



comments on this proposed revision. The Commission encourages interested parties to become involved in the proceedings.

Alternatively, any person may submit written comments regarding these proposed revisions via post or e-mail that reaches the Commission not later than 5:00 p.m. on February 20, 2007. Address mailed comments to Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, MI 48909 or e-mail comments to [mpscfilecases@michigan.gov](mailto:mpscfilecases@michigan.gov). All written comments should refer to Case No. U-15152.

The Commission FINDS that:

a. Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 *et seq.*; 1909 PA 300 as amended, MCL 462.2 *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, 1999 AC, R 460.17101 *et seq.*

b. A public hearing should be held on the proposed revisions to the utility filing rules.

THEREFORE, IT IS ORDERED that:

A. A public hearing regarding the proposed revisions to the utility filing rules shall be held at 9:00 a.m. on January 30, 2007, in the offices of the Commission, 6545 Mercantile Way, Lansing. A notice of hearing is attached as Exhibit A to this order. A copy of the proposed rulemaking is attached to this order as Exhibit B.

B. The public hearing will be legislative in nature and any person may present data, views, questions, and arguments regarding the issue. The presiding officer may limit comments to ensure that all interested parties have an opportunity to participate in the proceedings. If necessary, the

presiding officer will schedule a continuation until all persons have had a reasonable opportunity to be heard.

C. Any person may file written comments, suggestions, data, views, questions, argument, and modifications concerning the issue. To be considered, all comments submitted must be received at the Commission not later than 5:00 p.m. on February 20, 2007, and all comments should refer to Case No. U-15152.

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

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ J. Peter Lark

Chairman

( S E A L )

/s/ Laura Chappelle

Commissioner

/s/ Monica Martinez

Commissioner

By its action of December 21, 2006.

/s/ Mary Jo Kunkle

Its Executive Secretary

presiding officer will schedule a continuation until all persons have had a reasonable opportunity to be heard.

C. Any person may file written comments, suggestions, data, views, questions, argument, and modifications concerning the issue. To be considered, all comments submitted must be received at the Commission not later than 5:00 p.m. on February 20, 2007, and all comments should refer to Case No. U-15152.

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

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Commissioner

By its action of December 21, 2006.

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Its Executive Secretary

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

NOTICE OF HEARING  
REGARDING THE PROMULGATION OF ADMINISTRATIVE RULES FOR  
FILING PROCEDURES FOR  
ELECTRIC, WASTEWATER, STEAM AND GAS UTILITIES  
CASE NO. U-15152

- The Michigan Public Service Commission is considering the promulgation of rules for filing procedures for electric, wastewater, steam, and gas utilities. The Commission is revising R 460.2011, R 460.2012, R 460.2021 to R 460.2024, and R 460.2031. The Commission will hold a public hearing to solicit comments from anyone who wishes to comment on the proposed rules.
- The information below describes how a person may participate in this case.
- You may call or write the Michigan Public Service Commission, 6545 Mercantile Way, P.O. Box 30221, Lansing, Michigan 48909, 800.292.9555 for a free copy of the proposed rules. Any person may review the rules at the Commission offices, or on the Commission's E-Docket Website at <http://michigan.gov/mpscedockets>.
- The public hearing will be held:

**DATE:** January 30, 2007

**TIME:** 9:00 a.m.

**LOCATION:** Michigan Public Service Commission  
6545 Mercantile Way, Suite 7  
Lansing, Michigan

**PARTICIPATION:** Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. People needing any accommodation to participate should contact the Commission's Executive Secretary at 517.241.6160 at least a week in advance to request mobility, visual, hearing or other assistance.

These rules revise the procedures that regulated utilities use to file documents with the Commission.

The hearing will be for the purpose of providing an opportunity for all interested persons to present statements, views, data, questions, or arguments concerning the proposed rules. The public hearing will continue until all parties present have had a reasonable opportunity to present statements regarding the proposed rules. Persons presenting statements may be asked questions by the Commission and its Staff, as well as by the presiding officer. Statements may be limited in

duration by the presiding officer in order to ensure that all interested parties have an opportunity to participate in the proceedings.

