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October 23, 2024

Ms. Lisa Felice
Executive Secretary
Michigan Public Service Commission
7109 W. Saginaw Highway
P.O. Box 30221
Lansing, MI 48909

Re: **MPSC Case No. U-21534**

Dear Ms. Felice:

Attached for electronic filing in the above-referenced matter, please find the Reply Brief of the Michigan Energy Innovation Business Council, The Institute for Energy Innovation, and Advanced Energy United, together with the Proof of Service. Thank you for your assistance in this matter.

Very truly yours,

Justin K. Ooms

JKO/srd

Enclosure

c. All parties of record.

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.)
_____)

Case No. U-21534

**REPLY BRIEF
OF THE
MICHIGAN ENERGY INNOVATION BUSINESS COUNCIL,
INSTITUTE FOR ENERGY INNOVATION
AND
ADVANCED ENERGY UNITED**

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AND
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I. INTRODUCTION

This Reply Brief is filed on behalf of the Michigan Energy Innovation Business Council (“Michigan EIBC”), the Institute for Energy Innovation (“IEI”) and Advanced Energy United (“United”; collectively with Michigan EIBC and IEI, “MEIU”)¹ by their attorneys, Potomac Law Group, PLLC. In keeping with the instructions from Administrative Law Judge (“ALJ”) Sally Wallace in this proceeding,² MEIU have included responses to parties’ rebuttal of their witnesses’ testimony in their Initial Brief. As such, except as may be expressly modified in this Reply Brief, MEIU continue to advocate the positions taken in their Initial Brief and hereby incorporate the responses to other parties’ positions already contained therein as if fully contained in this Reply Brief. Failure to address any issues or positions raised by other parties—or failure to repeat

¹ The positions expressed in this Initial Brief represent those of the Michigan EIBC, IEI and United as organizations and not necessarily the views of individual members of these organizations with respect to any particular issue.

² Sent via email to the parties on September 12, 2024.

responses previously provided in MEIU’s Initial Brief—should therefore not be taken as agreement with those issues or positions or as a waiver of any position previously taken in MEIU’s Initial Brief.

II. ARGUMENT

A. The Attorney General (“AG”) Has Not Adequately Justified the Proposed Disallowance of Utility Make Ready Capital Expenditures for Electric Vehicle (“EV”) Charger Connections.

The AG’s Initial Brief presents witness Coppola’s recommendation to disallow almost \$4M in EV utility make ready funding for 2024 and slightly over \$10M for 2025 on the basis that DTE’s EV adoption forecast does not adequately support the likelihood that all of this spending will occur during the test year.³

Having not provided evidence to support the proposed reduced EV forecast (and corresponding disallowances) beyond several news articles covering a short time period,⁴ the AG’s brief reaches for a supposed admission from DTE Electric Company (“DTE” or the “Company”) witness Bennett that “the Energy Information Administration (“EIA”) projects that 16% of new vehicle sales will be electric by 2032, well below DTE’s forecast of 22% by 2028.”⁵ While this is an accurate statement as far as it goes, it neglects to note that DTE’s forecast does not rely only on EIA data but incorporates forecasts from multiple reliable sources and well as data from DTE’s own historical experience of EV adoption within its own service territory.⁶ Witness Bennett’s reference to the EIA data was clearly meant as an illustration of why the Company does not rely on single sources in developing its EV forecasts.

³ Initial Brief of the Attorney General, Case No. U-21534, Filing No. U-21534-0515 (“AG Initial Br”) at 23. For MEIU’s initial response, see Initial Brief of MEIU, Case No. U-21534, Filing No. U-21534-0500 (“MEIU Initial Br”) at 29–31.

⁴ See MEIU Initial Br at 30.

⁵ *Id.*; see 6 Tr 1997.

⁶ See 6 Tr 1940–41.

Although MEIU criticized DTE’s EV adoption forecast, specifically for likely being too low,⁷ DTE’s presentation is certainly sufficient to overcome witness Coppola’s attempt to undermine it with only weak evidentiary support, and the AG’s Initial Brief’s attempt to bolster that evidence with a supposed concession from DTE witness Bennett likewise fails.

