

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)
LIBERTY POWER DELAWARE LLC)
for approval of a renewable energy plan to comply) Case No. U-15834
with the requirements of Public Act 295 of 2008.)
_____)

In the matter of the application of)
LIBERTY POWER HOLDINGS LLC)
for approval of a renewable energy plan to comply) Case No. U-15835
with the requirements of Public Act 295 of 2008.)
_____)

At the January 12, 2012 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. John D. Quackenbush, Chairman
Hon. Orjiakor N. Isiogu, Commissioner
Hon. Greg R. White, Commissioner

ORDER

On November 16, 2011, Liberty Power Delaware LLC (LPD) and Liberty Power Holdings LLC (LPH) filed letters requesting approval of their renewable energy plan (REP) biennial reviews. In their letters, LPD and LPH stated that their initial REPs approved by the Commission in this docket on May 26, 2009 have not been amended and they do not serve or solicit Michigan retail customers. However, in the event LPD or LPH begins serving retail customers in Michigan, the company shall submit an application for approval of its REP pursuant to the requirements of Public Act 295 of 2008 (Act 295).

The Commission Staff (Staff) reviewed LPD's and LPH's letters and recommended that the Commission find the companies in compliance with the requirements of Act 295. Section 23(3) of Act 295, MCL 460.1023(3), requires that the Commission provide an opportunity for public comment on LPD's and LPH's REP biennial review. The Staff agreed that the companies do not have any retail customers in Michigan and have no affected parties to notify.

THEREFORE, IT IS ORDERED that:

A. Liberty Power Delaware LLC and Liberty Power Holdings LLC biennial renewable energy plans are approved.

B. Liberty Power Delaware LLC and Liberty Power Holdings LLC shall not be required to file an annual report with the Commission. In the event Liberty Power Delaware LLC or Liberty Power Holdings LLC begin serving retail customers in Michigan, the company shall file an annual report with the Commission describing the status of compliance with the requirements of Public Act 295 of 2008 by May 1, 2012, and annually thereafter until further order of the Commission.

C. Liberty Power Delaware LLC and Liberty Power Holdings LLC shall file with the Commission every two years from the date of the Commission's initial order in this case a statement that they continue to serve no retail customers in Michigan or, in the alternative, renewable energy biennial plan reviews meeting the requirements of Public Act 295 of 2008.

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 MCL462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

John D. Quackenbush, Chairman

Orjiakor N. Isiogu, Commissioner

Greg R. White, Commissioner

By its action of January 12, 2012.

Mary Jo Kunkle, Executive Secretary