Written and electronic comments may be filed with the Commission and must be received no later than 5:00 p.m. on February 20, 2007. Written comments should be sent to the: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909. Electronic comments may be emailed to [mpscefilecases@michigan.gov](mailto:mpscefilecases@michigan.gov). All comments should reference Case No. U-15152.

Jurisdiction is pursuant to section 7 of 1909 PA 106; section 2 of 1909 PA 300; sections 5 and 7 of 1919 PA 419; section 6 of 1939 PA 3; sections 3, 9, and 231 of 1965 PA 380, MCL 460.557, MCL 462.2, MCL 460.55, MCL 460.57, MCL 460.6, MCL 16.103, MCL 16.109, and MCL 16.331, and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 et seq.

December 21, 2006  
Lansing, Michigan

DEPARTMENT OF **LABOR AND ECONOMIC GROWTH** ~~CONSUMER AND~~  
~~INDUSTRY SERVICES~~

PUBLIC SERVICE COMMISSION

FILING PROCEDURES FOR ELECTRIC, **WASTEWATER**, STEAM, AND GAS UTILITIES

**Filed with the Secretary of State on**

**These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.**

(By authority conferred on the public service commission by section 7 of Act No. 106 of the Public Acts of 1909, ~~as amended~~, section 2 of Act No. 300 of the Public Acts of 1909, ~~as amended~~, sections 5 and 7 of Act No. 419 of the Public Acts of 1919, ~~as amended~~, section 6 of Act No. 3 of the Public Acts of 1939, ~~as amended~~, sections 3, 9, and 231 of Act No. 380 of the Public Acts of 1965, ~~as amended~~, and section 17 of Act No. 19 of the Public Acts of 1967, ~~as amended~~, MCL 460.557, MCL 462.2, MCL 460.55, MCL 460.57, MCL 460.6, MCL 16.103, MCL 16.109, and MCL 16.331, ~~and 486.567 of the Michigan Compiled Laws~~)

**R 460.2011, R 460.2012, R 460.2021, R 460.2022, R 460.2023, R 460.2024, and R 460.2031 are amended as follows:**

PART 1. GENERAL PROVISIONS

R 460.2011 Scope.

Rule 11. ~~These rules prescribe the procedure to be followed by a~~**All** electric, **wastewater**, steam, and gas utilities under the **commission's** jurisdiction ~~of the commission in~~ **shall use these rules when filing the following materials documents with the commission:**

- (a) Rate schedules.
- (b) Rules and regulations.
- (c) Standard **customer** forms **index**.
- (d) **Special** ~~C~~contracts.

September 21, 2006

R 460.2012 Definitions.

Rule 12. As used in these rules:

(a) "Commission" means the **Michigan** public service commission.

**(b) "Effective date" means the date when the tariff sheet must be followed.**

**(c) "Issue date" means the date the utility files a tariff sheet with the commission.**

~~(b)(d)~~ **(d) "Rate book" means the complete set of utility filings submitted in accordance with these rules.** ~~assembled rate schedules, rules, regulations, and standard forms of the utility as filed with the commission.~~

~~(e)~~ **(e) "Rate schedule" or "rider" means the rate or charge for a particular classification of service, including all special terms and conditions under which that service is furnished at the prescribed such rate or charge.**

~~(d)~~ **(f) "Rate sheets" or "tariff sheet" means any of the documents filed in accordance with R 460.2022.** ~~1 or more rate schedules, rules, regulations, or standard forms.~~

~~(e)~~ **(g) "Rules and regulations" or "regulations" or "rules and regulations" means the rules, regulations, practices, classifications, exceptions, and conditions the utility must observed when providing by the utility in supplying service.**

**(h) "Special contract" means an electric or gas rate schedule for utility service provided to a customer under a negotiated agreement providing rates or rules and regulations other than those listed in the utility's rate book.**

~~(f)~~ **(i) "Standard customer forms index" means a listing showing the number, title, and revision date for all standard contract or agreement forms, in any format (preprinted or electronically preformatted) that the utility uses to document contracts or other agreements that create or alter a customer's rights or responsibilities in dealings with the utility.** ~~specifically referred to within the rate book for execution between the utility and customers.~~

## PART 2. RATE BOOK

R 460.2021 General filing instructions.