The Commission should therefore reject the AG’s recommended disallowances of utility make ready capital expenditures for EV charging infrastructure.

B. Reviewing Utility Transportation Electrification Plans (“TEPs”) Outside of Rate Cases Will Not Represent an Improvement or Keep Controversies Related to TEPs Out of Rate Cases.

Staff’s Initial Brief presents witness Freeman’s recommendation to bifurcate TEP review from utility rate cases.⁸ It states, “These plans are informational only and cost recovery is not part of a TEP. Because a TEP is not part of a rate case, this case is not the proper venue to discuss DTE Electric’s TEP.”⁹ As MNSC witness Jester¹⁰ and MEIU witness Sherman¹¹ both pointed out, however, it is not quite that simple. Parties denied the opportunity to address the utility’s TEP as part of a contested case process outside of a rate case will necessarily be compelled to address contested issues *inside* of a rate case—when those issues are the subject of utility revenue requests.

Therefore, as MEIU argued in their Initial Brief,¹² the Commission should address TEP issues in this case, or, to the extent that the Commission wants to bifurcate TEP issues from rate cases, require TEP review to occur within the context of contested cases.¹³

⁷ 6 Tr 4062.

⁸ See Initial Brief of the MPSC Staff, Case No. U-21534, Filing No. U-21534-0508 (“Staff Initial Br”) at 13–14.

⁹ Staff Initial Br at 13.

¹⁰ 6 Tr 4035–4036.

¹¹ 6 Tr 4115–4118.

¹² See MEIU Initial Br at 34–36.

¹³ See also 6 Tr 4117–4118.

C. Staff Fail to Acknowledge or Justify Their Assumption that “On-Route” Chargers Will Provide the Most Benefits to Ratepayers.

MEIU have argued that DTE’s “bright-line restriction” on eligible direct current fast chargers (“DCFC”) is unjustified and may stymie otherwise beneficial DCFC development.¹⁴ In his rebuttal testimony, Staff witness Revere rejected Dr. Sherman’s proposal to remove the one-mile restriction that DTE has proposed in this case, while recognizing that there may be “certain places where a ‘destination charger’ [like the grocery store charger example raised by Dr. Sherman] acts more as an on-route charger.”¹⁵ In making this statement, witness Revere appears to be assuming that chargers located within the one-mile boundaries drawn in DTE’s proposal (*i.e.*, “on-route” chargers) will have certain consistent operating and utilization characteristics that those chargers located farther from throughways (*i.e.*, “destination” chargers, as witness Revere terms them) will not have, and vice versa. In other words, if a charger that does not fit within DTE’s rebate criteria has a higher utilization rate, it would be considered to “act more as an on-route charger,” whereas, presumably, an “on-route” charger with a low utilization rate would “act more as” a “destination” charger.

Staff carry this implicit assumption forward into their Initial Brief. Specifically, Staff mischaracterize Dr. Sherman’s Direct Testimony on this issue as essentially “claiming some chargers may be designated as destination when they act more as on-route chargers.”¹⁶ But Dr. Sherman nowhere conceded that chargers located within one mile of throughways will as a rule have certain utilization rates that those not located within that geographic footprint will not (or that the former type of charger will as a rule provide more net ratepayer benefits than the latter type). Dr. Sherman’s statement was rather that “[t]here may be other locations, especially in rural areas,

¹⁴ MEIU Initial Br at 25–27.

¹⁵ 6 Tr 4983.

¹⁶ Staff Initial Br at 151.

that would serve as appropriate and beneficial locations for a community DCFC[;] [f]or example, a grocery store on a main road could provide beneficial fast charging but might be excluded from the Company's program."¹⁷

Dr. Sherman's ultimate point was in fact that there is no way of knowing for sure whether any particular DCFC (fitting DTE's proposed criteria) will at the end of the day be in a more "appropriate and beneficial" location than any particular other DCFC located more than one mile from a throughway or whether it will have a more ideal utilization rate or provide more ratepayer benefits.

