

May 1, 2023

Ms. Lisa Felice  
Executive Secretary  
Michigan Public Service Commission  
7109 West Saginaw Highway  
Post Office Box 30221  
Lansing, MI 48909

**Re: MPSC Case No. U-21389 – In the matter of the application of Consumers Energy Company for authority to increase its rates for the generation and distribution of electricity and for other relief.**

Dear Ms. Felice:

Enclosed for electronic filing in the above-captioned case, please find **Consumers Energy Company's Application, a Proposed Notice of Hearing, a Proposed Protective Order, and the Testimony and Exhibits of Consumers Energy Company's Witnesses**. Also included is a Proof of Service showing service upon the parties in Consumers Energy Company's last two electric rate cases (Case Nos. U-20963 and U-21224). This case has been designated as a paperless case and is therefore being filed in PDF format.

Confidential materials of **Company witnesses Thomas P. Clark, Alex M. Gast, Kendra K. Grob, Matthew S. Henry, and Heather N. Weller** are being filed under seal with the Michigan Public Service Commission.

In accordance with filing procedures adopted by the Michigan Public Service Commission in Case No. U-18238: (i) exhibits that were prepared in Microsoft Excel format are being provided electronically in addition to being filed in PDF format; (ii) tariff changes are being filed in PDF format with changes shown in redline format and provided in Microsoft Word format; and (iii) economic models used to support the rate increase request will be provided to parties upon request in working Microsoft Excel version. Also provided to the Michigan Public Service Commission is Consumers Energy Company's Part II – Financial Information materials in the above docket via a secure link.

Digital copies of the public rate case filing, workpapers of Consumers Energy Company's witnesses, and Consumers Energy Company's Part II – Financial Information and Part III – Supplemental Data materials are being provided to the MPSC Staff and parties to Case Nos. U-20963 and U-21224 concurrently with this filing via a secure link and this link will be made available to any parties to Case No. U-21389 who were not parties to Case Nos. U-20963 and U-21224.

Sincerely,

Michael C. Rampe

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cc: Mike Byrne, Executive Director, MPSC Staff  
Bill Stosik, MPSC Staff  
Paul Proudfoot, MPSC Staff  
Bob Nichols, MPSC Staff  
Julie Baldwin, MPSC Staff  
Parties to Case Nos. U-20963 and U-21224

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of )  
**CONSUMERS ENERGY COMPANY** )  
for authority to increase its rates for )  
the generation and distribution of )  
electricity and for other relief. )  
\_\_\_\_\_ )

Case No. U-21389

**APPLICATION**

Consumers Energy Company (“Consumers Energy” or the “Company”) respectfully requests that the Michigan Public Service Commission (“MPSC” or the “Commission”) authorize Consumers Energy to increase its rates for the sale of electricity and grant it additional relief as set forth herein. In support of this Application, Consumers Energy states as follows:

**I. INTRODUCTION**

1. Consumers Energy is, among other things, engaged as a public utility in the business of generating, purchasing, distributing, and selling electric energy to approximately 1.9 million retail customers in the state of Michigan. The retail electric system of Consumers Energy is operated as a single utility system, within which it charges uniform rates.

2. Consumers Energy’s retail electric business is subject to the jurisdiction of the Commission pursuant to various provisions of 1909 PA 106, as amended, MCL 460.551 *et seq.*, 1919 PA 419, as amended, MCL 460.54 *et seq.*, and 1939 PA 3, as amended, MCL 460.1, *et seq.* Pursuant to these statutory provisions, the Commission has the power and jurisdiction to regulate Consumers Energy’s retail electric rates.

3. The Commission approved Consumers Energy’s current retail electric base rates in its January 19, 2023 Order Approving Settlement Agreement in Case No. U-21224. In addition,

the Commission has authorized, through various orders, the recovery of certain additional costs as set forth in the Company's tariffs on file with the Commission, including Power Supply Cost Recovery factors, Renewable Energy Plan surcharges, Energy Waste Reduction surcharges, and securitization bond charges.

## **II. REQUESTED RATE RELIEF**

4. For purposes of this case, Consumers Energy has undertaken a complete examination of relevant items of investment, expense, and revenues for the determination of just and reasonable retail electric rates, using a projected test year for the 12-month period ending February 28, 2025. Using a projected test year for the 12-month period ending February 28, 2025 will allow the rates established in this case to more closely reflect investments made and expenses incurred during the time rates established in this case are in effect.

5. Consumers Energy has calculated that, without rate relief, it will experience an annual jurisdictional electric revenue deficiency of approximately \$216 million for the 12-month period ending February 28, 2025. An increase in Consumers Energy's electric rates is required in order to afford the Company a reasonable opportunity to recover its reasonable costs of providing electric service, including a reasonable return on common equity, as more fully described in the accompanying testimony and exhibits.

6. Factors contributing to Consumers Energy's need for additional electric revenues above levels currently recovered in base rates include:

- (i.) Investments in electric utility generation and distribution assets to provide safe and reliable service;
- (ii.) Investments in assets to comply with safety and legal requirements;
- (iii.) Investments in enhanced technology to provide improved operational efficiencies and increased customer satisfaction;

- (iv.) Operation and Maintenance (“O&M”) expenses necessary to, among other things, reduce tree-related service interruptions, support long-term investments, restore service to customers, and maintain the Company’s grid infrastructure; and
- (v.) Increased financing costs associated with a higher debt cost and a higher return on equity necessary to attract capital for the Company’s large capital investment program.

In determining its revenue requirements for this filing, Consumers Energy has used the depreciation rates authorized by the Commission in its December 9, 2021 Order Approving Settlement Agreement in Case No. U-20849 for its electric and common plant, excluding the Ludington Pumped Storage plant. For the Company’s Ludington Pumped Storage plant, the calculated depreciation expense and associated accumulated depreciation presented used depreciation rates approved in Case No. U-20844.

7. Without rate relief, Consumers Energy’s retail electric rates will be so low as to deprive Consumers Energy of a reasonable return on the Company’s property, and amount to confiscation and deprivation of the Company’s property, contrary to the Company’s rights under the Constitutions of the United States and of the State of Michigan. Without a rate increase, the Company’s revenues and electric overall rate of return will be below a just and reasonable level.

8. The projected average jurisdictional rate base for the test year ending February 28, 2025 is \$14.4 billion. A significant driver of the requested relief in this case is related to investments associated with system reliability and enhanced technology. In this filing, the Company is proposing to invest in capital projects and incur O&M on the distribution system. These electric investments are necessary to maintain and improve electric utility infrastructure and help ensure that the Company’s electric customers receive the value and service that they expect from the Company. The Company has developed two foundational plans which underpin its electric strategy: (i) the Company’s five-year Electric Distribution Infrastructure Investment Plan,

as most recently filed with the Commission on June 30, 2021 in Case No. U-20147; and (ii) the Company's Integrated Resources Plan ("IRP"), which the Commission approved in an Order dated June 23, 2022.

