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MINUTES OF THE SPECIAL COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES ON DECEMBER 28, 2009

Commission Chairman Orjiakor N. Isiogu called the meeting to order at 3:02 p.m.  
Executive Secretary Mary Jo Kunkle called the roll and declared there was a quorum.

**PRESENT**

Commission: Orjiakor N. Isiogu, Chairman  
Monica Martinez, Commissioner  
Steven A. Transeth, Commissioner

Staff: Lisa Gold  
Judy Palnau  
Mary Jo Kunkle  
Catherine Bowers  
Paul Proudfoot  
Steve Kulesia

Public: Suzy Denison, MEGA  
Kwafo Adarkwa, ITC Holdings  
Marilyn Oliver, DTE Energy  
Tim Hoffman, Consumers Energy  
B. Roberts, Consumers Energy  
Ann Noble, Consumers Energy

- I. Chairman Isiogu announced one amendment to the published agenda, Section B, Item #3, Case No. U-16174, was added, Commissioner Martinez moved to approve the amended agenda, Commissioner Transeth seconded.

Vote: Yeas – Isiogu, Martinez, Transeth  
Nays – None

The amended agenda was approved.

**II. ORDERS**

**A. COMMUNICATIONS**

1. U-16127 INTELEPEER, INC.  
(temporary license)

Commissioner Martinez moved that the Commission adopt and issue order dated December 28, 2009 which is an application for a temporary license to provide basic local exchange service. The order before you grants the temporary license, Commissioner Transeth seconded.

Vote: Yeas – Isiogu, Martinez, Transeth  
Nays – None

The order was adopted.

2. U-16142 ZAYO ENTERPRISE NETWORKS, LLC  
(temporary license)

Commissioner Martinez moved that the Commission adopt and issue order dated December 28, 2009 which is an application for a temporary license to provide basic local exchange service. The order before you grants the temporary license, Commissioner Transeth seconded.

Vote: Yeas – Isiogu, Martinez, Transeth  
Nays – None

The order was adopted.

**B. ELECTRIC**

1. U-15416-R INDIANA MICHIGAN POWER COMPANY  
(’08 PSCR reconciliation)

Commissioner Martinez moved that the Commission adopt and issue order dated December 28, 2009 which involves an application by Indiana Michigan Power Company for a power supply cost recovery reconciliation proceeding for the 12-month period ended December 31, 2008. The order before you approves a settlement agreement granting this request, Commissioner Transeth seconded.

Vote: Yeas – Isiogu, Martinez, Transeth

Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

2. U-16028 DAVID NEY v THE DETROIT EDISON COMPANY

Commissioner Martinez moved that the Commission adopt and issue order dated December 28, 2009 which involves the complaint of David Ney against The Detroit Edison Company. The order before you dismisses the complaint with prejudice, Commissioner Transth seconded.

Vote: Yeas – Isiogu, Martinez, Transth  
Nays – None

The order was adopted.

3. U-16174 CONSUMERS ENERGY COMPANY  
(scheduling)

Commissioner Martinez moved that the Commission adopt and issue order dated December 28, 2009 which is an application by Consumers Energy Company for clarification of certain procedures that would be followed by the Commission in the event that the utility files future certificate of necessity and ratemaking applications. The order before you grants the clarification sought by the utility, Commissioner Transth seconded.

Vote: Yeas – Isiogu, Martinez, Transth  
Nays – None

The order was adopted.

**C. GAS**

1. U-16115 BRIAN AND HELGA KILEY v CONSUMERS ENERGY COMPANY

Commissioner Martinez moved that the Commission adopt and issue order dated December 28, 2009 which involves the complaint of Brian and Helga Kiley against Consumers Energy Company. The order before you dismisses the complaint, Commissioner Transth seconded.

Vote: Yeas – Isiogu, Martinez, Transeth  
Nays – None

The order was adopted.

### **III. PUBLIC COMMENTS**

There were no public comments.

Commissioner Martinez acknowledged and thanked Commissioner Transeth for his contributions, integrity, and expertise. Chairman Isiogu concurred.

Chairman Isiogu announced that the next regularly scheduled Commission Meeting will be held on January 7, 2010.

Chairman Isiogu requested a motion to adjourn today's meeting. Commissioner Martinez moved that the Commission adjourn, Commissioner Transeth seconded.

Vote: Yeas – Isiogu, Martinez, Transeth  
Nays – None

The motion was approved.

The meeting adjourned at 3:10 p.m.

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Mary Jo Kunkle  
Executive Secretary