

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

|   |   |                          |
|---|---|--------------------------|
| Wisconsin Public Service Corporation    | ) |                          |
| Upper Peninsula Power Company           | ) |                          |
| WPS Energy Services, Inc. and           | ) |                          |
| WPS Power Development, LLC              | ) |                          |
| Complainant                             | ) |                          |
|   | ) |                          |
| v.                                      | ) | Docket No. EL06-49-000   |
|   | ) |                          |
| Midwest Independent Transmission System | ) |                          |
| Operator, Inc. and                      | ) |                          |
| PJM Interconnection, L.L.C.             | ) |                          |
| Respondent                              | ) |                          |
|   | ) |                          |
| Midwest Independent Transmission System | ) | Docket Nos. ER04-375-017 |
| Operator, Inc. and                      | ) | and ER04-375-018         |
| PJM Interconnection, L.L.C.             | ) |                          |
|   | ) |                          |
| Wisconsin Public Service Corporation    | ) | Docket No. EL06-20-000   |
| Upper Peninsula Power Company           | ) |                          |
| WPS Energy Services, Inc. and           | ) |                          |
| WPS Power Development, LLC              | ) |                          |
|   | ) |                          |
| v.                                      | ) | (Not Consolidated)       |
|   | ) |                          |
| Midwest Independent Transmission System | ) |                          |
| Operator, Inc. and                      | ) |                          |
| PJM Interconnection, L.L.C.             | ) |                          |

**NOTICE OF INTERVENTION  
OF THE MICHIGAN PUBLIC SERVICE COMMISSION**

Pursuant to Rule 214(a)(2) of the Commission’s Rules of Practice and Procedure, 18 C.F.R. § 385.214(a)(2) (2005), the Michigan Public Service Commission (“MPSC”) hereby submits its Notice of Intervention in the captioned proceeding.

## I. COMMUNICATIONS

Copies of all pleadings and correspondence in the proceeding should be addressed to:

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## II. STATEMENT OF ISSUES

In accordance with Rule 203(a)(7), 18 C.F.R. § 385.203(a)(7) (2005), the MPSC hereby provides its Statement of Issues.

1. Whether pursuant to Rule 214(a)(2) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214(a)(2), the MPSC should be permitted to intervene in this proceeding. Yes.

## III. DESCRIPTION OF FILING

On January 31, 2006, Wisconsin Public Service Corporation ("WPSC"), Upper Peninsula Power Company ("UPPCP"), WPS Energy Services, Inc. ("ESI"), and its subsidiary WPS Power Development, LLC ("WPS Power") (collectively "WPS" or the "WPS Companies") filed a complaint against PJM Interconnection L.L.C. ("PJM") and the Midwest Independent Transmission System Operator, Inc. ("MISO")(collectively "MISO/PJM"), objecting to the

December 30, 2005 Joint Operating Report filed by MISO/PJM. The WPS Companies allege that MISO/PJM are in violation of their prior commitments and several binding Commission orders to create a comprehensive MISO/PJM Joint and Common Market (“JCM”). The WPS Companies request that the Commission: 1) direct the MISO/PJM to proceed with implementation of a JCM, and 2) require any JCM cost-benefit analysis to comply with a schedule that does not unduly delay the implementation of a JCM, and adhere to certain criteria as previously set forth by the WPS Companies. In addition, WPS Companies further assert that the objections being raised in this instant proceeding are the same objections it raised in response to an October 31, 2005 MISO/PJM Informational Filing concerning the MISO/PJM JCM in a related proceeding, Docket No. EL06-20-000. Thus, WPS Companies also request that the Commission consolidate this instant proceeding with Docket Nos. EL06-20-000 and ER04-375-017, *et al.*

#### **IV. BASIS FOR INTERVENTION**

The MPSC is an agency of the State of Michigan, created by 1939 Pub. Acts 3, Mich. Comp. Laws Ann. § 460.1 *et seq.* As the Michigan regulatory agency having jurisdiction and authority to control and regulate rates, charges, and conditions of service for the retail sale of electricity in the State, the MPSC is a “state commission” as defined in 16 U.S.C. § 796(15) and 18 C.F.R. § 1.101(k) (2005). Accordingly, the MPSC hereby provides its notice of intervention pursuant to 18 C.F.R. § 385.214(a)(2) (2005).

**V. CONCLUSION**

WHEREFORE, the Michigan Public Service Commission hereby provides notice of its intervention.

Respectfully submitted,

**THE MICHIGAN PUBLIC SERVICE  
COMMISSION**

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served copy of the foregoing document upon all parties listed on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C. this 21st day of February, 2006.

/s/ M. Denyse Zosa