9. The Company is proposing an increase in spending to continue to ramp up the miles of Low Voltage Distribution ("LVD") circuits cleared every year in an efficient manner until one-seventh of the total LVD mileage is cleared annually, and then to maintain that level of clearing each year thereafter to bring the LVD system to an effective seven-year clearing cycle. For the test year ending February 28, 2025, the Company is proposing to spend \$118,889,334 on Line Clearing.

10. To adequately reflect the increasing cost of Service Restoration and to enable the Company to effectively restore service to customers, the Company is projecting \$107 million in Service Restoration costs in the test year. The Company is also proposing Symmetrical Performance Incentive Mechanism ("SPIM") that would return unspent service restoration expense below rate levels back to customers and defer actual costs in excess of rate levels. The SPIM would allow customers to receive a refund for 90% of unspent amounts when service restoration O&M expenses fall below the projected service restoration expenses approved for recovery in rates (i.e., rate levels), with the Company retaining the first 10%. For actual costs in excess of rate levels, the SPIM would allow the Company to recover from customers 90% of actual costs in excess of rate levels, with the first 10% borne by the Company. Consumers Energy submits that its proposal is a fair and reasonable approach to mitigating an adverse trend in the spread between rate recovery and actual storm restoration expense that is not sustainable. The Company requests approval to recognize a regulatory asset and regulatory liability to record these deferred amounts.

11. Consumers Energy is also taking action to address the Commission's interest in targeted strategic underground pilot proposals. The Company's pilot will study the real-world improvements in reliability delivered by undergrounding, as well as how the improvements compare to other approaches to improving reliability when cost is considered. The Company is proposing to convert 10.3 miles of overhead lines to underground in the test year, which is a mileage amount that will enable the Company to gather valuable information on reliability benefits and costs, while using a limited scope to minimize electric rate impacts for customers. The Company also proposes an option that would increase the scope of this pilot while requesting deferred accounting for additional miles undergrounded beyond the 10.3 miles proposed in the pilot.

12. Consumers Energy requests recovery of the Company-owned solar generation costs resulting from the Company's IRP competitive solicitations, consistent with the Settlement Agreement approved by the Commission in the Company's IRP in Case Nos. U-20165 and U-21090.

13. Consumers Energy requests rate recovery in this case for costs associated with its Demand Response ("DR") programs, which provide the Company a flexible portfolio of resources upon which it can call during peak times of the system to reduce overall electricity demand and reduce power supply costs for all of the Company's generation customers. The Company is projecting DR O&M costs in the amount of \$41.3 million for the test year and capital costs in the amount of \$7.1 million for the test year.

14. The Company requests approval to recover the performance incentive of \$4,639,508 included in the 2021 DR reconciliation in Case No. U-21233 recently settled before the Commission. Along with recovery of the performance incentive, the Company is

recommending the refund of a regulatory liability of \$9,461,624 which is subtracted from the revenue requirement.

15. Consumers Energy requests approval of a distribution Investment Recovery Mechanism (“IRM”) that reinforces the Company’s commitment to distribution system reliability and resiliency. The proposed IRM incorporates capital investment recovery, through a surcharge, of distribution programs identified as having a positive impact on major event day occurrences, which act as a mitigant to increasingly severe weather that has resulted in more interruptions for customers. The IRM would go into effect at the beginning of the test year and continue through the end of February 2027, or until base rates are reset in a future rate case. As part of the IRM, the Company commits to transparent planning and a reconciliation process that prevents the shifting of investment dollars from these critical system investments and provides refunds to customers in the event of underspending. The revenue requirement of any underspending in the IRM capital programs would be refunded to customers.

16. Consumers Energy requests approval of proposals related to the Company’s Electric Vehicle (“EV”) programs. The Company proposes to continue its PowerMIDrive program, as approved in Case No. U-21224, and the creation of permanent programs for the remaining EV pilots, including the PowerMIDrive Public Charging pilot and the PowerMIFleet pilot. The PowerMIDrive Public Charging program will include a community charging rebate designed to improve equitable access to charging and reduce infrastructure costs in situations where retrofitting multi-dwelling housing is challenging. This program will also encourage off-peak charging and help supplement the Direct Current Fast Charger network being built out by the State of Michigan in support of longer EV roadtrips that are important to Michigan’s tourism



economy. The PowerMIFleet pilot will focus on off-peak charging for public transit, school bus, and small to medium size business fleets.

17. The Company has determined revenue requirements using a fully projected sales forecast for the projected test year.

18. Consumers Energy proposes that rates established in this case include an authorized rate of return on common equity of 10.25%, and reflect an overall rate of return on total rate base of 6.11%. The Company submits that the requested returns reasonably balance interests of customers and investors. The Company is requesting a 51.50% common equity ratio in this case.

### **III. RATE DESIGN, TARIFF, AND OTHER PROPOSALS**

19. Pursuant to the requirements of MCL 460.11(1), the Company proposes to establish rates equal to the cost of providing service to each customer class. In order to comply with that requirement, among other things, the Company is sponsoring a Cost-of-Service Study (“COSS”) that incorporates four Company proposals to (i) breakout and allocate battery plant and related costs; (ii) breakout and allocate PowerMI Drive and PowerMI Fleet regulatory asset and amortization expense; (iii) centralize the calculation of Rate EIP interruptible credits in Rate Design; and (iv) use an alternative Class Peak calculation (e.g. Alternative Class Peak) to allocate demand-related distribution plant and related costs. These same proposals were included in the Case No. U-21224 settlement COSS used to design current rates.

20. Consumers Energy proposes to allocate the required electric revenue increase among rate classes as set forth in Attachment A to this Application. A comparison of typical residential bills under present and proposed rates is shown on Attachment B to this Application.

21. In addition to requesting authority to increase the level of rates and charges, Consumers Energy is proposing various revisions to its electric rules, regulations, and tariffs.

