



April 8, 2024

Ms. Lisa Felice
Michigan Public Service Commission
7109 W. Saginaw Hwy.
Lansing, MI 48909

Via E-File

RE: MPSC Case No. U-21534

Dear Ms. Felice:

Attached please find the enclosed documents for filing:

- Petition to Intervene by Citizens Utility Board of Michigan;
- Appearances of Christopher Bzdok and Tracy Jane Andrews; and
- Proof of Service.

Thank you for your assistance in this matter. If you have any questions, please feel free to contact me.

Sincerely,

Christopher Bzdok
chris@tropospherelegal.com

CC: Parties to Case No. U-21534

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the Application of **DTE ELECTRIC COMPANY** for authority to increase its rates, amend its rate schedules and rules governing the distribution and supply of electric energy, and for miscellaneous accounting authority.

U-21534

**PETITION TO INTERVENE BY
CITIZENS UTILITY BOARD OF MICHIGAN**

1. Citizens Utility Board of Michigan (“CUB”) seeks to intervene in this case under Rule 410 of the Commission’s Rules of Practices and Procedure, R 792.10410, to represent the interests of its membership in reducing their electric bills.

2. CUB is a Michigan nonprofit corporation organized to protect Michigan’s residential ratepayers from unreasonable and unnecessary utility rate increases.

3. CUB has members that are residential electric customers of DTE Electric Company (“DTE” or “the Company”) and whose rates will be directly affected by the decision of the Commission in this matter.

4. CUB’s members, customers and ratepayers of DTE, are and will continue to be directly affected by the matters at issue in this proceeding, including but not limited to DTE’s application to increase rates.

5. CUB’s members have the potential to be harmed if they were required to incur higher costs caused by imprudent utility practices.

6. The Michigan Public Service Commission recognizes two types of intervention.

a. First, intervention by right, which requires that the party will suffer an

injury-in-fact as a result of the outcome of the case, and that the party is within the zone of interest protected by the statute. See for example, *Association of Data Processing Service Organizations, Inc v Camp*, 397 US 150; 90 S Ct 827; 250 L Ed 184 (1970).

b. Second, permissive intervention, where the Commission has the discretion to permit a party to intervene in the case where that party can provide useful information to the Commission or a unique perspective on the issues in the case. *In re Application of The Detroit Edison Co for Authority to Increase its Rates*, Case Nos. U-15768 and U-15751, January 11, 2010, Order, p. 7 (“*In re Detroit Edison*”).

7. CUB meets both tests.

8. CUB’s members are within the zone of interests protected by MCL 460.1, *et seq.*

These statutes generally protect ratepayers and provide opportunities for advocacy by ratepayer groups to protect their interests in Commission proceedings.

9. CUB has organizational standing because its members meet the zone of interests test. *In re Detroit Edison*, p. 8. See also *Drake v Detroit Edison*, 453 F Supp 1123, 1129 (WD Mich 1978) (“[A] plaintiff may be granted standing when he asserts interests not of his own but of a third party that meet the zone of interests test.”).

10. CUB also meets the test for permissive intervention, because CUB will provide useful information to the Commission and a unique perspective on the issues.

11. CUB will bring significant expertise to bear in these proceedings. Its staff and witnesses have extensive knowledge and experience in the area of ratepayer advocacy. In addition, CUB has provided comments to the Commission and intervened and participated in cases before the Commission to advocate for ratepayers, both individually and in coalition with other environmental organizations.

12. CUB has intervened in prior Commission proceedings including Case No. U-20650

(Consumers Energy Company Gas Rate Case); Case No. U-20561 (DTE Electric Company Rate Case); Case No. U-20479 (SEMCO Energy Gas Company Rate Case); Case No. U-20697 (Consumers Energy Company Rate Case); Case No. U-20963 (Consumers Energy Company Rate Case); Case No. U-21090 (Consumers Energy IRP); Case No. U-20561 (DTE Electric Company Rate Case); Case No. U-20836 (DTE Electric Company Rate Case); and Case No. U-21297 (DTE Electric Company Rate Case).

13. CUB plans to evaluate DTE's application, testimony, and exhibits, and to conduct discovery, and then to raise those issues and take those positions that best serve the interests described above. CUB reserves the right to advance other issues as the case develops.

14. This petition to intervene is timely and within the period for intervention set in the notice of prehearing.

15. No other party adequately represents the interests of CUB and its members.

16. CUB requests that all notices and pleadings be served on:

Christopher M. Bzdok
chris@tropospherelegal.com
tjandrews@tropospherelegal.com
Troposphere Legal, PLC
420 E. Front St.
Traverse City, MI 49686

and on:

Breanna Thomas, Legal Assistant
breanna@tropospherelegal.com

For the reasons outlined above, CUB respectfully requests that the Commission grant this petition to intervene and treat it as a party to this proceeding.

