



Village of Lake Isabella

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November 3, 2023

Michigan Public Service Commission
7109 W. Saginaw Highway
P.O. Box 30221
Lansing, MI 48909

Re: Case No. U-21374

Dear Sir or Madam,

The Village of Lake is in receipt of a Notice of Hearing involving the customers of Consumers Energy. The Village of Lake Isabella formally objects to the MPSC granting any approvals to Consumers Energy concerning its electric utility. As we have communicated to the MPSC and Attorney General's office in no less than five separate letters, Consumers Energy is currently operating and providing electrical service within the Village's incorporated boundaries without a franchise agreement as required by the Michigan Constitution.

The Village has attempted to resolve this matter in good faith since 2018 and has been unable to reach terms agreeable to both parties on the approval of a franchise agreement. Article VII §29 of the Michigan Constitution is clear that Consumers may not *"use of the highways, streets, alleys or other public places of any county, township, city or village for wires, poles, pipes, tracks, conduits or other utility facilities, without the consent of the duly constituted authority of the county, township, city or village; or to transact local business therein without first obtaining a franchise from the township, city or village."* Until such time as Consumers honors its constitutional obligation, we object to any approvals for their electric utility.

Consumers' disregard for Michigan's constitution is concerning as it relates to this specific request before the MPSC. MCL 460.1203 discusses projects within the "provider's service territory." Since Consumers is not legally operating within our community, we are concerned that our residents may be excluded from any programs offered through their Renewable Energy Plan.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Wolff', written over a white background.

Tim Wolff
Lake Isabella Village Manager