Rather than let the market decide where the ideal place for any particular DCFC might be (holding other key factors, including utility rebates, equal), DTE's proposal (supported by the Staff) instead takes a shortcut around the market and finds preemptively that Dr. Sherman's grocery store DCFC located outside of DTE's program parameters will underperform a DCFC inside of the program parameters. This assumption has not been established on the record in this case. Especially given that stakeholders did not make a distinction between chargers located inside or outside of the one-mile boundary as necessary for reducing range anxiety,¹⁸ this shortcut (and the assumption underlying it) is not warranted.

As it evaluates DTE's limitation for DCFC rebates, therefore, the Commission should ensure that it does not fall into the trap of assuming uncritically that the distance of a DCFC from a throughway is necessarily a meaningful distinction as far as utilization characteristics and associated ratepayer benefits are concerned.

¹⁷ 6 Tr 4090.

¹⁸ 6 Tr 1963.

D. It is Inappropriate to Apply the Company’s Contribution in Aid of Construction (“CIAC”) Policy to Public EV Charging Infrastructure on the Same Basis as Other Load Types.

DTE has justified its decision to eliminate the CIAC waiver for EV charging infrastructure at least partly on the basis that it would “align the TEP with the Company’s rate book” and, more to the point, on the basis that it would “promote[] fairness and equity, ensuring all customers contribute to the infrastructure they use”¹⁹ These arguments are based on one key assumption: that EV charging infrastructure is a similarly situated load type to others to whom the Company’s CIAC policy would apply.

Dr. Sherman’s testimony provides reason to question this assumption, specifically insofar as she states that

adequate availability of public charging for road trips is essential for enabling the adoption of EVs and should therefore appropriately be credited with enabling the revenue produced by charging at home and at other locations with Level 2 [“L2”]. It is therefore also appropriate to waive CIAC policy for public DCFC because public DCFC are a form of shared facility available for use by many customers, which produce revenues for the utility indirectly by enabling broad EV adoption and increased sales from charging occurring at locations other than the particular DCFC site.²⁰

In other words, the “revenue credits” granted to public EV charging infrastructure (both L2 and DCFC) under the Company’s line extension policy should not be limited to the revenue expected from any one public charging installation but should rather be considered against the background of all EV charging revenue enabled by that public charger. Any decision to eliminate the CIAC waiver for EV charging infrastructure must first contend with this reality.

In addition to the reasons already given by MEIU to reject DTE’s decision to eliminate the CIAC waiver for EV charging infrastructure,²¹ therefore, the Commission should also recognize

¹⁹ DTE Initial Br at 289.

²⁰ 6 Tr 4097.

²¹ MEIU Initial Br at 31–34.

that DTE’s claims to be treating EV charging infrastructure with “fairness and equity” paper over good reasons for treating it as distinct from other load types.

E. ABATE’s Opposition to the Inclusion of Societal Benefits in DTE’s Transportation Electrification Plan Benefit Cost Analysis (“BCA”) Would Simply Leave the Commission with Less Information and Make Its Policy Decisions More Difficult.

ABATE urges the Commission to “reject [MEIU’s] request to require DTE [to] account for social benefits, including greenhouse gas and criteria pollutant emissions reductions, in its BCA for its TEP,” or, alternatively, to limit its consideration of any societal cost test (“SCT”) performed as part of DTE’s TEP BCA to “a sensitivity case” and “not direct DTE to pursue or expand its TEP on the basis of societal benefits associated with avoided transportation emissions.”²² ABATE continues on to claim that expanding the TEP on the basis of societal benefits provided “would effectively amount to mandating electric ratepayers subsidize the cost of providing the claimed societal benefits.”²³

ABATE’s argument then appears to attempt to pivot towards a procedural recommendation regarding the forum in which an SCT should be developed, pointing to the PFD and Commission order in Case No. U-21297. While MEIU do not necessarily disagree with the use of a stakeholder process to iron out the details of how an SCT would be implemented as part of DTE’s TEP, that is not the issue in this case, and the citations to the PFD and order from Case No. U-21297 actually do more to emphasize the Commission’s desire to have a “comprehensive BCA”²⁴ (which MEIU have consistently argued ought to include an SCT) than to suggest that the information available to the Commission should be more limited, as ABATE argue here.