Rule 21. **(1) When the commission directs a utility to file rate schedules, rules and regulations, or special contracts, the utility shall submit an electronic copy of the document**

**in the form prescribed in the commission order. Five copies of all rate schedules, rules, regulations, or standard forms, in the form prescribed, shall be submitted to the commission in compliance with an order of the commission. After acceptance, 1 stamped copy shall be returned to the utility. This copy shall be notice to the utility that the filing has been accepted. All rate sheets submitted to the commission for filing shall be accompanied by a letter of transmittal which lists the sheets being transmitted.**

**(2) When submitting filings, the utility shall also submit a transmittal letter listing the tariff sheets being filed, the reason or reasons for the filing, and the commission order or orders to which the filing responds.**

**(3) After accepting a filing, the commission shall return an electronically stamped copy of the utility's filing and a filing acceptance letter to the utility. The acceptance letter, the utility's transmittal letter, and the stamped copy of the filing returned to the utility signify that the commission accepted the filing.**

R 460.2022 Size and form.

Rule 22. (1) ~~All rate schedules, rules, and regulations shall be filed with the commission in loose-leaf form~~ **Utilities shall submit all filings electronically, formatted for printing on 8-1/2 by 11-inch sheets with a 1-inch left-hand margin.** ~~printed or typed on 1 side of the sheet only. A good grade of durable quality paper shall be used. A sufficient margin shall be allowed on each sheet for a left hand binding edge so that all printed matter is in view when the rate book is open.~~

**(2) The format of each filing shall include A a blank 2-inch square area shall be left blank at the bottom center of each printed sheet for placement of to provide space for the commission's stamp of acceptance or approval and a 1-inch square blank space at the bottom right or left corner of each printed sheet to provide space for the commission's cancellation stamp. (See figure 1).**

**(3) Sections. All of the following sections shall appear in each rate book in the order shown**~~Rate books shall consist of the following sections in the order named:~~

- ~~—(a) Front cover page.~~
- ~~(a)(b)~~ Title page.
- ~~(b)(c)~~ Index.
- ~~(c)(d)~~ Table of contents checklist.
- ~~(d)(e)~~ Description of territory served.
- ~~(e)(f)~~ Index of communities served. **(See R 460.2024(5).)**
- ~~(f)(g)~~ Technical terms and abbreviations.
- ~~(g)(h)~~ Miscellaneous.
- ~~(h)(i)~~ Rules and regulations.
- ~~(i)(j)~~ Rate schedules and riders.
- ~~(j)(k)~~ Standard **customer** forms **index**.
- ~~—(l) Back cover page.~~
- ~~—(4) Figure 1 reads as follows:~~

~~—\*\*\* INSERT MISSING TABLE OR CHART — SEE ORIGINAL MANUSCRIPT \*\*\*—~~

R 460.2023 Numbering and general data to appear on each sheet.

Rule 23. (1) **Tariff Sheet numbers.** Every sheet in ~~each~~ the rate book shall be numbered **using a decimal numbering system or equivalent**, ~~except for the front and back covers.~~ A decimal system of numbering or equivalent shall be adopted, as described in subrules (3) and (4) of this rule, ~~so that a new or additional sheet may be inserted in its logical place in the proper section of the rate book.~~

(2) **Commission number and utility name.** ~~Each utility shall assign a unique~~ All rate books shall be given a commission number (M.P.S.C. number) **to each rate book**, which shall appear in the upper left-hand corner of every sheet, ~~except for the front and back covers.~~ **A suffix that denotes the** ~~The first rate book issued by a utility shall be designated as M.P.S.C. No. 1, and any subsequent issue of a complete new rate book shall be given the next successive number, except as may otherwise be provided or directed. If the name of the utility is changed, the new rate book shall be M.P.S.C. No. 1. The M.P.S.C. number~~

shall be followed by the type of utility service provided shall be used with the M.P.S.C. number. For example; ~~such as~~ “ M.P.S.C. No. 1--Gas.”<sup>22</sup> All of the following shall apply:

(a) The **utility** name of the ~~utility~~ shall appear **on each sheet** under the M.P.S.C. number or at the top center of the **tariff** sheet.

