

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter, on the Commission’s own motion,)
to approve procedures and forms for use with the)
interconnection and net metering programs.)
_____)

Case No. U-15919

At the September 15, 2009 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Orjiakor N. Isiogu, Chairman
Hon. Monica Martinez, Commissioner
Hon. Steven A. Transeth, Commissioner

ORDER

On July 21, 2009, Direct Energy Services, LLC, (Direct Energy) filed an application pursuant to 1999 AC, R 460.612 of the Commission’s Electric Interconnection and Net Metering Standards (Rules). In its application, Direct Energy requests a waiver from Part 3 of the Rules related to net metering. Direct Energy also requests an amendment to update outdated information for Direct Energy on the Commission’s service list.

The Commission’s March 18, 2009 order in Case No. U-15803 required that each alternative energy supplier (AES) file a net metering program plan by May 4, 2009. Rule 460.612 allows an AES to apply for a waiver from 1 or more provisions of the Rules. The Commission may grant a waiver upon a showing of good cause and a finding that the waiver is in the public interest.

Direct Energy states in its application that it is currently not serving any electric customers in Michigan under its AES license. Unless and until Direct Energy begins serving electric customers

in Michigan, Direct Energy respectfully requests a waiver from Part 3 of the Rules related to net metering.

The Commission has reviewed the application and concludes that Direct Energy has shown good cause, the waiver is in the public interest, and the application should be approved. Approval of the application will not result in an increase in the cost of service to Michigan ratepayers. Therefore, pursuant to MCL 460.6a, the Commission may approve the application without providing notice or opportunity for hearing.

THEREFORE, IT IS ORDERED that:

A. Direct Energy Services, LLC's, application for a waiver from Part 3 of the Commission's Electric Interconnection and Net Metering Standards is approved.

B. In the event Direct Energy Services, LLC, begins serving electric customers in Michigan, it shall file a net metering program plan with the Commission within 30 days.

C. The Commission's service list shall be updated as requested by Direct Energy Services, LLC.

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, under MCL 462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

Orjiakor N. Isiogu, Chairman

Monica Martinez, Commissioner

Steven A. Transeth, Commissioner

By its action of September 15, 2009.

Mary Jo Kunkle, Executive Secretary