²² Initial Brief of ABATE, Case No. U-21534, Filing No. U-21534-0501 (“ABATE Initial Br”) at 54–55.

²³ *Id.*

²⁴ December 1, 2023 order of the Public Service Commission in Case No. U-21297, Filing No. U-21297-0649 (“U-21297 Order”) at 276–278.

As MEIU’s Initial Brief made clear, MEIU do not propose to use the quantification of societal benefits as a justification for making ratepayers as a whole worse off financially than they would be without the EV charging spurred on by utility investment in infrastructure.²⁵ Rather, the use of multiple cost tests, including an SCT, will help the Commission make a key policy decision:

The policy question for the Commission is simply this: assuming EV charging load will always be required to pay for its marginal costs, how much towards fixed costs should it be required to pay vs. receive back in the form of rebates and other programs that support its further development (and further net benefits to ratepayers as a whole)? Under-supporting EV charging infrastructure buildout . . . would represent a net loss to ratepayers—and society—in the long run, which is an irrational outcome.²⁶

Dr. Sherman further emphasized this point in her Direct Testimony:

To fully capture the value of a utility TEP, it is important that utilities and public utility commissions evaluate not only programs’ financial impact on ratepayers and the utility system but also the broader benefits that accrue to society as a whole. These societal benefits can be incorporated into utility TEPs by including the avoided costs in the overall financial analysis using a TRC, as was one by ComEd and Ameren, or by using an SCT. Utilities can also utilize more than one of these cost tests to evaluate the associated costs and benefits of their proposed programs, with one typically identified as the primary test for decision-making. In general, when multiple tests are performed, each is utilized in the overall BCA, but they are discussed individually to allow for separate evaluations of the benefits and costs to society, ratepayers, and participants.

[. . .]

The net effect of failure to consider substantial benefit categories in the BCA is to undervalue and therefore discourage investments that would be beneficial. As long as the incremental total benefits of investments in transportation electrification exceed the incremental costs of transportation electrification, society is better off by increasing spending on transportation electrification in order to gain those incremental benefits.²⁷

²⁵ See MEIU Initial Br at 17–19.

²⁶ *Id.* at 17–18.

²⁷ 6 Tr 4079–4081.

MEIU therefore continue to urge the Commission to require DTE’s future TEPs to include consideration of additional benefits, including societal benefits such as greenhouse gas and criteria pollutant emission reductions, through the utilization of multiple cost tests.

F. Waiving the Demand Limit for DCFC on Rate D3 on a Charger-by-Charger Basis Does Not Address the Core Problem Identified by MEIU—the Need for Maturation of the Overall Market.

The existing arrangement regarding the demand limit waiver for DCFC charging on Rate D3 that arose out of Case No. U-21297 has been to continue the waiver until June 2026 and, from then on, to allow each DCFC charging station energized after June 2024 that would exceed the 1000 kW limit under Rate D3 to remain on Rate D3 for two years.²⁸ This status quo, which Staff and DTE support in this case,²⁹ appears to be based on an assumption that *each individual* charging station/site host might need up to two years to build up to a certain minimum utilization rate and that, after that period, it can reasonably be expected to have achieved a utilization rate (and a minimum load factor) that would make service under Rate D4 practical. For example, Staff’s brief, quoting witness Krause, states straightforwardly that “[a]fter two years on Rate D3, the customer should assume they will be moved to rate D4 if their demand is more than 1,000 kW,”³⁰ the implication being that this should be enough time for any individual charger to be able to make the change without any issues.