Consumers Energy's testimony and exhibits provide additional details on the requested relief. Among other various revisions and clarifications, Consumers Energy is proposing to: (i) lower the eligibility of the GI provision in the Business Contractual DR program to take the minimum enrollment down to 250 kW from 500 kW, which will allow for greater eligibility into the year-round customer interruptible tariff option; (ii) revise its economic development tariff to provide a facilities allowance, allow customers to select the day-ahead LMP to reduce energy price volatility, and allow the Company to align billing the economic development service with the credits provided under an approved voluntary green pricing service to help reduce administrative burdens for customers electing both services; (iii) recover approximately \$8.66 million in deferred revenue requirement of certain distribution capital spending in 2022 above amounts established in Case No. U-20963 through the Electric Rate Case deferral surcharge; (iv) display the interruptible credit currently embedded in the Rate EIP energy charges as a separate line item on EIP customer bills, and reduce the level of the credit – currently set at 125% of Cost of New Entry – over five years to 75% commensurate with the credits offered to other customers for interruptible service.

22. The Company is proposing an all-encompassing DR surcharge to separate DR-related costs from the overall base rate revenue requirement. Recovering DR costs through a dedicated surcharge will streamline and simplify the reconciliation process, eliminating potentially long lags for the recognition of over-recoveries and under-recoveries in rates, and allow for timely and accurate recovery of the performance incentive. The Company proposes that the DR surcharge would be adjusted during the Company's annual DR Reconciliation proceedings to account for changing costs, over/under-recoveries, and recovery of the performance incentive.

23. Consumers Energy seeks Commission approval of certain accounting requests. In addition to the above-discussed SPIM, Consumers Energy requests approval of a Defined Benefit

Pension/Other Post-Employment Benefits (“OPEB”) Volatility Mechanism that would record expense above or below amounts included in rates as deferred debits or credits until balances are fully amortized over 10 years. The Company requests approval to recognize regulatory assets or liabilities as needed to record these deferred amounts. The Company also requests accounting approvals in connection with a proposed Uncollectible Deferral/Refund Mechanism. The Uncollectible Deferral/Refund Mechanism would result in deferred debits or credits until any under-recovery or over-recovery is fully collected or refunded. The Company requests approval to recognize regulatory assets or liabilities as needed to record these deferred amounts.

24. The Company is proposing to continue to use deferred accounting associated with actual capital spending in the event the Commission’s final order in this proceeding sets capital spending levels for recovery in rates at amounts below the amount requested in the following distribution programs: New Business, Demand Failures, and Asset Relocation, and to continue such deferral and the deferral approved in Case No. U-20963 until actual amounts are included in rates. The Company requests to extend the deferral of the revenue requirement of 2023 capital spending above rate levels until actual 2023 capital spending is included in rates. The extension would begin January 1, 2024 to pick up where the deferral for 2023 capital spending approved as part of the Case No. U-21224 settlement agreement leaves off. The Company requests that the agreed-upon \$4 million cap included in the settlement agreement not apply to this extension. The Company further requests to implement a new deferral associated with capital spending in the test year of this case, for the 12 months ending on February 28, 2025 revenue requirement of capital spending above rates levels and to continue the deferral until capital spending actuals for this period are included in rates.

25. The Company's testimony and exhibits in support of this Application also request recovery of associated working capital and amortization expense for the D. E. Karn Units 1 and 2 and J. H. Campbell Units 1, 2, and 3 retention, decommissioning, and ash disposal costs, and recovery of deferred costs for the PowerMIDrive and PowerMIFleet Permanent and Pilot Programs. In addition, as a result of the settlement in the Company's last IRP, the Company placed the remaining net book value of the Campbell Units 1, 2, and 3 in a regulatory asset and has included the associated amortization of the regulatory asset.

26. The Company respectfully requests the Commission to remove the requirement to file an updated Advanced Meter Infrastructure ("AMI") Business Case with each electric rate case filing. The AMI Business Case already fulfilled its purpose, and the information is duplicative to several other reports that the Company files. Additionally, there has not been any significant change in the Net Present Value as it continues to stay within the range calculated by Staff in Case No. U-20963.

27. Consumers Energy addresses through its witnesses' testimony and exhibits its compliance with its commitments that it made in the Settlement Agreement approved in Case No. U-21224.

#### **IV. TESTIMONY, EXHIBITS, AND RESERVATION OF RIGHT TO AMEND**

28. Consumers Energy is, concurrently with this Application, filing written testimony and exhibits in support of rate relief and other relief that the Company is seeking in this case. Reference to this material will provide additional details on the relief being sought. The relief described in the testimony and exhibits should be considered as if specifically requested in this Application. Consumers Energy expressly reserves the right to revise, amend, or otherwise change the relief it is requesting in any way appropriate depending upon the duration and progress of

hearings in this proceeding, the issuance of orders that have an impact upon this case, or the occurrence of other material events.

29. In addition to the issues described above, other pending or to-be-filed proceedings or other events may impact the rate adjustments requested at this time. These impacts will be evaluated for materiality and may need to be considered in the results of this proceeding.

## **V. REQUEST FOR RELIEF**

WHEREFORE, Consumers Energy Company requests that the Michigan Public Service Commission:

A. Authorize Consumers Energy to adjust its retail electric rates so as to provide additional revenue of \$216 million annually above levels established in Case No. U-21224 based on a projected 12-month test year ending February 28, 2025;

B. Authorize Consumers Energy to adjust its existing retail electric rates so as to produce a rate of return on common equity of not less than 10.25%;

C. Approve the proposed Demand Response, Distribution Deferral, and IRM surcharges;

D. Approve Consumers Energy's pilot proposals, including the undergrounding and DR pilots;

E. Approve modifications to the rates, rules, and regulations as are described in the testimony and exhibits that accompany this Application;

F. Approve the Company's accounting requests and use of regulatory assets or regulatory liabilities, as needed, related to (i) the continued deferral of certain distribution capital spending until actual amounts are included in rates, (ii) the deferred Service Restoration cost proposal, (iii) regulatory asset treatment for the recovery of J. H. Campbell Units 1, 2, and 3

retention costs, (iv) amortization of the D. E. Karn Units 1 and 2 decommissioning costs through 2031 and the Karn Units 1 and 2 and the Classic 7 ash disposal costs through 2029; (v) Defined Benefit Pension/OPEB; (vi) underground pilot proposals; and

G. Grant Consumers Energy such other and further relief as is just and reasonable.

Respectfully submitted,

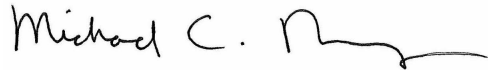
CONSUMERS ENERGY COMPANY



Dated: May 1, 2023

By:

Kelly M. Hall  
Deputy General Counsel and Vice President, Rates  
and Regulatory  
Consumers Energy Company



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STATE OF MICHIGAN  
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Case No. U-21389

**VERIFICATION**

Kelly M. Hall, states that she is Deputy General Counsel and Vice President, Rates and Regulatory, of Consumers Energy Company; that she has executed the foregoing Application for and on behalf of Consumers Energy Company; that she has read the foregoing Application and is familiar with the contents thereof; that the facts contained therein are true, to the best of her knowledge and belief; and that she is duly authorized to execute such Application on behalf of Consumers Energy Company.

