

STATE OF MICHIGAN  
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES  
FOR THE MICHIGAN PUBLIC SERVICE COMMISSION

\* \* \* \* \*

In the matter of the application of MICHIGAN )  
ELECTRIC TRANSMISSION COMPANY, LLC )  
for an Act 30 certificate of public convenience )  
and necessity for the construction of a major )  
transmission line between Oneida Substation )  
in Eaton County and Nelson Road Substation )  
Gratiot County, Michigan )

Case No. U-21471

In the matter of the application of MICHIGAN )  
ELECTRIC TRANSMISSION COMPANY, LLC )  
for an Act 30 certificate of public convenience )  
and necessity for the construction of a major )  
transmission line between the Indiana/ )  
Michigan state border at Gilead Township in )  
Branch County and the new Helix Substation )  
in Calhoun County, Michigan )

**RULING DENYING PETITION TO INTERVENE OUT OF TIME OF  
ELIZABETH PRICE**

This ruling addresses the petition of Elizabeth Price to intervene in Case No. U-21471, which involves an application filed by Michigan Electric Transmission Company (METC) on July 15, 2024, under the Electric Transmission Line Certification Act (“Act 30”), MCL 460.561 et sec. for certificates to construct two major transmission lines.<sup>1</sup> On July 26, 2024, the Commission issued a Notice of Hearing, which stated that petitions to

---

<sup>1</sup> At the prehearing conferences on April 7, 2004, Case Nos. U-21471 and U-21472 were consolidated for the purpose of administrative efficiency. Despite the consolidation of the cases, two separate certificates are requested by the applicant.

intervene must be filed by August 22, 2024, with the prehearing being scheduled for August 29, 2024. The prehearing was held as scheduled on August 29, 2024.

On October 22, 2024, Elizabeth Price, through counsel, filed a Petition for Delayed Leave to Intervene Out of Time. In the petition Ms. Price asserts that she is an affected landowner within the meaning of MCL 460.1153, and that she should therefore be granted full intervenor status as of right in accordance with MCL 460.1153(2). The petition notes that Rule 401 of the Commission's Rules of Practice and Procedure allows for a late petition to intervene to be granted upon a showing of good cause and showing that granting said petition will not delay the proceeding or unduly prejudice any party.

On October 29, 2024, METC filed a "partial objection" to the petition of Elizabeth Price. METC points out that the petition mistakenly relies on MCL 460.1153, but notes that this statute contains similar language to MCL 460.568(2) and presumes that the petitioner intended to rely on MCL 460.568(2). The objection notes that the petition was filed 61 days after the Commission's deadline for intervention and 54 days after the prehearing was held. METC further states that while the petition admits that it is untimely, there is no explanation offered as to why the petition was filed untimely and METC further contends that the petitioner was aware of this proceeding having participated and made comment during the public meeting held on October 3, 2024.<sup>2</sup>

METC does not dispute petitioner's standing as an affected landowner but states that when a petition is filed untimely, intervention may only be granted if the petitioning party meets the standard for permissive intervention. METC argues, "The Petition was filed 61 days after the deadline for intervention petitions, therefore, granting intervention at

---

<sup>2</sup> METC's Partial Objection to Elizabeth Price's Petition for Delayed Leave to Intervene Out of Time, page 3.

this late stage of the case is discretionary and cannot be granted as of right.”<sup>3</sup> Additionally, METC asserts that should the petition be granted, the petitioner’s participation must be limited to the scope of Act 30.

#### Good Cause for Late Filing

There is no dispute that Elizabeth Price did not file her petition to intervene by the time required by the Commission. The Commission has previously held that the requisite “good cause” can be met based upon a party being unaware of the proceedings, or their prospective interest in the matter, until after the deadline, as well as demonstrating a unique perspective or interest in the case. See, November 22, 2016 order in Case No. U-17691; see also, May 15, 2013 order in Case No. U-16200. Additionally, the Commission has held that permissive intervention is appropriate “if the litigant could be expected to bring helpful information to the Commission’s attention that might not otherwise be available.”<sup>4</sup>

However, in this matter the petitioner has not articulated what the good cause for her late filing is in this petition. There is no explanation in the petition as to why the petition was filed untimely or offering any good cause for the late filing. Mich Admin Code, R 792.10410 addresses petitions to intervene in matters before the Commission, stating:

R 792.10410 Petitions. Rule 410.

