

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)
CONSUMERS ENERGY COMPANY for a)
certificate of public convenience and necessity to) Case No. U-12715
provide natural gas service in Alabaster Township,)
Iosco County.)
_____)

At the February 22, 2001 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Laura Chappelle, Chairman
Hon. David A. Svanda, Commissioner
Hon. Robert B. Nelson, Commissioner

OPINION AND ORDER

On November 15, 2000, Consumers Energy Company (Consumers) filed an application, pursuant to the provisions of 1929 PA 69, as amended, MCL 460.501 et seq.; MSA 22.141 et seq., requesting a certificate of public convenience and necessity to extend its facilities and to provide natural gas service in Alabaster Township, Iosco County.

Pursuant to due notice, a prehearing conference was held on January 9, 2001 before Administrative Law Judge George Schankler. Consumers and the Commission Staff participated in the proceedings.

Subsequently, the parties submitted a settlement agreement resolving all issues in this case.

According to the terms of the settlement agreement, attached as Exhibit A, the parties agree that (1) Consumers currently holds a non-exclusive franchise to provide natural gas service in Alabaster Township, Iosco County, (2) the provision of natural gas service by Consumers to customers located in Alabaster Township will serve the public convenience and necessity, and (3) the requested certificate of public convenience and necessity should be granted.

The Commission FINDS that:

a. Jurisdiction is pursuant to 1929 PA 69, as amended, MCL 460.501 et seq.; MSA 22.141 et seq.; 1909 PA 300, as amended, MCL 462.2 et seq.; MSA 22.21 et seq.; 1919 PA 419, as amended, MCL 460.51 et seq.; MSA 22.1 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; MSA 22.13(1) et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; MSA 3.560(101) et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1992 AACRS, R 460.17101 et seq.

b. The settlement agreement is reasonable and in the public interest, and should be approved.

THEREFORE, IT IS ORDERED that:

A. The settlement agreement, attached as Exhibit A, is approved.

B. Consumers Energy Company is granted a certificate of public convenience and necessity to construct facilities and to provide natural gas service to customers located in Alabaster Township, Iosco County.

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; MSA 22.45.

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ Laura Chappelle
Chairman

(S E A L)

/s/ David A. Svanda
Commissioner

/s/ Robert B. Nelson
Commissioner

By its action of February 22, 2001.

/s/ Dorothy Wideman
Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

Chairman

Commissioner

Commissioner

By its action of February 22, 2001.

Its Executive Secretary

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Case No. U-12715

Suggested Minute:

“Adopt and issue order dated February 22, 2001 approving the settlement agreement and granting Consumers Energy Company a certificate of public convenience and necessity to provide natural gas service in Alabaster Township, Iosco County, as set forth in the order.”