Dated: May 1, 2023

By:



\_\_\_\_\_  
Kelly M. Hall  
Deputy General Counsel and Vice President,  
Rates and Regulatory  
Consumers Energy Company

**MICHIGAN PUBLIC SERVICE COMMISSION**
**ATTACHMENT A**
**Consumers Energy Company**
**Summary of Present and Proposed Pro Forma Revenues by Rate Schedule**

U-21389

	( a )	( b )	( c )	( d )	( e )
Line		Revenue		Net Increase / (Decrease)	
No.	Description	Present	Proposed	Revenue	Percent
		\$000	\$000	\$000	%
FULL SERVICE					
Residential Class					
1	Summer On-peak RSP	\$ 2,220,094	\$ 2,292,963	\$ 72,869	3.3
2	Smart Hours RSH	22,787	23,568	781	3.4
3	Night Time Savers RPM	18,638	19,458	819	4.4
4	Non-Transmitting Meters RSM	26,030	26,936	906	3.5
5	Total Residential Class	\$ 2,287,550	\$ 2,362,925	\$ 75,375	3.3
Secondary Class					
6	Energy-only GS	\$ 633,550	\$ 687,940	\$ 54,390	8.6
7	Time-of-Use GSTU	4,193	4,601	408	9.7
8	Demand GSD	395,241	432,209	36,968	9.4
9	Total Secondary	\$ 1,032,984	\$ 1,124,750	\$ 91,766	8.9
Primary Class					
10	Energy-only GP	\$ 95,337	\$ 95,677	\$ 340	0.4
11	Demand GPD	428,713	435,150	6,437	1.5
12	Time-of-Use GPTU	488,788	501,703	12,916	2.6
13	Energy Intensive EIP	32,177	35,547	3,370	10.5
14	Total Primary	\$ 1,045,014	\$ 1,068,077	\$ 23,062	2.2
Lighting & Unmetered Class					
15	Metered Lighting GML	\$ 1,545	\$ 1,900	\$ 355	23.0
16	Universal Unmetered Lighting UUL	28,616	36,492	7,876	27.5
17	Unmetered GU	9,896	10,484	588	5.9
18	Total Lighting & Unmetered	\$ 40,056	\$ 48,876	\$ 8,819	22.0
Self-generation Class					
19	Small Self-generation GSG-1	\$ -	\$ -	\$ -	NA
20	Large Self-generation GSG-2	12,214	12,585	371	3.0
21	Total Self-generation	\$ 12,214	\$ 12,585	\$ 371	3.0
22	Total Full Service	\$ 4,417,818	\$ 4,617,212	\$ 199,394	4.5
ROA SERVICE					
Secondary Class					
23	Energy-only GS	\$ 1,041	\$ 1,383	\$ 342	32.9
24	Demand GSD	6,526	8,305	1,780	27.3
25	Total Secondary	\$ 7,567	\$ 9,688	\$ 2,122	28.0
Primary Class					
26	Energy-only GP	\$ 1,347	\$ 1,645	\$ 298	22.1
27	Demand GPD	23,011	27,674	4,663	20.3
28	Total Primary	\$ 24,358	\$ 29,319	\$ 4,961	20.4
29	Total ROA Service	\$ 31,925	\$ 39,008	\$ 7,083	22.2
30	Total Jurisdictional Service	\$ 4,449,743	\$ 4,656,220	\$ 206,477	4.6
31	Plus: Rounding	-	608	608	
32	Total Jurisdictional Revenues	\$ 4,449,743	\$ 4,656,828	\$ 207,085	4.7



MICHIGAN PUBLIC SERVICE COMMISSION

ATTACHMENT B

Consumers Energy Company

Comparison of Present and Proposed Monthly Bills

Residential Summer On-peak RSP

U-21389

	( a )	( b )	( c )	( d )	( e )	( f )	( g )	( h )	( i )	( j )	( k )
Line No.	Monthly Use  kWh	Summer (June - Sept.)				Proposed  Unit Cost  c/kWh	Winter (Oct. - May)				Proposed  Unit Cost  c/kWh
		Monthly Bills		Difference			Monthly Bills		Difference		
		Present  \$	Proposed  \$	Amount  \$	Percent  %		Present  \$	Proposed  \$	Amount  \$	Percent  %	
1	5	8.89	8.91	0.02	0.2%	178.1	8.80	8.84	0.04	0.5%	176.7
2	50	16.88	17.06	0.18	1.1%	34.1	15.97	16.37	0.40	2.5%	32.7
3	100	25.76	26.12	0.36	1.4%	26.1	23.93	24.73	0.80	3.3%	24.7
4	150	34.64	35.19	0.55	1.6%	23.5	31.90	33.10	1.20	3.8%	22.1
5	200	43.52	44.25	0.73	1.7%	22.1	39.87	41.47	1.60	4.0%	20.7
6	250	52.40	53.31	0.91	1.7%	21.3	47.84	49.83	2.00	4.2%	19.9
7	300	61.28	62.37	1.09	1.8%	20.8	55.80	58.20	2.39	4.3%	19.4
8	350	70.16	71.44	1.28	1.8%	20.4	63.77	66.56	2.79	4.4%	19.0
9	400	79.04	80.50	1.46	1.8%	20.1	71.74	74.93	3.19	4.5%	18.7
10	450	87.92	89.56	1.64	1.9%	19.9	79.71	83.30	3.59	4.5%	18.5
11	500	96.80	98.62	1.82	1.9%	19.7	87.67	91.66	3.99	4.6%	18.3
12	550	105.68	107.69	2.01	1.9%	19.6	95.64	100.03	4.39	4.6%	18.2
13	600	114.56	116.75	2.19	1.9%	19.5	103.61	108.40	4.79	4.6%	18.1
14	650	123.44	125.81	2.37	1.9%	19.4	111.58	116.76	5.19	4.6%	18.0
15	700	132.32	134.87	2.55	1.9%	19.3	119.54	125.13	5.59	4.7%	17.9
16	750	141.20	143.94	2.73	1.9%	19.2	127.51	133.50	5.99	4.7%	17.8
17	800	150.08	153.00	2.92	1.9%	19.1	135.48	141.86	6.38	4.7%	17.7
18	850	158.96	162.06	3.10	1.9%	19.1	143.44	150.23	6.78	4.7%	17.7
19	900	167.84	171.12	3.28	2.0%	19.0	151.41	158.60	7.18	4.7%	17.6
20	950	176.72	180.19	3.46	2.0%	19.0	159.38	166.96	7.58	4.8%	17.6
21	1,000	185.60	189.25	3.65	2.0%	18.9	167.35	175.33	7.98	4.8%	17.5
22	1,500	274.41	279.87	5.47	2.0%	18.7	247.02	258.99	11.97	4.8%	17.3
23	2,000	363.21	370.50	7.29	2.0%	18.5	326.69	342.66	15.96	4.9%	17.1
24	2,500	452.01	461.12	9.12	2.0%	18.4	406.37	426.32	19.95	4.9%	17.1
25	3,000	540.81	551.75	10.94	2.0%	18.4	486.04	509.98	23.94	4.9%	17.0
26	3,500	629.61	642.37	12.76	2.0%	18.4	565.71	593.65	27.93	4.9%	17.0
27	4,000	718.41	733.00	14.58	2.0%	18.3	645.39	677.31	31.92	4.9%	16.9
28	4,500	807.22	823.62	16.41	2.0%	18.3	725.06	760.98	35.91	5.0%	16.9
29	5,000	896.02	914.25	18.23	2.0%	18.3	804.74	844.64	39.90	5.0%	16.9

