

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of )  
**CMS MARKETING, SERVICES AND TRADING** )  
**COMPANY**, a Michigan corporation, for a certificate ) Case No. U-11485  
of public convenience and necessity to render electric )  
service to certain customers. )  
\_\_\_\_\_ )

In the matter of the application of )  
**CMS MARKETING, SERVICES AND TRADING** )  
**COMPANY**, a Michigan corporation, for ex parte ) Case No. U-11486  
approval of an electric power sales agreement with )  
Great Lakes Tissue Company. )  
\_\_\_\_\_ )

In the matter of the application of )  
**CMS MARKETING, SERVICES AND TRADING** )  
**COMPANY**, a Michigan corporation, for ex parte ) Case No. U-11487  
approval of an electric power sales agreement with )  
Cannon Muskegon Corporation. )  
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In the matter of the application of )  
**CMS MARKETING, SERVICES AND TRADING** )  
**COMPANY**, a Michigan corporation, for ex parte ) Case No. U-11488  
approval of an electric power sales agreement with )  
Essroc Materials, Inc. )  
\_\_\_\_\_ )

In the matter of the application of )  
**CMS MARKETING, SERVICES AND TRADING** )  
**COMPANY**, a Michigan corporation, for ex parte )  
approval of an electric power sales agreement with )  
City of Wyoming. )  
\_\_\_\_\_ )

Case No. U-11489

At the February 2, 1999 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. John G. Strand, Chairman  
Hon. David A. Svanda, Commissioner

**ORDER**

On August 6, 1997, CMS Marketing, Services and Trading Company filed an application in Case No. U-11485 for a certificate of public convenience and necessity to provide service to four customers. On that same date, it filed applications in the other four dockets for approval of the four power sales agreements. On January 22, 1999, it filed requests to withdraw each of the applications.

The Commission FINDS that:

- a. Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; MSA 22.151 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 AACS, R 460.17101 et seq.
- b. The applications should be dismissed without prejudice.

THEREFORE, IT IS ORDERED that the applications are dismissed without prejudice.

The Commission reserves jurisdiction and may issue further orders as necessary.

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ John G. Strand

Chairman

( S E A L )

/s/ David A. Svanda

Commissioner

By its action of February 2, 1999.

/s/ Dorothy Wideman

Its Executive Secretary

THEREFORE, IT IS ORDERED that the applications are dismissed without prejudice.

The Commission reserves jurisdiction and may issue further orders as necessary.

MICHIGAN PUBLIC SERVICE COMMISSION

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Chairman

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Commissioner

By its action of February 2, 1999.

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Its Executive Secretary

In the matter of the application of )  
**CMS MARKETING, SERVICES AND TRADING** )  
**COMPANY**, a Michigan corporation, for a certificate )  
of public convenience and necessity to render electric )  
service to certain customers. )  
\_\_\_\_\_ )

Case No. U-11485 et al.

Suggested Minute:

“Adopt and issue order dated February 2, 1999 dismissing without prejudice the applications filed by CMS Marketing, Services and Trading Company, as set forth in the order.”