

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of)	
WISCONSIN ELECTRIC POWER COMPANY)	
for approval to modify the allowance for the cost)	Case No. U-13126
of power supply in its base rates and for deferred)	
accounting of a portion of its transmission costs.)	
_____)	

At the February 25, 2002 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 September 28, 2001, Wisconsin Electric Power Company (Wisconsin Electric) filed an application regarding the cost of power supply in its base rates. On January 16, 2002, it filed a request to withdraw the application because the issues can be addressed in Case No. U-12725.

The Commission FINDS that:

- a. 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.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1992 AACS, R 460.17101 et seq.
- b. The application should be dismissed without prejudice.

THEREFORE, IT IS ORDERED that the application filed by Wisconsin Electric Power Company is 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.

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ Laura Chappelle
Chairman

(S E A L)

/s/ David A. Svanda
Commissioner

/s/ Robert B. Nelson
Commissioner

By its action of February 25, 2002.

/s/ Dorothy Wideman
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

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By its action of February 25, 2002.

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Case No. U-13126

Suggested Minute:

“Adopt and issue order dated February 25, 2002 dismissing without prejudice the application filed by Wisconsin Electric Power Company, as set forth in the order.”