

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter, on the Commission's own motion, )  
to open a contested case proceeding to develop and )  
adopt a framework energy waste reduction program )  
and to determine the alternative compliance payments )  
for effective administration under MCL 460.1091 )  
for the following named parties: )

Case No. U-21654

ALPENA POWER COMPANY, CONSUMERS )  
ENERGY COMPANY, DTE ELECTRIC COMPANY, )  
INDIANA MICHIGAN POWER COMPANY, )  
NORTHERN STATES POWER COMPANY, )  
UPPER PENINSULA POWER COMPANY, )  
UPPER MICHIGAN ENERGY RESOURCES )  
CORPORATION, ALGER DELTA COOPERATIVE )  
ELECTRIC ASSOCIATION, BAYFIELD ELECTRIC )  
COOPERATIVE, CHERRYLAND ELECTRIC )  
COOPERATIVE, CLOVERLAND ELECTRIC )  
COOPERATIVE, GREAT LAKES ENERGY )  
COOPERATIVE, MIDWEST ENERGY )  
COOPERATIVE, ONTONAGON COUNTY RURAL )  
ELECTRIFICATION ASSOCIATION, )  
PRESQUE ISLE ELECTRIC & GAS CO-OP, )  
THUMB ELECTRIC COOPERATIVE, )  
TRI-COUNTY ELECTRIC COOPERATIVE, )  
VILLAGE OF BARAGA, CITY OF BAY CITY, )  
CITY OF CHARLEVOIX, CHELSEA DEPARTMENT )  
OF ELECTRIC AND WATER, VILLAGE OF )  
CLINTON, COLDWATER BOARD OF PUBLIC )  
UTILITIES, CROSWELL MUNICIPAL LIGHT & )  
POWER DEPARTMENT, CITY OF CRYSTAL )  
FALLS, DAGGET ELECTRIC DEPARTMENT, )  
CITY OF DOWAGIAC, CITY OF EATON RAPIDS, )  
CITY OF ESCANABA, CITY OF GLADSTONE, )  
GRAND HAVEN BOARD OF LIGHT AND POWER, )  
CITY OF HARBOR SPRINGS, CITY OF HART )  
HYDRO, HILLSDALE BOARD OF PUBLIC )  
UTILITIES, HOLLAND BOARD OF PUBLIC )  
WORKS, VILLAGE OF L'ANSE, LANSING )  
BOARD OF WATER & LIGHT, LOWELL LIGHT )  
AND POWER, MARQUETTE BOARD OF LIGHT )  
AND POWER, MARSHALL ELECTRIC )  
DEPARTMENT, NEGAUNEE DEPARTMENT OF )  
PUBLIC WORKS, NEWBERRY WATER AND )  
LIGHT BOARD, NILES UTILITY DEPARTMENT, )

CITY OF NORWAY, CITY OF PAW PAW, CITY OF )  
PETOSKEY, CITY OF PORTLAND, CITY OF )  
SEBEWAING, CITY OF SOUTH HAVEN, CITY OF )  
ST. LOUIS, CITY OF STEPHENSON, CITY OF )  
STURGIS, TRAVERSE CITY LIGHT & POWER, )  
UNION CITY ELECTRIC DEPARTMENT, CITY OF )  
WAKEFIELD, WYANDOTTE DEPARTMENT OF )  
MUNICIPAL SERVICE, ZEELAND BOARD OF )  
PUBLIC WORKS, DTE GAS COMPANY, )  
MICHIGAN GAS UTILITIES CORPORATION, )  
and SEMCO ENERGY, INC. )  
\_\_\_\_\_ )

At the June 6, 2024 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. Daniel C. Scripps, Chair  
Hon. Katherine L. Peretick, Commissioner  
Hon. Alessandra R. Carreon, Commissioner

**ORDER**

On November 28, 2023, Governor Gretchen Whitmer signed Public Act 229 of 2023  
(Act 229), which became effective on February 13, 2024. Section 91(2) of Act 229,  
MCL 460.1091(2), provides that:

[t]he commission shall initiate a proceeding by July 1, 2024 to adopt a framework  
energy waste reduction [EWR] program that shall be utilized by the independent  
energy waste reduction program administrator in administering a program on behalf  
of a provider, and to determine the appropriate amount of alternative compliance  
payments for effective administration of energy waste reduction programs  
consistent with that framework.

The Commission opens the instant docket for the purpose of conducting a contested case in  
accordance with the Administrative Procedures Act of 1969, MCL 24.201, *et seq.*

To begin the process, the Commission directs the Commission Staff (Staff) to host a  
collaborative and work with the named parties and other interested persons to address the

framework EWR program related to the independent administrator and alternative compliance payments. This collaborative will take place virtually via Microsoft Teams on Monday, June 17, 2024, from 1:30 p.m. to 3:30 p.m. (Eastern time (ET)). The agenda with the Microsoft Teams meeting link is attached to this order as Exhibit A.

The collaborative will focus on the following issues and questions, and any other matters germane to the development of an EWR program framework:

1. Review of current program offerings.
2. Discussion on the development of the framework that will reflect the changes and amendments as a result of Act 229 for plans beginning January 1, 2026.
3. The factors that should be considered to develop an alternative compliance payment for new entry to the State Administrator.
4. Voluntary Efficient Electrification (EFEL) and how it can potentially be incorporated into the framework.
5. Other thoughts, issues, and ideas as brought forth during the collaborative will be discussed and considered during the framework development process.