(b)(3) **Each utility shall designate its first rate book as M.P.S.C. No. 1. Unless the commission directs otherwise, each utility issuing a complete new rate book shall assign the next serial M.P.S.C. number to the reissue.**

(c) **If a utility changes its name, its new rate book shall be M.P.S.C. No. 1.**

(3) **Original tariff sheet markings. Utilities shall mark** ~~The first issue of every sheet in the rate book shall be marked~~ “Original Sheet No. ....” in the upper right-hand corner of **each original tariff** ~~the sheet.~~

(4) **Revised sheet markings. Utilities shall mark a revised sheet** ~~Revised sheets in the rate book shall be marked with the serial number of the tariff sheet~~ ~~revision~~ in the upper right-hand corner **with the serial number of the revised tariff sheet and the number or numbers and the number** ~~of the sheet or sheets~~ ~~it that the revised sheet~~ replaces; for example:

First revised sheet No. 5.1

Cancels original sheet No. 5.1

(5) **Issue markings. Utilities shall mark all of the following information** ~~Every sheet, except for the front and back covers, shall have all of the following information~~ in the lower left-hand corner of **every tariff** ~~the sheet:~~

(a) The **issue** ~~date of issue.~~

(b) The **utility issuing officer's** name and title ~~of the issuing officer of the utility.~~

(c) The city and state of the utility's main office.

(6) **Effective date. Utilities shall mark the effective date** ~~Every sheet containing a rate schedule, rule or regulation, or rider shall have the effective date~~ in the lower right-hand corner of **every tariff** ~~the sheet~~ **containing a rate schedule, rider, or rule and regulation; for example, Effective for service rendered on and after January 1, 2006**

**Effective for bills rendered on and after January 1, 2006.**

The term "effective date" shall be construed as follows:

~~(a) On an original sheet, the effective date is the date on and after which the rate schedule, rules, or regulations shown on the sheet become~~

effective.

~~(b) On a revised sheet, the effective date is the date on and after which the revision of the rate schedule, rules, or regulations become effective.~~

(7) **Commission approval. Utilities shall mark** ~~Every~~ **tariff** sheet containing a rate schedules, **riders, or a rules and** ~~regulations, or rider,~~ approved by ~~formal order of the~~ commission **order**, shall have the following notation at **in** the lower right-hand corner **as shown** of sheet:

Issued under authority of the Michigan Public Service Commission,  
dated.....in Case No. .... .

(8) **Change markings.** Each utility shall ~~use~~ **adopt** a system for **marking revised tariff sheets so that** ~~indicating~~ the nature and extent of **changes to** ~~the revision of~~ rate schedules, rules, or regulations **are readily apparent. When the utility creates an entirely new “original” tariff sheet for a new rate schedule, rider, or rules and regulations, all prior change markings may be dropped.** ~~contained on a revised sheet so that such revisions can be readily recognized.~~

#### R 460.2024 Description of individual sheets **and sections.**

Rule 24. (1) ~~Front cover page. The front cover page shall adequately identify the volume as the rate book filed by the particular utility with the commission for the sale of electricity, water, steam, or gas.~~

~~(2) Title sheet. The title sheet shall be the first numbered page (tariff a repetition of the front cover, except that it shall be sheet number 1 of the rate book (upper right hand corner) and shall be marked as specified in have thereon all the general information required by R 460.2023.~~

