

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

\*\*\*\*\*

In the matter of the application of )  
CONSUMERS ENERGY COMPANY for )  
ex parte approval of certain amendments to )  
its gas transportation tariff. )  
\_\_\_\_\_)

Case No. U-12729

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

**AMENDATORY ORDER**

On December 11, 2000, the Commission issued an order authorizing Consumers Energy Company (Consumers) to amend its rules, regulations, and rate schedules to reflect a revised methodology for calculating the unauthorized gas usage charge in transportation tariffs ST-1, ST-2, LT-1, and LT-2. The order provided that the tariff language was to take effect on the following day. On January 23, 2001, the Commission, with Chairman Chappelle abstaining, approved a similar tariff change for Michigan Consolidated Gas Company, but provided that the tariff language was to take effect for service rendered on and after February 1, 2001.

The Commission Staff has informed the Commission of complaints about the implementation of the change for Consumers, which arise because Consumers did not read customers' meters before implementing the change and therefore cannot know when the imbalances occurred for which

it imposed penalties in December. The Staff recommends that the Commission amend the order so that the imbalances are priced at the prior penalty rate until the beginning of the first billing cycle after the date of the order. The Commission agrees that the order should be amended.

The Commission FINDS that:

a. Jurisdiction is pursuant to 1909 PA 300, as amended, MCL 462.2 et seq.; MSA 22.2 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 December 11, 2000 order should be amended.

THEREFORE, IT IS ORDERED that the December 11, 2000 order is amended to provide that the revised tariff language is to take effect as of the beginning of the first billing cycle after the date of that order.

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

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

---

Chairman

---

Commissioner

---

Commissioner

By its action of February 22, 2001.

---

Its Executive Secretary

In the matter of the application of )  
**CONSUMERS ENERGY COMPANY** for )  
ex parte approval of certain amendments to )  
its gas transportation tariff. )  
\_\_\_\_\_ )

Case No. U-12729

Suggested Minute:

“Adopt and issue order dated February 22, 2001 amending the December 11, 2000 order to provide that the unauthorized gas usage charge approved by that order is to take effect as of the beginning of the first billing cycle after the date of that order, as set forth in the order.”