

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of	)	
<b>TORO ENERGY OF MICHIGAN, LLC</b> , for a	)	
waiver of compliance with the specification for	)	Case No. U-15728
plastic pipe currently contained by reference in	)	
the Michigan Gas Safety Code.	)	
_____	)	

At the January 25, 2010 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. Orjiakor N. Isiogu, Chairman  
Hon. Monica Martinez, Commissioner  
Hon. Greg R. White, Commissioner

**OPINION AND ORDER**

On November 12, 2008, Toro Energy of Michigan, LLC (Toro), filed an application seeking a waiver of certain plastic pipe specification in Rule 201 of the Michigan Gas Safety Standards, R 460.20201. After an informal investigation, the Commission Staff (Staff) concluded that Toro’s application should be denied without prejudice to the re-filing of a new application. According to the Staff, the information provided in Toro’s initial application is in need of supplementation and clarification.

THEREFORE, IT IS ORDERED that the November 12, 2008 application filed by Toro Energy of Michigan, LLC, is denied without prejudice.

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 MCL 462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

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Orjiakor N. Isiogu, Chairman

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Monica Martinez, Commissioner

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Greg R. White, Commissioner

By its action of January 25, 2010.

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Mary Jo Kunkle, Executive Secretary