

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION
NOTICE OF HEARING
TORO ENERGY OF MICHIGAN, LLC
CASE NO. U-16280**

- Toro Energy of Michigan, LLC requests Michigan Public Service Commission approval for a waiver of compliance with the specification for plastic pipe currently contained by reference in the Michigan Gas Safety Code. On October 19, 2010, WMRE of Michigan, LLC, filed Notice of Substitution of Party, which indicated it had acquired all assets of Toro Energy of Michigan, Inc., effective September 1, 2010.
- The information below describes how a person may participate in this case.
- You may call or write WMRE of Michigan, LLC at WM Renewable Energy, 1001 Fannin Street, Suite 4000, Houston, Texas 77002, (713) 328-7348 for a free copy of its application. Any person may review the documents at the offices of WMRE's attorney, Adam C. Smith, 535 Griswold Street, Suite 1000, Detroit, Michigan 48226-3692.
- A public hearing will be held:

DATE/TIME: February 6, 2012 at 9:00 a.m.
This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

BEFORE: Administrative Law Judge Richard A. Patterson

LOCATION: Michigan Public Service Commission
6545 Mercantile Way, Suite 7
Lansing, Michigan

The Mercantile Way building sustained flood damage and remains closed until further notice. Please consult the Michigan Public Service Commission website at: www.michigan.gov/mpsc for updates on hearing locations or call 517.241.6060.

PARTICIPATION: Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 241-6160 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider the May 11, 2010 application of Toro Energy of Michigan, LLC (Toro Energy) which seeks Commission approval for a waiver of compliance with the specification for plastic pipe currently contained by reference in the Michigan Gas Safety Code. Toro Energy is requesting a waiver to allow the company to continue to use its current pipeline (ASTM F 714) instead of requiring the use of ASTM D 2513 - Thermoplastic pipe and tubing. Toro is also requesting the Commission: 1) to determine that the requested waiver is not inconsistent with gas pipeline safety and will serve the public interest; and 2) issue an order which constitutes a waiver of compliance by Toro Energy with the pipeline safety standards adopted pursuant to the provisions

of the Natural Gas Pipeline Safety Act of 1968 and pursuant to the provisions of the Michigan Gas Safety Code R. 460.20201. On October 19, 2010, WMRE of Michigan, LLC filed a Notice of Substitution of Party.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 241-6180 or by email at: mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by January 30, 2012. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon the company's attorney, Adam C. Smith, Williams Acosta, PLLC, 535 Griswold Street, Suite 1000, Detroit, Michigan 48226.

Any person wishing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his/her wish to make a statement of position. All information submitted to the Commission in this matter will become public information: available on the Michigan Public Service Commission's website, and subject to disclosure.

Requests for adjournment must be made pursuant to the Commission's Rules of Practice and Procedure R 460.17315 and R 460.17335. Requests for further information on adjournment should be directed to (517) 241-6060.

A copy of the company's application may be reviewed on the Commission's website at: michigan.gov/mpscedockets, and at the office of the company's attorney Adam C. Smith, 535 Griswold Street, Suite 1000, Detroit, Michigan. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 241-6180.

Jurisdiction is pursuant to 1909 PA 300, as amended, MCL 462.2 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 165, as amended, MCL 483.151 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 et seq.

January 6, 2012



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION

STEVEN H. HILFINGER
DIRECTOR

ORJIAKOR N. ISIOGU JOHN D. QUACKENBUSH GREG R. WHITE
COMMISSIONER CHAIRMAN COMMISSIONER

January 6, 2012
Case No. U-16280

Mr. Adam C. Smith
Williams Acosta PLLC
535 Griswold Street, Suite 1000
Detroit, Michigan 48226

Dear Mr. Smith:

WMRE of Michigan, LLC shall mail, by January 23, 2012, a copy of the enclosed notice of hearing to all cities, incorporated villages, townships and counties which are traversed by the pipeline. Proof of service shall be filed by the prehearing conference on February 6, 2012.

WMRE of Michigan, LLC shall cause the enclosed notice of hearing to be published, by January 23, 2012, in a daily newspaper of general circulation in the affected counties of Michigan and in the Michigan Oil and Gas News. Publishing requirements and a copy of the publishing format are enclosed. Affidavits of publication shall be filed by the prehearing conference on February 6, 2012.

Sincerely,

Mary Jo Kunkle
Executive Secretary

Enclosures