The Staff shall file by August 2, 2024, its proposed framework with supporting testimony addressing the energy waste reduction program and alternative compliance payments. Interested persons shall submit timely petitions to intervene no later than 5:00 p.m. (ET) on August 9, 2024.

The administrative law judge (ALJ) shall conduct a prehearing conference on August 16, 2024. At the prehearing conference, the ALJ shall rule on all intervention petitions. The ALJ shall also establish the schedule for the contested case, including the filing dates for testimony, rebuttal filings by all the parties with an opportunity for cross-examination, and initial and reply briefs, and shall conduct the proceedings in an expedited manner so as to close the record in time to transmit the matter to the Commission no later than December 6, 2024. In doing so, the ALJ need not prepare a proposal for decision because the Commission intends to read the record.

THEREFORE, IT IS ORDERED that:

A. The Commission Staff shall host a collaborative, as described in this order, and work with the named parties and other interested persons to address the framework energy waste reduction program related to the independent administrator and alternative compliance payments. . The collaborative will take place virtually via Microsoft Teams on Monday, June 17, 2024, from 1:30 p.m. to 3:30 p.m. (Eastern time). The agenda with the Microsoft Teams meeting link is attached to this order as Exhibit A.

B. The Commission Staff shall file by 5:00 p.m. (Eastern time) on August 2, 2024, its proposed framework with supporting testimony addressing the energy waste reduction program and alternative compliance payments.

C. Interested persons shall submit timely petitions to intervene no later than 5:00 p.m. (Eastern time) on August 9, 2024.

D. The administrative law judge shall conduct a prehearing conference on August 16, 2024. At the prehearing conference, the administrative law judge shall rule on all intervention petitions. The administrative law judge shall also establish the schedule for the contested case, including the filing dates for testimony, rebuttal filings by all parties with an opportunity for cross-examination, and initial and reply briefs, and shall conduct the proceedings in an expedited manner so as to close the record in time to transmit the matter to the Commission no later than December 6, 2024.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26. To comply with the Michigan Rules of Court’s requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission’s Executive Secretary and to the Commission’s Legal Counsel.

Electronic notifications should be sent to the Executive Secretary at [LARA-MPSC-Edockets@michigan.gov](mailto:LARA-MPSC-Edockets@michigan.gov) and to the Michigan Department of Attorney General – Public Service Division at [pungpl@michigan.gov](mailto:pungpl@michigan.gov). In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General – Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

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Daniel C. Scripps, Chair

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Katherine L. Peretick, Commissioner

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Alessandra R. Carreon, Commissioner

By its action of June 6, 2024.

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Lisa Felice, Executive Secretary



GRETCHEN WHITMER  
GOVERNOR

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

MARLON I. BROWN, DPA  
DIRECTOR

KATHERINE PERETICK  
COMMISSIONER

DAN SCRIPPS  
CHAIR

ALESSANDRA CARREON  
COMMISSIONER

## **Energy Waste Reduction (EWR) Framework Collaborative**

June 17, 2024

1:30 p.m. – 3:30 p.m.

Phone-in: 1-248-509-0316, Conference ID: 665 468 824#

[Join Teams Meeting](#)

### **AGENDA ITEMS**

- a. MPSC Staff to review the legislation and set the expectations for the outcome of meeting.
- b. Presentation - MCA/Clearesult – Current Programming
  - i. Residential
  - ii. Commercial/Industrial
  - iii. Low income
  - iv. Education and Pilots
- c. MPSC Staff review changes to comply with legislation and collaborative discussion and thoughts.
- d. MPSC Staff Review of Compliance Payments
- e. Next Steps

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STATE OF MICHIGAN )

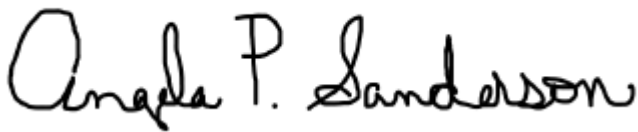
Case No. U-21654

County of Ingham )

Brianna Brown being duly sworn, deposes and says that on June 6, 2024 A.D. she electronically notified the attached list of this **Commission Order via e-mail transmission**, to the persons as shown on the attached service list (Listserv Distribution List).

  
Brianna Brown

Subscribed and sworn to before me  
this 6<sup>th</sup> day of June 2024.



Angela P. Sanderson  
Notary Public, Shiawassee County, Michigan  
As acting in Eaton County  
My Commission Expires: May 21, 2030

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Presque Isle Electric & Gas Cooperative, INC

Presque Isle Electric & Gas Cooperative, INC

Realgy Corp.

Realgy Energy Services

Santana Energy

Santana Energy

Spartan Renewable Energy, Inc. (Wolverine Power Marketing Corp)

Stephenson Utilities Department

Superior Energy Company

Texas Retail Energy, LLC

Thumb Electric Cooperative

Upper Michigan Energy Resources Corporation

Upper Michigan Energy Resources Corporation

Upper Peninsula Power Company

Upper Peninsula Power Company

Village of Baraga

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Volunteer Energy Services

Wabash Valley Power

Wolverine Power

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Xcel Energy

Xcel Energy

U-21654 - Special Distribution List

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Indiana Michigan Power Company 2 of 3  
Indiana Michigan Power Company 3 of 3  
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Marquette Board of Light and Power  
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Midwest Energy Cooperative

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