TROPOSPHERE LEGAL, PLLC
Counsel for CUB

Date: April 8, 2024

By:

Christopher M. Bzdok (P53094)
Tracy Jane Andrews (P67467)
420 E. Front St.
Traverse City, MI 49686
Phone: 231-709-4000
Email: chris@tropospherelegal.com
tjandrews@tropospherelegal.com

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION

ENTRY OF APPEARANCE IN AN ADMINISTRATIVE HEARING

This form is issued as provided for by 1939 PA 3, as amended, and by 1933 PA 254, as amended. The filing of this form, or an acceptable alternative, is necessary to ensure subsequent service of any hearing notices, Commission orders, and related hearing documents.

General Instructions:

Type or print legibly in ink. For assistance or clarification, please contact the Public Service Commission at (517) 284-8090.

*Please Note: The Commission will provide **electronic** service of documents to all parties in this proceeding.*

THIS APPEARANCE TO BE ENTERED IN ASSOCIATION WITH THE ADMINISTRATIVE HEARING:

Case / Company Name: DTE Electric Company Docket No. U-21534

Please enter my appearance in the above-entitled matter on behalf of:

1. (Name) Citizens Utility Board of Michigan (CUB)
2. (Name)
3. (Name)
4. (Name)
5. (Name)
6. (Name)
7. (Name)

Name Christopher M. Bzdok
Address 420 E. Front Street

City Traverse City State MI
Zip 49686 Phone (231) 709-4000
Email chris@tropospherelegal.com
Date 04/08/2024

I am not an attorney
 I am an attorney whose:
Michigan Bar # is P- 53094
_____ Bar # is: _____
(state)

Signature:  Digitally signed by Christopher Bzdok
DN: cn=Christopher Bzdok, o=Troposphere Legal,
email=chris@tropospherelegal.com, c=US
Date: 2024.04.08 09:27:57 -0400

Save Form

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION

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1. (Name) Citizens Utility Board of Michigan (CUB)
2. (Name)
3. (Name)
4. (Name)
5. (Name)
6. (Name)
7. (Name)

Name Tracy Jane Andrews
Address 420 E. Front Street

City Traverse City State MI
Zip 49686 Phone (231) 709-4000
Email tjandrews@tropospherelegal.com
Date 04/08/2024

I am not an attorney
 I am an attorney whose:
Michigan Bar # is P- 67467
_____ Bar # is: _____
(state)

Signature:  Digitally signed by Tracy Jane Andrews
DN: cn=Tracy Jane Andrews, o=Troposphere Legal,
PLC, email=tjandrews@tropospherelegal.com, c=US
Date: 2024.04.08 09:26:54 -0400

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Case No. U-21534

Proof of Service

On the date below, an electronic copy of **Petition to Intervene by Citizens Utility Board of Michigan and Appearances of Christopher Bzdok and Tracy Jane Andrews** was served on the following:

Name/Party	E-mail Address
Administrative Law Judge Hon. Sally L. Wallace	wallaces2@michigan.gov
DTE Electric Company Paula Johnson-Bacon Jon P. Christinidis John A. Janiszewski Breanne K. Reitzel Andrea E. Hayden	mpsc filings@dteenergy.com paula.bacon@dteenergy.com jon.christinidis@dteenergy.com john.janiszewski@dteenergy.com Breanne.reitzel@dteenergy.com Andrea.hayden@dteenergy.com
Michigan Attorney General Celeste R. Gill	ag-enra-spec-lit@michigan.gov gillc@michigan.gov
Michigan Public Service Commission Staff Amit T. Singh Michael J. Orris Heather M.S. Durian Lori Mayabb	singha9@michigan.gov orrism@michigan.gov durianh@michigan.gov mayabbl@michigan.gov
City of Ann Arbor Valerie J.M. Brader Valerie R. Jackson	ecf@rivenoak.com valerie@rivenoaklaw.com valeriejackson@rivenoaklaw.com

{signature page to follow}

The statements above are true to the best of my knowledge, information and belief.

Troposphere Legal, PLC
Counsel for CUB

Date: April 8, 2024

By: _____

Breanna Thomas, Legal Assistant
420 E. Front St.
Traverse City, MI 49686
Phone: 231-709-4000
Email: breanna@tropospherelegal.com