

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

Wisconsin Electric Power Company)	
Wisconsin Gas LLC)	
Wisconsin Public Service Corporation)	
Complainants)	
)	
v.)	Docket No. RP10-517-000
)	
ANR Pipeline Company)	
Respondent)	

**MOTION TO INTERVENE OUT OF TIME
OF THE MICHIGAN PUBLIC SERVICE COMMISSION**

Pursuant to Rule 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission”), 18 C.F.R. § 385.214 (2009) the Michigan Public Service Commission (“MPSC”) hereby submits its Motion to Intervene Out of Time in the above captioned proceeding.

I. DESCRIPTION OF THE FILING

On March 26, 2010 Wisconsin Electric Power Company, Wisconsin Gas LLC, and Wisconsin Public Service Corporation (“Complainants”) filed a formal complaint against ANR Pipeline Company (“ANR”) alleging that ANR violated Section 36.2(A) of its Tariff relating to obligations at ANR’s Marshfield recipient points. Complainants state that they seek to be relieved of a significant portion of their Marshfield receipts (“Marshfield Receipts”) obligations by converting their respective portions of at least 91,080 Dth/day of the service MDQ under the Marshfield Resolution Contracts to *pro forma* contracts, including changing primary points of receipt from Marshfield to other points on ANR’s system. In addition, Complainants allege that ANR has also violated the Marshfield Settlement by failing to notify certain shippers of

operational flow changes and certain contract terminations on its system that should have triggered those shippers' rights under the settlement terms to decrease or terminate their obligation to contract for capacity with primary receipts at Marshfield.

II. MOTION TO INTERVENE OUT OF TIME

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 natural gas and 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) (2008).

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

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Due to administrative oversight, the MPSC did not initially appreciate the impact that the filing could have on ratepayers in Michigan and for this reason did not intervene in a timely manner. The MPSC submits that it has an interest in this proceeding that cannot be protected adequately by any other party. Because this motion is being filed early in the proceedings and prior to any Commission ruling on this matter, the MPSC believes no party will be prejudiced and no

disruption of the proceedings will occur if its motion is granted. The MPSC agrees to accept the record of this proceeding as it stands at the time this Motion is granted.

Accordingly, the MPSC believes that good cause exists for granting this motion and requests that the Commission act favorably thereon.

III. CONCLUSION

As set forth more fully above, the MPSC requests that the Commission: (1) grant it leave to intervene out of time in this proceeding, with all rights attendant thereto; and (2) grant such other relief as the Commission deems appropriate.

Respectfully submitted,

THE MICHIGAN PUBLIC SERVICE COMMISSION

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Dated: July 14, 2010

CERTIFICATE OF SERVICE

I hereby certify that I have this day served, via electronic mail or first class mail, the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C. this 14th day of July, 2010.

/s/ M. Denyse Zosa