**Proposed Notice of Hearing  
MPSC Case No. U-21389**

**STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

**NOTICE OF HEARING  
FOR THE ELECTRIC CUSTOMERS OF  
CONSUMERS ENERGY COMPANY**

**CASE NO. U-21389**

- Consumers Energy Company is seeking authority to adjust its retail rates to produce additional annual electric revenue of approximately \$216 million above current base electric rate levels if the Michigan Public Service Commission approves its requests. In addition, Consumers Energy Company may implement several surcharges and other proposals if the Michigan Public Service Commission approves its requests.
- **A TYPICAL RESIDENTIAL CUSTOMER'S AVERAGE ELECTRIC BILL MAY INCREASE BY ABOUT \$4 PER MONTH IF THE MICHIGAN PUBLIC SERVICE COMMISSION APPROVES THE REQUESTS.**
- The information below describes how a person may participate in this case.
- You may call or write Consumers Energy Company, One Energy Plaza, Jackson, Michigan 49201, (800) 477-5050 for a free copy of its application. Any person may review the application at the offices of Consumers Energy Company.
- The first public hearing in this matter will be held:

**DATE/TIME:** \_\_\_\_\_, 2023, at 9:00 a.m.

This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

**BEFORE:** Administrative Law Judge \_\_\_\_\_

**LOCATION:** Michigan Public Service Commission  
7109 West Saginaw Highway  
Lansing, Michigan

**PARTICIPATION:** Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 284-8090 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider the May 1, 2023 application of Consumers Energy Company (Consumers Energy) to

increase its existing retail electric rates to provide additional revenues. The Company has requested an annual increase of approximately \$216 million. In addition, the Company is requesting the approval to implement several surcharges and other proposals, including, among other things, various revisions to the Company's electric rules, regulations, and tariffs. Details of the Company's proposals are contained in the application and filing materials.

Consumers Energy states that factors contributing to the requested increase include: (i) investments in electric utility generation and distribution assets to provide safe and reliable service; (ii) investments in assets to comply with safety and legal requirements; (iii) investments in enhanced technology to provide improved operational efficiencies and increased customer satisfaction; (iv) operation and maintenance expenses necessary to, among other things, reduce tree-related service interruptions, support long term investments, restore service to customers, and maintain the Company's grid infrastructure; and (v) increased financing costs associated with a higher return on equity necessary to attract capital for the Company's large capital investment program.

Consumers Energy states that it is proposing that the Commission establish rates in a manner equal to the cost of providing service to each customer class. The rates proposed by Consumers Energy will result in an annual residential class increase in jurisdictional full service base rate revenues of approximately 3.3%, an annual secondary class increase of approximately 8.9%, and an annual primary class increase of approximately 2.2%.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets Website at: [michigan.gov/mpscdockets](https://michigan.gov/mpscdockets). Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to [mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov). If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by e-mail at [mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov).

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by \_\_\_\_\_, 2023. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy Company Legal Department - MPSC Regulatory, One Energy Plaza, Jackson, Michigan 49201.

Any person wishing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his or her wish to make a statement of position. All information submitted to the Commission in this matter will become public information, available on the Michigan Public Service Commission's Web site, and subject to disclosure.

Requests for adjournment must be made pursuant to the Commission's Rules of Practice and Procedure R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

A copy of Consumers Energy's request may be reviewed on the Commission's website at [michigan.gov/mpscedockets](http://michigan.gov/mpscedockets), and at the office of Consumers Energy Company, One Energy Plaza, Jackson, MI. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.51 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1982 PA 304, as amended, MCL 460.6h et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 et seq.

**[CONSUMERS ENERGY COMPANY HAS REQUESTED THE INCREASES AND OTHER PROPOSALS DESCRIBED IN THIS NOTICE. THE MICHIGAN PUBLIC SERVICE COMMISSION MAY GRANT OR DENY THE REQUESTED INCREASES AND OTHER PROPOSALS, IN WHOLE OR IN PART, AND MAY GRANT LESSER OR GREATER INCREASES THAN THOSE REQUESTED AND MAY AUTHORIZE A LESSER OR GREATER RATE FOR ANY CLASS OF SERVICE THAN THAT REQUESTED.]**

May \_\_, 2023

**Proposed Protective Order**  
**MPSC Case No. U-21389**

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of )  
**CONSUMERS ENERGY COMPANY** )  
for authority to increase its rates for )  
the generation and distribution of )  
electricity and for other relief. )  
\_\_\_\_\_ )

Case No. U-21389

**PROTECTIVE ORDER**

This Protective Order governs the use and disposition of Protected Material that Consumers Energy Company (“Applicant”) or any other Party discloses to another Party during the course of this proceeding. The Applicant or other Party disclosing Protected Material is referred to as the “Disclosing Party”; the recipient is the “Receiving Party” (defined further below). The intent of this Protective Order is to protect non-public, confidential information and materials so designated by the Applicant or by any other party, which information and materials contain confidential, proprietary, or commercially sensitive information. This Protective Order defines “Protected Material” and describes the manner in which Protected Material is to be identified and treated. Accordingly, it is ordered:

