeal is pending, please let us know. MPPA is also providing a copy of this update to METC.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick A. Bowland". The signature is fluid and cursive, written over a light blue horizontal line.

Patrick A. Bowland
CEO and General Manager, MPPA

CC: Michigan Public Service Commissioner, Alessandra Carreon
Michigan Public Service Commissioner, Katherine Peretick
ITCT/METC, Mr. Simon S. Whitelocke