

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)	
CONSUMERS ENERGY COMPANY's plan)	Case No. U-16013
filed in compliance with MCL 460.10r(8).)	
_____)	

In the matter of the application of)	
THE DETROIT EDISON COMPANY's plan)	Case No. U-16014
filed in compliance with MCL 460.10r(8).)	
_____)	

At the August 11, 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

NOTICE OF OPPORTUNITY TO COMMENT

On October 6, 2008, Governor Jennifer M. Granholm signed into law 2008 PA 286 (Act 286), an amendment to Public Act 3 of 1939. Section 10r(8) of Act 286, MCL 460.10r(8), provides:

Within 270 days of the effective date of the amendatory act that added this subsection, each electric utility regulated by the commission shall file with the commission a plan for utilizing dispatchable customer-owned distributed generation within the context of its integrated resource planning process. Included in the utility's filing shall be proposals for enrolling and compensating customers for the utility's right to dispatch at-will the distributed generation assets owned by those customers and provisions requiring the customer to maintain these assets in a dispatchable condition. If an electric utility already has programs addressing the subject of the filing required under this subsection, the utility may refer to and take credit for those existing programs in its proposed plan.

Consumers Energy Company (Consumers) filed its Section 10r(8) plan in Case No. U-16013. The Detroit Edison Company (Detroit Edison) filed its plan in Case No. U-16014.

The Commission is persuaded that interested persons should be afforded an opportunity to submit comments on the plans submitted by Consumers and Detroit Edison for utilizing dispatchable customer-owned distributed generation. Toward that end, the Commission directs that Consumers and Detroit Edison shall each serve a copy of its Section 10r(8) plan on all parties to its currently pending general rate case and on all of its customers known to have an existing dispatchable generator within 14 days of the date of this order. Proofs of service shall be filed in the appropriate dockets by each of the utilities.

The Commission Staff is directed to publicize this notice of opportunity to comment on the Commission's website and in a press release.

Any person may submit written or electronic comments regarding the plans filed by Consumers¹ and/or Detroit Edison.² Comments filed regarding Consumers' plan shall be filed in Case No. U-16013. Comments filed regarding Detroit Edison's plan shall be filed in Case No. U-16014. Comments must be received no later than 5:00 p.m. on October 1, 2009. Written comments should be sent to: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, MI 48909. Electronic comments may be e-mailed to mpscdockets@michigan.gov. Only Consumers and Detroit Edison shall have the opportunity to submit reply comments, which must be filed no later than 5:00 p.m. on October 15, 2009. All information submitted to the Commission in this matter will become public information available on the Commission's website and subject to disclosure.

¹Consumers' plan is at <http://efile.mpsc.state.mi.us/efile/docs/16013/0001.pdf>.

²Detroit Edison's plan is at <http://efile.mpsc.state.mi.us/efile/docs/16014/0001.pdf>.

THEREFORE, IT IS ORDERED that:

A. Consumers Energy Company shall serve a copy of its Section 10r(8) plan on all parties to its currently pending general rate case and on all of its customers known to have an existing dispatchable generator within 14 days of the date of this order.

B. The Detroit Edison Company shall serve a copy of its Section 10r(8) plan on all parties to its currently pending general rate case and on all of its customers known to have an existing dispatchable generator within 14 days of the date of this order.

C. The Commission Staff shall publicize on the Commission's website and in a press release that interested persons may submit written or electronic comments regarding the plans filed by Consumers Energy Company and/or The Detroit Edison Company.

D. Interested persons shall have until 5:00 p.m. on October 1, 2009 to file comments. Comments filed regarding Consumers Energy Company's Section 10r(8) plan shall be filed in Case No. U-16013. Comments filed regarding The Detroit Edison Company's Section 10r(8) plan shall be filed in Case No. U-16014.

E. The Commission Staff shall file comments in Case Nos. U-16013 and U-16014 by 5 p.m. on October 1, 2009.

F. Consumers Energy Company and The Detroit Edison Company shall have until October 15, 2009 to file replies.

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

MICHIGAN PUBLIC SERVICE COMMISSION

Orjiakor N. Isiogu, Chairman

Monica Martinez, Commissioner

Steven A. Transeth, Commissioner

By its action of August 11, 2009.

Mary Jo Kunkle, Executive Secretary