MEIU witness Sherman explained in her Direct Testimony, however, that the maturation that needs time to occur is not in the first place the maturation of each individual charger’s operational characteristics and utilization rate, but the maturation of the overall EV charging market (which has impacts across all chargers):

²⁸ U-21297 Order at 341.

²⁹ See Staff Initial Br at 132–133; DTE Initial Br at 291.

³⁰ Staff Initial Br at 133.

I recommend that both existing and new customers should be allowed to access this rate schedule [Rate D3] without the demand restriction for at least four additional years, until January 1, 2030. This should provide sufficient time *for DCFC usage to approach a market equilibrium*, though that will need to be assessed at the time. While it may still be premature to establish EV-specific rates even by 2030, my recommendation will ensure that demand-based rates do not inhibit the expansion of DCFC for sites with high demand but low utilization rates in the interim.³¹

Thus, for this reason and in addition to the arguments MEIU have already made,³² the Commission should keep the Rate D3 demand waiver in place for all chargers at least until 2030 and ultimately until there is evidence that utilization rates have increased and stabilized at an overall “market equilibrium.”

G. Less “Efficient” Use of the System (By Which DTE Appears to Mean Lower vs. Higher Load Factor Use) Is Not Necessarily a Driver of Under-Recovery Relative to Cost Causation.

In defending the Company’s proposal to impose caps on its Commercial and Industrial (“C&I”) Time of Use (“TOU”) rates, DTE states,

[T]here are risks of customers shifting from Rate Schedule D11 to the proposed Rate Schedule D14. Rate Schedule D11 is a demand-based rate that encourages more efficient use of the system, which in turn results in a lower average cost. The proposed Rate Schedule D14 reduces the incentive for customers to operate efficiently. Until such time as Rate Schedule D14 is supported by its own cost-of-service class, this may lead to an under-recovery of cost, which would ultimately be allocated to other customers.³³

Built into this argument is the false premise that increasing their load factor is essentially the only appropriate way for a customer to derive cost savings. By implication, DTE appears to be arguing that a customer with a lower load factor coupled with load shifting to off-peak periods would effectively be guilty of manipulating the Company’s rates to underpay for service rather than simply paying a rate more in keeping with that customer’s cost causation.

³¹ 6 Tr 4098–4099 (emphasis added).

³² See MEIU Initial Br at 37–40.

³³ DTE Initial Br at 318.

MEIU witness Barnes discusses this issue in his Direct Testimony in response to DTE's proposal to cap its C&I TOU rates:

[T]he prospect of lower revenue is not by itself indicative of under-recovery of costs or unreasonable cost-shifting to other ratepayers. A TOU rate is intended to produce load shifting away from peak periods. This in turn produces cost savings that offset a revenue loss. In addition, the prospect of lower revenue from customers that save money on the rate without needing to shift their loads (i.e., structural savers with on-peak usage that is already below average) is a fully reasonable result, since those customers were previously overpaying at the otherwise applicable non-TOU rate relative to the costs they caused. In this context, the shifting of costs to other ratepayers is not unreasonable. Rather, it is the justified result of a rate structure that is more closely aligned with cost causation.³⁴

In other words, increasing load factor should not be and is not the only permissible way for a customer to produce cost savings (and to reduce their average rate); load shifting away from peak periods is an alternative means of doing so. The resultant customer savings, which incentivize load shifting to off-peak periods rather than incentivizing steady demand even during peak periods to maintain high load factor, should therefore not be viewed as a bug but as a key feature of a TOU rate. Furthermore, the Company's position ignores the fact that a customer responding to a TOU rate in a manner that shifts their load away from peak periods: (a) benefits other customers within the same rate class by reducing the allocation of peak-driven costs to that class,³⁵ and (b) customers in other classes by reducing overall system costs.³⁶

The Commission should therefore not be persuaded to maintain the caps DTE proposes for its C&I TOU rates on the basis that load shifting could produce cost savings for lower-load-factor customers taking service under those rates.

³⁴ 6 Tr 4148; see also MEIU Initial Br at 52–55.