(1) A person who is not a complainant, respondent, applicant, or staff, and who claims an interest in a proceeding may petition for leave to intervene. Unless otherwise provided in the notice of hearing, a petition for leave to intervene must be

---

<sup>3</sup> METC’s Partial Objection to Elizabeth Price’s Petition for Delayed Leave to Intervene Out of Time, page 4.

<sup>4</sup> October 14, 2010 order in Case No. U-16200, p. 4.

filed with the commission not less than 7 days before the date set for the initial hearing or prehearing conference and the petition must be served on all parties to the proceeding. All parties must have an adequate opportunity to file objections to, and to be heard with respect to, the petition for leave to intervene. A petition for leave to intervene that is not filed in a timely manner may be granted upon a showing of good cause and a showing that a grant of the petition will not delay the proceeding or unduly prejudice any party to the proceeding. Except for good cause, an intervenor whose petition is not filed in a timely manner, but who is nevertheless granted leave to intervene, is bound by the record and procedural schedules developed before the granting of leave to intervene.

(2) A petition for leave to intervene must set out clearly and concisely the facts supporting the petitioner's alleged right or interest, the grounds of the proposed intervention, and the position of the petitioner in the proceeding to fully and completely advise the parties and the commission of the specific issues of fact or law to be raised or controverted. If affirmative relief is sought, the petition for leave to intervene must specify that relief. Requests for relief may be stated in the alternative.

As stated above, the petition offers no reason for the delayed filing and no recitation of facts that could provide a good cause for the late filing. As no grounds upon which the undersigned could make a determination as to good cause have been articulated, the undersigned must conclude that no good cause has been presented for the late petition to intervene. Therefore, as no good cause has been shown, the petition must be denied.

CONCLUSION

Elizabeth Price's Petition for Delayed Leave to Intervene Out of Time is DENIED.

MICHIGAN OFFICE OF ADMINISTRATIVE  
HEARINGS AND RULES  
For the Michigan Public Service Commission

Christopher  
S. Saunders

Digitally signed by: Christopher S.  
Saunders  
DN: CN = Christopher S. Saunders  
email = saundersc4@michigan.gov C =  
US O = MOAHR OU = MOAHR - PSC  
Date: 2024.11.08 09:47:12 -05'00'

---

Christopher S. Saunders  
Administrative Law Judge

Issued and Served:  
November 8, 2024

STATE OF MICHIGAN

MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

\* \* \* \* \*

STATE OF MICHIGAN )  
 ) SS.  
County of Ingham )  
\_\_\_\_\_ )

Case No. U-21471

PROOF OF SERVICE

Meaghan Dobie, being duly sworn, deposes and says that on November 8, 2024 she served a copy of the attached Ruling Denying Petition to Intervene Out of Time of Elizabeth Price via email and/or first-class mail to the persons as shown on the attached service list.



\_\_\_\_\_  
Meaghan Dobie

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



\_\_\_\_\_  
Brianna L. Brown  
Notary Public, Gratiot County, Michigan  
My Commission Expires July 4, 2028

**SERVICE LIST  
CASE NO. U-21471**

**MICHIGAN ELECTRIC TRANSMISSION COMPANY, LLC**

Richard J. Aaron

Courtney F. Kissel

Olivia R.C.A. Flower

Kyle M. Asher

Hannah E. Buzolits

Lisa M. Agrimonti

Haley Waller Pitts

[raaron@dykema.com](mailto:raaron@dykema.com)

[ckissel@dykema.com](mailto:ckissel@dykema.com)

[oflower@dykema.com](mailto:oflower@dykema.com)

[kasher@dykema.com](mailto:kasher@dykema.com)

[hbuzolits@dykema.com](mailto:hbuzolits@dykema.com)

[lagrimonti@fredlaw.com](mailto:lagrimonti@fredlaw.com)

[hwallerpitts@fredlaw.com](mailto:hwallerpitts@fredlaw.com)

**MICHIGAN PUBLIC SERVICE COMMISSION STAFF**

Heather M.S. Durian

Monica M. Stephens

Michael J. Orris

Amit T. Singh

Megan Mix

[durianh@michigan.gov](mailto:durianh@michigan.gov)

[stephensm11@michigan.gov](mailto:stephensm11@michigan.gov)

[orrism@michigan.gov](mailto:orrism@michigan.gov)

[singha9@michigan.gov](mailto:singha9@michigan.gov)

[mixm@michigan.gov](mailto:mixm@michigan.gov)

