

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)
MICHIGAN GAS EXCHANGE LLC for a)
certificate of convenience and necessity to)
conduct a local electric power business in the) Case No. U-12206
City of Port Huron, Michigan and the City of)
Battle Creek, Michigan.)
_____)

In the matter of the application of)
ENGAGE ENERGY US, L.P., for a certificate)
of public convenience and necessity in the electric) Case No. U-12231
service territory of Consumers Energy Company)
and The Detroit Edison Company relative to the)
City of Ann Arbor, Michigan.)
_____)

In the matter of the application of)
DORMAN ENERGY, INC., a Michigan corporation,)
for a certificate of public convenience and necessity) Case No. U-12367
to render electric service in the City of New Haven.)
_____)

In the matter of the application of)
NORDIC ELECTRIC, L.L.C., for a certificate)
of public convenience and necessity to serve) Case No. U-12387
retail wheeling customers in the Consumers)
Energy Company electric service territory.)
_____)

In the matter of the application of)
NORDIC ELECTRIC, L.L.C., for a certificate)
of public convenience and necessity to serve) Case No. U-12388
retail wheeling customers in The Detroit Edison)
Company electric service territory.)
_____)

In the matter of the application of)
DTE ENERGY MARKETING, INC., for a)
certificate of public convenience and necessity in) Case No. U-12399
the electric service territory of Consumers Energy)
Company and The Detroit Edison Company relative)
to the City of Ann Arbor, Michigan.)
_____)

In the matter of the application of)
DTE ENERGY MARKETING, INC., for a)
certificate of public convenience and necessity in)
the electric service territory of Consumers Energy)
Company and The Detroit Edison Company relative) Case No. U-12410
to the cities of Brighton, Jackson, Kentwood,)
Muskegon, Tecumseh, and Wayne and the town-)
ships of Pittsfield and Scio.)
_____)

In the matter of the application of)
NORDIC ELECTRIC, L.L.C., for a certificate)
of public convenience and necessity to serve) Case No. U-12417
retail wheeling customers in the Consumers)
Energy Company electric service territory.)
_____)

In the matter of the application of)
NORDIC ELECTRIC, L.L.C., for a certificate)
of public convenience and necessity to serve) Case No. U-12418
retail wheeling customers in The Detroit)
Edison Company electric service territory.)
_____)

In the matter of the application of **CMS**)
MS&T MICHIGAN L.L.C. and **CMS MARKETING,**)
SERVICES AND TRADING COMPANY for ex parte) Case No. U-12419
approval of special contracts and expeditious issuance)
of certificates of public convenience and necessity.)
_____)

At the July 17, 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

OPINION AND ORDER

In each of these cases, the applicant has applied for a certificate under 1929 PA 69,
MCL 460.501 et seq.; MSA 22.141 et seq., (Act 69) to provide electric service in specified

municipalities. On June 5, 2000, Public Act 141 of 2000 took effect. Subsection 10a(2) provides in part:

The commission shall issue orders establishing a licensing procedure for all alternative electric suppliers. . . . An alternative electric supplier is not required to obtain any certificate, license, or authorization from the commission other than as required by this act.

MCL 460.10a(2); MSA 22.13(10a)(2). The Commission therefore required each of these applicants to file a request to withdraw its application for a certificate or to show cause why its application should not be dismissed in light of the new licensing procedure. Subsequently, each applicant filed a request to withdraw its application.

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 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 AACCS, R 460.17101 et seq.

b. These applications should be dismissed without prejudice.

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

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/ John G. Strand

Chairman

(S E A L)

/s/ David A. Svanda

Commissioner

/s/ Robert B. Nelson

Commissioner

By its action of July 17, 2000.

/s/ Dorothy Wideman

Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)
MICHIGAN GAS EXCHANGE LLC for a)
certificate of convenience and necessity to)
conduct a local electric power business in the)
City of Port Huron, Michigan and the City of)
Battle Creek, Michigan.)
_____)

Case No. U-12206 et al.

Suggested Minute:

“Adopt and issue order dated July 17, 2000 dismissing the applications for certificates of public convenience and necessity to provide electric service, as set forth in the order.”