³⁵ See 6 Tr 2758–2759, 2765–2766 (Maroun Direct, discussing cost allocation).

³⁶ 6 Tr 4148 (Barnes Direct) (“A TOU rate is intended to produce load shifting away from peak periods. This in turn produces cost savings that offset a revenue loss.”).

H. DTE Concedes that It Will Comply with Whatever Implementation Timeline the Commission Orders for its C&I TOU Rates.

DTE has consistently argued in this case that it needs an extensive period of time to implement the C&I TOU rates proposed in this case in response to the Commission’s U-21297 Order.³⁷ Nonetheless, as MEIU pointed out previously, it appears that DTE witness Sharma “essentially conced[es] that [DTE] will ultimately do whatever it is ordered to do.”³⁸ DTE’s Initial Brief appears to do the same, indicating, “Actual implementation timing will depend on whatever the Commission orders.”³⁹ Although DTE then goes on to list all of the modifications it expects to need to make to its billing system, neither its witnesses nor its brief ultimately provide compelling reasons why it should be permitted to de-prioritize C&I TOU rate implementation within its IT processes.⁴⁰

The Commission should therefore not hesitate to require DTE to implement the C&I TOU rates on the timeline recommended by MEIU.

III. CONCLUSIONS AND PRAYER FOR RELIEF

WHEREFORE, the Michigan Energy Innovation Business Council, the Institute for Energy Innovation and Advanced Energy United continue to respectfully request that the Commission:

- (a) Continue to support the investments in EV infrastructure necessary to enable the demonstrable benefits, both to ratepayers and society more broadly, that broad transportation electrification will provide;
- (b) Use the Company’s BCA cautiously in its evaluation of the reasonableness and prudence of the Company’s proposed investments, recognizing that the top-line numbers on the benefits side of the BCA are essentially only extreme *low-end* estimates and that the Company’s budget proposals represent at best the extreme *minimum*

³⁷ See, e.g., DTE Initial Br at 320; 6 Tr 2326–2327.

³⁸ MEIU Initial Br at 58.

³⁹ DTE Initial Br at 320.

⁴⁰ See MEIU Initial Br at 57–59; 6 Tr 4155–4156.

- amount of investment needed to support (much less maximize) ratepayer benefits from transportation electrification;
- (c) Reject Staff's suggestion to conduct individualized BCAs for fleet electrification;
 - (d) Require DTE to (1) modify its low-income ("LI") single-family home ("SFH") rebates to allow customer eligibility based on geography as well as income, (2) modify the proofs required to prove eligibility for multi-unit dwelling ("MUD") rebates, (3) allow MUD rebates to cover customer make-ready costs, (4) expand eligibility for DCFC rebates beyond the space that is one mile from a throughway, (5) expand funding or program eligibility for public and workplace L2 chargers, and (6) allow school bus chargers that are not bi-directional to nonetheless qualify for rebates on a sliding scale;
 - (e) Reject Staff and AG proposals to cut the Company's TEP budget;
 - (f) Direct DTE to continue to waive CIAC for Level 2 chargers and public DCFC;
 - (g) Reject witness Freeman's recommendation that TEP review take place in the context of an open comment docket and instead require DTE's TEPs to be scrutinized as part of contested proceedings;
 - (h) Reject proposals to make use of the DCFC-specific cost-of-service study to develop a DCFC-specific rate in this case or the next;
 - (i) Direct DTE to extend the D3 demand waiver provisionally through 2030, with the intention of reexamining it at that time against the on-the-ground realities of the fast-charging market at that time;
 - (j) Reject DTE's requests for recovery of any further expenditures in support of its behind-the-meter C&I BESS pilot (including any that have already been made at DTE's own risk) and instead direct that the Company work with stakeholders to develop new rate designs or pilot programs that would better enable customers to provide (and be compensated for) benefits to the system through customer-sited and -owned BESS;
 - (k) Approve DTE's proposed C&I TOU rates with the modifications and in accordance with the schedule recommended by MEIU, including (1) the inclusion of a new TOU rate mapped to Rate D4, (2) the adjustment of the on-peak window for Rate D14 to be limited to 1-5pm M-F, consistent with Rates D3.11 and proposed MEIU Schedule D4.1; (3) the removal of any enrollment caps for the new rates, and (4) the implementation of the new rates within a maximum of three months of a final order in this case;
 - (l) Order DTE to develop the rate comparison tools, including the rate comparison report introduced by MEIU witness Barnes as Exhibit MEIU-31, to better enable its customers to evaluate whether one of these rates might be beneficial to them; and
 - (m) Grant such other and further relief as is deemed lawful and appropriate.

