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CINCINNATI, OHIO 45202

TELEPHONE (513) 421-2255

VIA ELECTRONIC CASE FILING

April 16, 2024

Ms. Lisa Felice, Executive Secretary
Michigan Public Service Commission
7109 W. Saginaw Highway
Lansing, MI 48917

Re: Case No. U-21534

Dear Ms. Felice:

Please find attached the following for paperless filing in the above-captioned matter:

Petition to Intervene of The Kroger Co.;
Notice of Appearance of Kurt J. Boehm and Jody Kyler Cohn; and
Proof of Service

Please place this document(s) of file.

Very truly yours,

Kurt J. Boehm, Esq.
Jody Kyler Cohn, Esq.
Michael L. Kurtz, Esq., (Michigan ##P67067)
BOEHM, KURTZ & LOWRY

KJBkew
Attachment

**STATE OF MICHIGAN
BEFORE THE PUBLIC UTILITIES 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	: : : : : : :	Case No. U-21534 (E-file) ALJ Sally J. Wallace
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PETITION TO INTERVENE OF THE KROGER CO.

Pursuant to Rule 410 of the Michigan Public Service Commission (“Commission”) Rules of Practice and Procedure, R 792.10410. The Kroger Co. (“Kroger”) petitions to intervene in this proceeding. In support, Petitioner states as follows:

1. Name and Addresses of Petitioner:

The Kroger Co.
1014 Vine Street
Cincinnati, Ohio 45202

2. Name and Address of Attorneys/Consultants Representing Petitioner:

Kurt J. Boehm, Esq.
Jody Kyler Cohn, Esq.
Michael L. Kurtz, Esq., (Michigan #P67067)
BOEHM, KURTZ & LOWRY
36 East Seventh Street, Suite 1510
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Justin Bieber
ENERGY STRATEGIES, LLC
111 E Broadway, Suite 1200
Salt Lake City, Utah 84111
Ph: 801-355-4365
E-mail: jbieber@energystrat.com

3. Identify the Petitioner:

Petitioner is a retail electric customer of the DTE Electric Company (“Company”). Petitioner has approximately 86 grocery stores and other facilities that purchase their electric supply from the Company.

Petitioner’s Interest in this Proceeding:

Kroger is a corporation engaged in the business of selling groceries at retail throughout the United States. Petitioner is one of the largest commercial customers served by the Company and maintains over 100 accounts with the Company. These accounts purchase millions of kWh of electricity from the Company every month. The grocery stores operated by Kroger are high load factor facilities that use energy for food storage, lighting, heating, cooling and distribution, often on a 24 hour a day, 7 day a week basis. If the Company’s application is granted, then the cost for electric power service to Petitioner could be substantially impacted. Accordingly, Petitioner has a substantial and vital interest in the outcome of this proceeding which cannot be adequately represented by any other party.

WHEREFORE, for the reasons set forth above, Petitioner requests that this Petition to Intervene be granted.

Respectfully submitted,

Kurt J. Boehm, Esq.
Jody Kyler Cohn, Esq.
Michael L. Kurtz, Esq., (Michigan #P67067)
BOEHM, KURTZ & LOWRY
36 East Seventh Street, Suite 1510
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jkylercohn@BKLawfirm.com
mkurtz@BKLawfirm.com

COUNSEL FOR THE KROGER CO.

DATED this 16th day of April, 2024.

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: _____ Docket No. U-_____

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

1. (Name)
2. (Name)
3. (Name)
4. (Name)
5. (Name)
6. (Name)
7. (Name)

Name _____

Address _____

City _____ State _____

Zip _____ Phone _____

Email _____

Date _____

Signature: _____

I am not an attorney

I am an attorney whose:

Michigan Bar # is P-_____

_____ Bar # is: _____
(state)

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION

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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) The Kroger Co.
2. (Name)
3. (Name)
4. (Name)
5. (Name)
6. (Name)
7. (Name)

Name Jody Kyler Cohn
Address 36 E. Seventh St.
Suite 1510
City Cincinnati State OH
Zip 45202 Phone 513.421.2255
Email jkylercohn@bkllawfirm.com
Date 04/15/2024

<input type="radio"/> I am not an attorney
<input checked="" type="radio"/> I am an attorney whose:
Michigan Bar # is P- _____
<u>OH</u> Bar # is: <u>0085402</u>
(state)

Signature: _____

**STATE OF MICHIGAN
BEFORE THE PUBLIC UTILITIES 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	: : : : : : :	Case No. U-21534 (E-file) ALJ Sally J. Wallace
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PROOF OF SERVICE

I, Kurt J. Boehm, being duly sworn, deposes and says that on April 16, 2024 he served (via electronic mail) the following: 1) THE KROGER CO's PETITION TO INTERVENE; 2) NOTICE OF APPEARANCE OF KURT J. BOEHM and JODY KYLER COHN; and 3) PROOF OF SERVICE upon the persons listed on the attached Certificate of Service.

Kurt J. Boehm, Esq.
Jody Kyler Cohn, Esq.
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COUNSEL FOR THE KROGER CO.

CASE NO. U-21534 SERVICE LIST

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