**CITIZENS UTILITY BOARD OF MICHIGAN (CUB)**

Christopher M. Bzdok

John R. Liskey

Breanna Thomas

Douglas Jester

Julielyn Gibbons

Eli Gold

[chris@tropospherelegal.com](mailto:chris@tropospherelegal.com)

[john@liskeypllc.com](mailto:john@liskeypllc.com)

[breanna@tropospherelegal.com](mailto:breanna@tropospherelegal.com)

[djester@5lakesenergy.com](mailto:djester@5lakesenergy.com)

[jgibbons@5lakesenergy.com](mailto:jgibbons@5lakesenergy.com)  
[egold@5lakesenergy.com](mailto:egold@5lakesenergy.com)

**MICHIGAN ENERGY INNOVATION BUSINESS COUNCIL;**  
**INSTITUTE FOR ENERGY INNOVATION; CLEAN GRID ALLIANCE**

Laura A. Chappelle  
Justin K. Ooms  
Timothy J. Lundgren  
Elizabeth Wheeler  
Laura Sherman  
[lchappelle@potomaclaw.com](mailto:lchappelle@potomaclaw.com)  
[jooms@potomaclaw.com](mailto:jooms@potomaclaw.com)  
[tlundgren@potomaclaw.com](mailto:tlundgren@potomaclaw.com)  
[ewheeler@cleangridalliance.org](mailto:ewheeler@cleangridalliance.org)  
[laura@mieibc.org](mailto:laura@mieibc.org)

**RONALD S. BEWERSDORFF,**  
**TRUSTEE OF THE JEANNE G. BEWERSDORFF TRUST;**  
**BRENDA L. BIRCHMAN;**  
**KENNETH MAY;**  
**DANIEL AND LORI MAY;**  
**JOSIP ZOKVIC, TRUSTEE OF THE JOSIP ZOKVIC TRUST**

Clifford A. Knaggs  
Rhonda Kunkel  
Betsy L. Reeve  
[caknaggs@kblawpc.com](mailto:caknaggs@kblawpc.com)  
[rhonda@kblawpc.com](mailto:rhonda@kblawpc.com)  
[betsy@kblawpc.com](mailto:betsy@kblawpc.com)

**DANIELLE AND ANTHONY WOHLSCHEID;**  
**DIANE AND CHARLES WOHLSCHEID;**  
**ROBERT BRENNAN AND VALERIE WOHLSCHEID-BRENNAN;**  
**LYNN AND STEPHEN COLBY;**  
**GORDON AND VONNIE DIEMER;**  
**JOSEPH AND JENNIFER HADDIX;**  
**KAROL AND EUGENE SANBORN;**  
**LAWRENCE AND COREEN STRZALKA**

Frederick M. Baker, Jr.  
[fmbjrpllc@outlook.com](mailto:fmbjrpllc@outlook.com)

**SCOTT AND LOURI BLANCHARD**  
[sblanchard@tenneco.com](mailto:sblanchard@tenneco.com)

**CERES FARMS, LLC;**  
**CERES PARTNERS, LLC**

Thomas M. Wardrop  
[mac@wardroplaw.com](mailto:mac@wardroplaw.com)

**ROBERT V. AND DAWN H. LUST**

[rvlust1@gmail.com](mailto:rvlust1@gmail.com)  
[dhlust11@gmail.com](mailto:dhlust11@gmail.com)

**WILLIAM AND LINDA MARTIN**

421 W Lutz Road  
Archbold, OH 43502

**ROBERT AND ROSE WILLIAMS**

Alan T. Ackerman  
Matthew S. Ackerman  
[alan@ackerman-ackerman.com](mailto:alan@ackerman-ackerman.com)  
[matthew@ackerman-ackerman.com](mailto:matthew@ackerman-ackerman.com)

**BRANCH SOLAR, LLC**

Ashley G. Chrysler  
Daniel P. Ettinger  
Katherine G. Boothroyd  
[achrysler@wnj.com](mailto:achrysler@wnj.com)  
[dettinger@wnj.com](mailto:dettinger@wnj.com)  
[kboothroyd@wnj.com](mailto:kboothroyd@wnj.com)

**SIERRA CLUB**

Christopher M. Bzdok  
Natasha Fowles  
[chris@tropospherelegal.com](mailto:chris@tropospherelegal.com)  
[natasha@tropospherelegal.com](mailto:natasha@tropospherelegal.com)

**CHAD A. MYERS**

**ELIZABETH PRICE**

H. Kirby Albright  
[halbright@fraserlawfirm.com](mailto:halbright@fraserlawfirm.com)