Respectfully submitted,

Potomac Law Group, PLLC
Attorneys for the Michigan Energy Innovation
Business Council, the Institute for Energy
Innovation and Advanced Energy United

October 23, 2024

By: _____

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4854-6659-5312, v. 4

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the Application of)
DTE ELECTRIC COMPANY)
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

PROOF OF SERVICE

STATE OF SOUTH CAROLINA)
) ss.
COUNTY OF BERKELEY)

Summer R. Dukes, the undersigned, being first duly sworn, deposes and says that she is a Paralegal at Potomac Law Group PLLC and that on the 23rd day of October, 2024 she served a copy of the Reply Brief of the Michigan Energy Innovation Business Council, The Institute for Energy Innovation, and Advanced Energy United, via email, upon those individuals listed on the attached Service List via email.

Summer R. Dukes

<p><u>Administrative Law Judge</u> Honorable Sally L. Wallace Wallaces2@michigan.gov</p> <p><u>The City of Ann Arbor</u> Valerie Jackson Valerie J.M. Brader vjackson@a2gov.org valerie@rivenoaklaw.com</p> <p><u>Attorney General Dana Nessel</u> Joel B. King Kingj38@michigan.gov ag-enra-spec-lit@michigan.gov</p> <p><u>DTE Electric Company</u> Jon P. Christinidis Andrea E. Hayden Paula Johnson-Bacon John A. Janiszewski Breanne K. Reitzel Jon.christinidis@dteenergy.com Andrea.hayden@dteenergy.com Paula.bacon@dteenergy.com John.janiszewski@dteenergy.com Breanne.reitzel@dteenergy.com mpscfilings@dteenergy.com</p> <p><u>Michigan Environmental Council (MEC)</u> <u>Natural Resources Defense Council (NRDC)</u> Christopher M. Bzdok Tracy Jane Andrews Holly L. Hillyer chris@tropospherelegal.com tjandrews@tropospherelegal.com holly@tropospherelegal.com</p> <p><u>Great Lakes Renewable Energy Association</u> Don L. Keskey Brian W. Coyer donkeskey@publiclawresourcecenter.com bwcoyer@publiclawresourcecenter.com</p>	<p><u>MPSC Staff</u> Amit T. Singh Heather M.S. Durian Michael J. Orris Monica M. Stephens Lori Mayabb Singha9@michigan.gov durianh@michigan.gov orrism@michigan.gov stephensm11@michigan.gov mayabbl@michigan.gov</p> <p><u>Michigan Energy Innovation Business Council</u> <u>Institute for Energy Innovation</u> <u>Advanced Energy United</u> <u>The Foundry Association of Michigan</u> <u>Energy Michigan, Inc.</u> Laura A. Chappelle Timothy J. Lundgren Justin K. Ooms lochappelle@potomaclaw.com tlundgren@potomaclaw.com jooms@potomaclaw.com</p> <p><u>PROTEC</u> Michael J. Watza Mike.watza@kitch.com</p> <p><u>Walmart, Inc.</u> Melissa M. Horne mhorne@hcc-law.com</p> <p><u>UWUA Local 223</u> Benjamin King bking@michworkerlaw.com</p> <p><u>The Kroger Co.</u> Kurt J. Boehm Jody Kyler Cohn Justin Bieber kboehm@bkllawfirm.com jkylercohn@bkllawfirm.com jbieber@energystrat.com</p>
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