**I. “Protected Material” And Other Definitions**

A. For the purposes of this Protective Order, “Protected Material” consists of trade secrets or confidential, proprietary, or commercially sensitive information provided in Disclosing Party’s discovery or audit responses, any witness’ related exhibit and testimony, and any arguments of counsel describing or relying upon the Protected Material. Subject to challenge under Paragraph IV.A, Protected Material shall consist of non-public confidential information and materials including, but not limited to, the following information disclosed during the course of this case if it is marked as required by this Protective Order:

**Case No. U-21389 Protective Order**

1. Trade secrets or confidential, proprietary, or commercially sensitive information provided in response to discovery, in response to an order issued by the presiding hearing officer or the Michigan Public Service Commission ("MPSC" or the "Commission"), in testimony or exhibits filed later in this case, or in arguments of counsel;
2. To the extent permitted, information obtained under license from a third-party licensor, to which the Disclosing Party or witnesses engaged by the Disclosing Party is a licensee, that is subject to any confidentiality or non-transferability clause. This information includes reports; analyses; models (including related inputs and outputs); trade secrets; and confidential, proprietary, or commercially sensitive information that the Disclosing Party or one of its witnesses receives as a licensee and is authorized by the third-party licensor to disclose consistent with the terms and conditions of this Protective Order; and
3. Information that could identify the bidders and bids, including the winning bid, in a competitive solicitation for a power purchase agreement or in a competitively bid engineering, procurement, or construction contract at any stage of the selection process (i.e., before the Disclosing Party has entered into a power purchase agreement or selected a contractor).

**B. The information subject to this Protective Order does not include:**

1. Information that is or has become available to the public through no fault of the Receiving Party or Reviewing Representative and no breach of this Protective Order, or information that is otherwise lawfully known by the Receiving Party without any obligation to hold it in confidence;
2. Information received from a third party free to disclose the information without restriction;
3. Information that is approved for release by written authorization of the Disclosing Party, but only to the extent of the authorization;
4. Information that is required by law or regulation to be disclosed, but only to the extent of the required disclosure; or
5. Information that is disclosed in response to a valid, non-appealable order of a court of competent jurisdiction or governmental body, but only to the extent the order requires.



C. “Party” refers to the Applicant, MPSC Staff (“Staff”), Michigan Attorney General, or any other person, company, organization, or association that is granted intervention in Case No. U-21389 under the Commission’s Rules of Practice and Procedure, Mich Admin Code, R 792.10401 et al.

D. “Receiving Party” means any Party to this proceeding who requests or receives access to Protected Material, subject to the requirement that each Reviewing Representative sign a Nondisclosure Certificate attached to this Protective Order as Attachment 1.

E. “Reviewing Representative” means a person who has signed a Nondisclosure Certificate and who is:

1. An attorney who has entered an appearance in this proceeding for a Receiving Party;
2. An attorney, paralegal, or other employee associated, for the purpose of this case, with an attorney described in Paragraph I.E.1;
3. An expert or employee of an expert retained by a Receiving Party to advise, prepare for, or testify in this proceeding; or
4. An employee or other representative of a Receiving Party with significant responsibility in this case.

A Reviewing Representative is responsible for assuring that persons under his or her supervision and control comply with this Protective Order.

F. “Nondisclosure Certificate” means the certificate attached to this Protective Order as Attachment 1, which is signed by a Reviewing Representative who has been granted access to Protected Material and agreed to be bound by the terms of this Protective Order.

## **II. Access To And Use Of Protected Material**

A. This Protective Order governs the use of all Protected Material that is marked as required by Paragraph III.A and made available for review by the Disclosing Party to any Receiving Party or Reviewing Representative. This Protective Order protects: (i) the Protected

Material; (ii) any copy or reproduction of the Protected Material made by any person; and (iii) any memorandum, handwritten notes, or any other form of information that copies, contains, or discloses Protected Material. All Protected Material in the possession of a Receiving Party shall be maintained in a secure place. Access to Protected Material shall be limited to persons authorized to have access subject to the provisions of this Protective Order.

B. Protected Material shall be used and disclosed by the Receiving Party solely in accordance with the terms and conditions of this Protective Order. A Receiving Party may authorize access to, and use of, Protected Material by a Reviewing Representative identified by the Receiving Party, subject to Paragraphs III and V below, only as necessary to analyze the Protected Material; make or respond to discovery; present evidence; prepare testimony, argument, briefs, or other filings; prepare for cross-examination; consider strategy; and evaluate settlement. These individuals shall not release or disclose the content of Protected Material to any other person or use the information for any other purpose.

C. The Disclosing Party retains the right to object to any designated Reviewing Representative if the Disclosing Party has reason to believe that there is an unacceptable risk of misuse of confidential information. If a Disclosing Party objects to a Reviewing Representative, the Disclosing Party and the Receiving Party will attempt to reach an agreement to accommodate that Receiving Party's request to review Protected Material. If no agreement is reached, then either the Disclosing Party or the Receiving Party may submit the dispute to the presiding hearing officer. If the Disclosing Party notifies a Receiving Party of an objection to a Reviewing Representative, then the Protected Material shall not be provided to that Reviewing Representative until the objection is resolved by agreement or by the presiding hearing officer.

D. Before reviewing any Protected Material, including copies, reproductions, and copies of notes of Protected Material, a Receiving Party and Reviewing Representative shall sign a copy of the Nondisclosure Certificate (Attachment 1 to this Protective Order) agreeing to be bound by the terms of this Protective Order. The Reviewing Representative shall also provide a copy of the executed Nondisclosure Certificate to the Disclosing Party.

E. Even if no longer engaged in this proceeding, every person who has signed a Nondisclosure Certificate continues to be bound by the provisions of this Protective Order. The obligations under this Protective Order are not extinguished or nullified by entry of a final order in this case and are enforceable by the MPSC or a court of competent jurisdiction. To the extent Protected Material is not returned to a Disclosing Party, it remains subject to this Protective Order.

F. Members of the Commission, Commission staff assigned to assist the Commission with its deliberations, and the presiding hearing officer shall have access to all Protected Material that is submitted to the Commission under seal without the need to sign the Nondisclosure Certificate.

G. A Party retains the right to seek further restrictions on the dissemination of Protected Material to persons who have or may subsequently seek to intervene in this MPSC proceeding.

H. Nothing in this Protective Order precludes a Party from asserting a timely evidentiary objection to the proposed admission of Protected Material into the evidentiary record for this case.

### III. Procedures

A. The Disclosing Party shall mark any information that it considers confidential as “CONFIDENTIAL: SUBJECT TO THE PROTECTIVE ORDER ISSUED IN CASE NO. U-21389.” If the Receiving Party or a Reviewing Representative makes copies of any Protected Material, they shall conspicuously mark the copies as Protected Material. Notes of Protected Material shall also be conspicuously marked as Protected Material by the person making the notes.

