

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of )  
**CONSUMERS ENERGY COMPANY** for a )  
reconciliation of power supply cost recovery )  
costs and revenues for calendar year 1997 and )  
for a permanent base rate adjustment resulting )  
from the reconciliation. )  
\_\_\_\_\_ )

Case No. U-11180-R

At the July 11, 2001 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. Laura Chappelle, Chairman  
Hon. David A. Svanda, Commissioner  
Hon. Robert B. Nelson, Commissioner

**OPINION AND ORDER**

On August 31, 1999, the Commission issued an order reconciling the power supply cost recovery costs and revenues for Consumers Energy Company (Consumers) for 1997. Among other things, the Commission approved a base rate adjustment to take effect in the first billing cycle in the month after the open access load on the company’s system reached at least 150 megawatts. On December 16, 1999, the Commission issued an order denying petitions for rehearing of the order, including one filed by Consumers. On January 18, 2000, Consumers filed a motion for clarification, which the Commission denied on March 14, 2000 as “nothing more than a second request for rehearing of the August 31 order.” March 14, 2000 order, Case No. U-11180-R, p. 3. On

April 13, 2000, Consumers filed a request for reconsideration of the March 14 order. The Michigan Power Limited Partnership filed a response on May 1, 2000.

The Commission denies Consumers' request for clarification. The provisions of 2000 PA 141, MCL 460.10 et seq; MSA 22.13(10) et seq., including the rate freeze, render moot the issues related to the base rate adjustment established by the August 31, 1999 order.

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.; 1982 PA 304, as amended, MCL 460.6h et seq.; MSA 22.13(6h) 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 request for reconsideration should be denied.

THEREFORE, IT IS ORDERED that the request of Consumers Energy Company for reconsideration is denied.

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/ Laura Chappelle  
Chairman, abstaining.

( S E A L )

/s/ David A. Svanda  
Commissioner

/s/ Robert B. Nelson  
Commissioner

By its action of July 11, 2001.

/s/ Dorothy Wideman  
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

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Suggested Minute:

“Adopt and issue order dated July 11, 2001 denying the request for reconsideration filed by Consumers Energy Company, as set forth in the order.”