

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the complaint of	)	
<b>EDITH LEE-PAYNE</b> against <b>THE DETROIT</b>	)	
<b>EDISON COMPANY, DTE ENERGY COMPANY,</b>	)	Case No. U-15532
and <b>MICHIGAN CONSOLIDATED GAS COMPANY.</b>	)	
_____	)	

At the January 25, 2010 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. Orjiakor N. Isiogu, Chairman  
Hon. Monica Martinez, Commissioner  
Hon. Greg R. White, Commissioner

**ORDER**

On November 30, 2009, Edith Lee-Payne filed in this docket a pleading purporting to be a second petition for rehearing of the Commission's July 16, 2009 order that dismissed her complaint against DTE Energy Company, The Detroit Edison Company, and Michigan Consolidated Gas Company.<sup>1</sup>

On December 21, 2009, the Commission Staff (Staff) filed a response in opposition to Ms. Lee-Payne's November 30, 2009 filing.

Petitions for rehearing are governed by MCL 460.351, MCL 460.352, and 1999 AC, R 460.17403 (Rule 403). Nothing in MCL 460.351, MCL 460.352, or Rule 403 provides that an aggrieved person may file more than one petition for rehearing. For that reason alone, the

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<sup>1</sup>The Commission denied Ms. Lee-Payne's first petition for rehearing by order dated October 29, 2009.

Commission finds that Ms. Lee-Payne's purported second petition for rehearing should be denied.

Moreover, the Commission agrees with the Staff that Ms. Lee-Payne's current allegations do not raise any issue that has not already been considered and rejected by the Commission on at least two occasions.

Accordingly, the Commission finds that Ms. Lee-Payne's purported second petition for rehearing should be summarily dismissed and that the docket in this matter should be closed.

THEREFORE, IT IS ORDERED that:

A. The November 30, 2009 pleading filed by Edith Lee-Payne in this docket is summarily dismissed.

B. The docket in this matter is closed.

C. Further pleadings filed in this matter by or on behalf of Edith Lee-Payne shall be deemed vexatious and shall not be docketed.

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

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Orjiakor N. Isiogu, Chairman

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Monica Martinez, Commissioner

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Greg R. White, Commissioner

By its action of January 25, 2010.

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Mary Jo Kunkle, Executive Secretary