B. If a Receiving Party wants to quote, refer to, or otherwise use Protected Material in pleadings, pre-filed testimony, exhibits, cross-examination, briefs, oral argument, comments, or in some other form in this proceeding (including administrative or judicial appeals), the Receiving Party shall do so consistent with procedures that will maintain the confidentiality of the Protected Material. For purposes of this Protective Order, the following procedures apply:

1. Written submissions using Protected Material shall be filed in a sealed record to be maintained by the MPSC’s Docket Section, or by a court of competent jurisdiction, in envelopes clearly marked on the outside, “CONFIDENTIAL – SUBJECT TO THE PROTECTIVE ORDER ISSUED IN CASE NO. U-21389.” Simultaneously, identical documents and materials, with the Protected Material redacted, shall be filed and disclosed the same way that evidence or briefs are usually filed;
2. Oral testimony, examination of witnesses, or argument about Protected Material shall be conducted on a separate record to be maintained by the MPSC’s Docket Section or by a court of competent jurisdiction. These separate record proceedings shall be closed to all persons except those furnishing the Protected Material and persons otherwise subject to this Protective Order. The Receiving Party presenting the Protected Material during the course of the proceeding shall give the presiding officer or court sufficient notice to allow the presiding officer or court an opportunity to take measures to protect the confidentiality of the Protected Material; and
3. Copies of the documents filed with the MPSC or a court of competent jurisdiction, which contain Protected Material, including the portions of the exhibits, transcripts, or briefs that refer to Protected Material, must be sealed and maintained in the MPSC’s or court’s files with a copy of the Protective Order attached.

C. It is intended that the Protected Material subject to this Protective Order should be shielded from disclosure by a Receiving Party. If any person files a request under the Freedom of Information Act with the MPSC or the Michigan Attorney General seeking access to documents subject to this Protective Order, the MPSC's Executive Secretary, Staff, or the Attorney General shall promptly notify the Disclosing Party, and the Disclosing Party may take whatever legal actions it deems appropriate to protect the Protected Material from disclosure. In light of Section 5 of the Freedom of Information Act, MCL 15.235, the notice must be given at least five (5) business days before the MPSC, Staff, and/or the Michigan Attorney General grant the request in full or in part.

#### **IV. Termination Of Protected Status**

A. A Receiving Party reserves the right to challenge whether a document or information is Protected Material and whether this information can be withheld under this Protective Order. In response to a motion, the Commission or the presiding hearing officer in this case may revoke a document's protected status after notice and hearing. If the presiding hearing officer revokes a document's protected status, then the document loses its protected status after 14 days unless a Party files an application for leave to appeal the ruling to the Commission within that time period. Any Party opposing the application for leave to appeal shall file an answer with the Commission no more than 14 days after the filing and service of the appeal. If an application is filed, then the information will continue to be protected from disclosure until either the time for appeal of the Commission's final order resolving the issue has expired under MCL 462.26 or, if the order is appealed, until judicial review is completed and the time to take further appeals has expired.

B. If a document's protected status is challenged under Paragraph IV.A, the Receiving Party challenging the protected status of the document shall explicitly state its reason for challenging the confidential designation. The Disclosing Party bears the burden of proving that the document should continue to be protected from disclosure.

**V. Retention Of Documents**

Protected Material remains the property of the Disclosing Party and only remains available to the Receiving Party until the time expires for petitions for rehearing of a final MPSC order in Case No. U-21389 or until the MPSC has ruled on all petitions for rehearing in this case (if any). However, an attorney for a Receiving Party who has signed a Nondisclosure Certificate and who is representing the Receiving Party in an appeal from an MPSC final order in this case may retain copies of Protected Material until either the time for appeal of the Commission's final order resolving the issue has expired under MCL 462.26 or, if the order is appealed, until judicial review is completed and the time to take further appeals has expired. On or before the time specified by the preceding sentences, the Receiving Party shall return to the Disclosing Party all Protected Material in its possession or in the possession of its Reviewing Representatives-including all copies and notes of Protected Material-or certify in writing to the Disclosing Party that the Protected Material has been destroyed.

**VI. Limitations and Disclosures**

The provisions of this Protective Order do not apply to a particular document, or portion of a document, described in Paragraph II.A if a Receiving Party can demonstrate that it has been previously disclosed by the Disclosing Party on a non-confidential basis or meets the criteria set forth in Paragraphs I.B.1 through I.B.5. A Receiving Party intending to disclose information taken directly from materials identified as Protected Material must-before actually disclosing the information-do one of the following: (i) contact the Disclosing Party's counsel of record and

obtain written permission to disclose the information, or (ii) challenge the confidential nature of the Protected Material and obtain a ruling under Paragraph IV that the information is not confidential and may be disclosed in or on the public record.

**VII. Remedies**

If a Receiving Party violates this Protective Order by improperly disclosing or using Protected Material, the Receiving Party shall take all necessary steps to remedy the improper disclosure or use. This includes immediately notifying the MPSC, the presiding hearing officer, and the Disclosing Party, in writing, of the identity of the person known or reasonably suspected to have obtained the Protected Material. A Party or person that violates this Protective Order remains subject to this paragraph regardless of whether the Disclosing Party could have discovered the violation earlier than it was discovered. This paragraph applies to both inadvertent and intentional violations. Nothing in this Protective Order limits the Disclosing Party's rights and remedies, at law or in equity, against a Party or person using Protected Material in a manner not authorized by this Protective Order, including the right to obtain injunctive relief in a court of competent jurisdiction to prevent violations of this Protective Order.

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Administrative Law Judge

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of )  
**CONSUMERS ENERGY COMPANY** )  
for authority to increase its rates for )  
the generation and distribution of )  
electricity and for other relief. )  
\_\_\_\_\_ )

Case No. U-21389

**NONDISCLOSURE CERTIFICATE**

By signing this Nondisclosure Certificate, I acknowledge that access to Protected Material is provided to me under the terms and restrictions of the Protective Order issued in Case No. U-21389, that I have been given a copy of and have read the Protective Order, and that I agree to be bound by the terms of the Protective Order. I understand that the substance of the Protected Material (as defined in the Protective Order), any notes from Protected Material, or any other form of information that copies or discloses Protected Material, shall be maintained as confidential and shall not be disclosed to anyone other than in accordance with the Protective Order.