~~(3) Index. The rate book shall contain an index listing the number and title of every Each rule or regulation, rate schedule, and rider, or rule and regulation shall be listed in the order that they appear in the rate book. Unless the commission staff allows otherwise, the and shall be appropriately identified by rule, rate, or rider number and title.~~

The index shall be amended whenever any change or addition is made in the rate book, ~~except where waived by commission staff.~~

~~(3)~~**(4) Table of contents-checklist.** Each sheet of the rate book shall **include a table of contents-checklist that lists, in sequential order, each tariff sheet, be listed by sheet number, including the revision, and the number and effective date or cancellation date.** ~~Unless the commission staff allows otherwise, the , in a table of contents-checklist. The table of contents shall be amended whenever any change or addition is made in the rate book, except where waived by the commission staff.~~

~~(4)~~**(5) Description of territory served. Each rate book shall include a list of** List the communities, townships, and counties **receiving services controlled by the rate book. If available, as served. A map of the (8-1/2 by 11 inches) showing the territory served shall also be included, if available (on 8-1/2 by 11-inch page(s).**

~~(5)~~**(6) Index of communities served and applicable to rate schedules. If the utility rates vary by location within the utility's service territory, then each utility rate book shall contain an index showing the** This index shall list each community and **communities, townships, and counties** served and shall indicate for each the rate schedules **that apply to each.** available to customers located therein. If the utility's rate schedules are uniform **throughout the utility's service territory and each rate schedule clearly indicates that uniformity,** with respect to communities served, for example, the same rates are available throughout the entire territory, this **section** division of the schedules of rates may be omitted if the description of territory served is complete and if each rate schedule clearly states that it is available throughout the utility's entire territory.

~~(6)~~**(7) Technical terms and abbreviations. Each rate book shall include a glossary giving complete** Full and concise **definitions of terms of art,** information shall be given as to the meaning of all technical and special terms, **acronyms, and abbreviations** and of all reference marks used in the **rate schedules, riders, or rules, and regulations, or rate schedules.**

~~(7)~~**(8) Miscellaneous. Each rate book shall include a section for** Information of a general **information not suitable for the other sections.** nature that does not belong under any of the specified captions shall be placed in this section. **For example, if** If rates in certain

communities are ~~claimed to be~~ governed by franchise, permits, or agreements, **then those agreements shall be described in this section** ~~it shall be so stated.~~

~~(8)(9)~~ Rules and regulations. **Each rate book shall include an index listing all the commission-issued administrative rules that apply to the utility, which shall be incorporated into the utility rate book by reference in this index. Each rate book shall also include an index to and a copy of any utility-issued rules and regulations that supplement or modify the application of the commission's administrative rules to a customer. Each utility-issued rule and regulation shall be assigned a title and a unique reference letter or number. The 2 indices may be combined. Both indices shall clearly indicate any rate schedules to which a listed rule and regulation does not apply.** ~~This section shall include all rules and regulations relative to the utility services furnished which are general and apply to all or many of the rate schedules. Rules and regulations shall be lettered or numbered and titled so that convenient reference can be made to them. If a general rule or regulation does not apply to a particular rate schedule, that fact shall be clearly stated.~~

~~(9)(10)~~ Rate schedules. **Except for special contract rates (see R 460.2031), all rate** ~~Rate~~ schedules shall be **placed in and made a part of the rate book and** organized as follows:

(a) **Rate schedules shall be placed in the following sequence:** ~~All rate schedules shall be placed in, and made a part of, the rate book, except for special contract rates (see part 3).~~

~~(b) If information pertaining to an individual rate schedule cannot be placed on 1 sheet, place the note "continued to sheet No. ...." at the bottom of the sheet and "continued from sheet No. ...." at the top of the next sheet.~~

~~(c) The sequence of arrangement for rate schedules in the rate book shall be as follows:~~

- (i) Rate schedules for residential (domestic) service.
- (ii) Rate schedules for rural service.
- (iii) Rate schedules for commercial service.
- (iv) Rate schedules for industrial service.
- (v) Rate schedules for municipal service.
- (vi) Rate schedules for general availability, miscellaneous, or special services.