Reviewing Representative

Date: \_\_\_\_\_

\_\_\_\_\_  
Title:  
Representing:

\_\_\_\_\_  
Printed Name



STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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\_\_\_\_\_ )

Case No. U-21389

**PROOF OF SERVICE**

STATE OF MICHIGAN )  
 ) SS  
COUNTY OF JACKSON )

Crystal L. Chacon, being first duly sworn, deposes and says that she is employed in the Legal Department of Consumers Energy Company; that on May 1, 2023, she served an electronic copy of the redacted version of **Consumers Energy Company's Application, a Proposed Notice of Hearing, a Proposed Protective Order, and the public Testimony and Exhibits of Consumers Energy Company's Witnesses** upon the persons listed in Attachment 1 hereto, at the e-mail addresses listed therein.

She further states that she provided the public versions of (i) Consumers Energy Company's Application, a Proposed Notice of Hearing, a Proposed Protective Order, and the Testimony and Exhibits of Consumers Energy Company's Witnesses in PDF format; (ii) exhibits in Excel format that were filed in PDF format; (iii) tariff changes in Word format that were filed in PDF format; (iv) Workpapers in PDF format of Consumers Energy's witnesses; and (v) Consumers Energy Company's Part II and Part III Standard Filing requirements via secure filing sharing link at the email addresses listed in Attachment 1.

Confidential materials of **Company witnesses Thomas P. Clark, Alex M. Gast, Kendra K. Grob, Matthew S. Henry, and Heather N. Weller** are being filed under seal with the Michigan Public Service Commission.



\_\_\_\_\_  
Crystal L. Chacon

Subscribed and sworn to before me this 1<sup>st</sup> day of May 2023.



\_\_\_\_\_  
Jennifer Joy Yocum, Notary Public  
State of Michigan, County of Jackson  
My Commission Expires: 12/17/24  
Acting in the County of Jackson

**ATTACHMENT 1 TO CASE NO. U-21389**  
**Parties to Case Nos. U-20963 and U-21224**

<b>Party</b>	<b>Mailing Address</b>	<b>Email Address</b>
<b>Counsel for Consumers Energy Company</b>		
Bret A. Totoraitis, Esq. Anne M. Uitvlugt, Esq. Spencer A. Sattler, Esq. Gary A. Gensch, Jr., Esq. Michael C. Rampe, Esq. Robert W. Beach, Esq. Theresa A.G. Staley, Esq.	One Energy Plaza Jackson, MI 49201	bret.totoraitis@cmsenergy.com anne.uitvlugt@cmsenergy.com spencer.sattler@cmsenergy.com gary.genschjr@cmsenergy.com michael.rampe@cmsenergy.com robert.beach@cmsenergy.com theresa.staley@cmsenergy.com mpsc.filings@cmsenergy.com
<b>Counsel for the Michigan Public Service Commission Staff</b>		
Daniel Sonneveldt, Esq. Michael Orris, Esq. Amit T. Singh, Esq. Nicholas Q. Taylor, Esq.	Assistant Attorneys General Public Service Division 7109 West Saginaw Highway Post Office Box 30221 Lansing, MI 48909	sonneveldtd@michigan.gov orrism@michigan.gov singha9@michigan.gov taylorn10@michigan.gov
<b>Counsel for Attorney General Dana Nessel</b>		
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<b>Michigan Public Service Commission Staff</b>		
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<b>Counsel for The Kroger Company</b>		
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**ATTACHMENT 1 TO CASE NO. U-21389**  
**Parties to Case Nos. U-20963 and U-21224**

<b>Counsel for the Michigan Environmental Council, the Natural Resources Defense Council, the Sierra Club, and Citizens Utility Board of Michigan</b>		
Christopher M. Bzdok, Esq. Tracy Jane Andrews, Esq. Kimberly Flynn, Legal Assistant Karla Gerds, Legal Assistant Breanna Thomas, Legal Assistant Jill Smigielski, Legal Assistant	Olson, Bzdok & Howard, P.C. 420 East Front Street Traverse City, MI 49686	chris@envlaw.com tjandrews@envlaw.com kimberly@envlaw.com karla@envlaw.com breanna@envlaw.com jill@envlaw.com cub.legal@cubofmichigan.org
<b>Counsel for Sierra Club</b>		
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<b>Counsel for the Association of Businesses Advocating Tariff Equity</b>		
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<b>Counsel for the Michigan Cable Telecommunications Association</b>		
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<b>Counsel for Residential Customer Group ("RCG") and Great Lakes Renewable Energy Association</b>		
Don L. Keskey, Esq. Brian W. Coyer, Esq.	Public Law Resource Center PLLC 333 Albert Avenue, Suite 425 East Lansing, MI 48823	donkeskey@publiclawresourcecenter.com bwcoyer@publiclawresourcecenter.com
<b>Counsel for Wal-Mart, Inc.</b>		
Melissa M. Horne, Esq.	Higgins, Cavanagh & Cooney, LLP 10 Dorrance Street, Suite 400 Providence, RI 02903	mhorne@hcc-law.com

**ATTACHMENT 1 TO CASE NO. U-21389**  
**Parties to Case Nos. U-20963 and U-21224**

<b>Counsel for Environmental Law &amp; Policy Center, Vote Solar, and The Ecology Center</b>		
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Daniel Abrams, Esq. Heather Vogel, Paralegal Alondra Estrada, Legal Assistant	Environmental Law & Policy Center 35 East Wacker Drive, Suite 1600 Chicago, IL 60601	dabrams@elpc.org hvogel@elpc.org aestrada@mlpc.org mpscdockets@elpc.org
<b>Counsel for Michigan Electric Transmission Company LLC</b>		
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<b>Counsel for the Michigan State Utility Workers Council, Utility Workers Union of America, AFL-CIO</b>		
Benjamin L. King, Esq. John R. Canzano, Esq.	McKnight, Canzano, Smith, Radtke & Brault, P.C. 423 North Main Street, Suite 200 Royal Oak, MI 48067	bking@michworkerlaw.com jcanzano@michworkerlaw.com
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Rick Bunch	Executive Director and Chairman Michigan Municipal Association for Utility Businesses 4989 Earhart Road Ann Arbor, MI 48105-9710	rick@mi-maui.org
<b>Counsel for EVgo Services, LLC</b>		
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Nikhil Vijaykar, Esq.	Keyes & Fox LLP 580 California Street 12 <sup>th</sup> Floor San Francisco, CA 94104	nvijaykar@keyesfox.com

**ATTACHMENT 1 TO CASE NO. U-21389**  
**Parties to Case Nos. U-20963 and U-21224**

<b>Counsel for Urban Core Collective</b>		
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<b>Counsel for Smart Thermostat Coalition</b>		
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