~~(b)~~**(d)** Only 1 rate schedule shall be placed on a single **tariff** sheet. **If an individual rate schedule requires more than one sheet, sheets that are continued shall be marked “continued to sheet No. . . .” at the bottom. Sheets that continue from a prior page shall be marked “continued from sheet No. . . . “ at the top below the tariff sheet heading.**

~~(c)~~**(e)** **As applicable, the** The following information, ~~if applicable,~~ shall be shown ~~in connection with every rate schedule:~~

~~(i)~~ Who may take or use the service, ~~and the territory to which the rate is applicable.~~

**(ii) The territory where the rate is applicable unless the rate is open to all territories served by the utility.**

~~(iii)~~**(i)** Hours service is available **unless the service schedules are the same as stated elsewhere in the rate book.**

~~(iv)~~**(iii)** Character of service, such as continuous, limited, or standby. **Unless stated elsewhere in the rate book, each rate schedule shall display the** The current characteristics for electric service **or** ~~and~~ the heating value for gas service for the entire territory served ~~shall be stated, unless shown elsewhere in the rate book.~~

~~(v)~~**(iv)** Rate or rates.

~~(vi)~~**(v)** Discount or other terms of payment.

~~(vii)~~**(vi)** Minimum charge.

~~(viii)~~**(vii)** ~~If rates are subject to contract or agreement, give the number~~ **The term and form of the contract used or a statement that no contract is** ~~or agreement form and the term required. If they are not, so state.~~

~~(ix)~~**(viii)** **The number and titles of any** ~~If special rules or regulations in the rate book that apply to a rate and the rate schedules if those special rules or regulations are not printed on the rate schedule tariff sheet.~~ **as a part of the rate, definite reference to such special rules, which shall be printed elsewhere in the rate book, shall be made on the rate schedule sheet.**

**(d) Cancellations. All of the following shall apply:**

**(i) Where the rate schedule is to be cancelled, the rate schedule tariff sheet or sheets shall be replaced with a revised tariff sheet, numbered according to R 460.2023(4), that states “This sheet has been cancelled and is reserved for future use.”**

**(ii) If several consecutive tariff sheets are to be cancelled, the sheets may be replaced with 1 revised tariff sheet that lists the numbers of the cancelled sheets and the revised number**

of each sheet on the page and that states “These sheets have been cancelled and are reserved for future use.”

(iii) When any tariff sheet is cancelled, the table of contents-checklist shall be updated to show the cancelled page or pages.

(e)(f) Standard customer forms index. All of the following shall apply:

(i) Each utility shall submit a listing, by number, title, and revision date, of all standard forms in any format (preprinted or electronically preformatted) that the utility uses to document contracts or other agreements that create or alter a customer’s rights or responsibilities in dealings with the utility. ~~An exact copy of every uniform contract, agreement, service application, or other form which pertains to subscriber or customer services shall be placed in the standard forms section in the rate book or, if voluminous, in a separate binder with proper reference to them in the rate book. All forms shall be given a number so that reference can be made to them. When any such form is charged, altered, or amended, the revised issue shall be filed with the commission before the form is used.~~

(ii) Utilities shall give each standard form a unique reference number.

(iii) Each utility shall maintain and make available to the commission a link to an electronic copy of all standard customer service forms.

### PART 3. SPECIAL CONTRACTS

R 460.2031 Filing of special contracts.

Rule 31. (1) When a **utility enters into a special contract** ~~is entered into by a utility for the sale of its product or services to provide service~~ in a manner or at a rate not specifically covered by its filed ~~rules and rate schedules,~~ **or rules and regulations, the utility shall file** an application for approval **of the special contract** ~~shall be filed~~ with the commission.

(2) **If the commission specifies any modifications to the proposed special contract with its approval order, then within 30 days, the utility shall file a copy of the executed special contract, modified as required** ~~A conformed copy of such contract, as approved by the commission’s order,~~ shall be filed within 30 days after approval.