

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of	)	
CONSUMERS ENERGY COMPANY	)	
for authority to increase its rates for the	)	Case No. U-21806
distribution of natural gas and for other relief.	)	
_____	)	

**MICHIGAN STATE UNIVERSITY’S AND LANSING BOARD OF WATER & LIGHT’S  
PETITION TO INTERVENE**

Michigan State University (“MSU”) and Lansing Board of Water & Light (“LBWL”), by their counsel Dickinson Wright PLLC, respectfully submit this Petition to Intervene (“Petition”) in this case pursuant to Rule 410(1) and (2) of the Practice and Procedure Before the Commission, R 792.10410(1) and (2). In support of this Petition, MSU and LBWL state as follows:

1. MSU is a public research university founded in 1855 and located in East Lansing, Michigan. MSU was founded as the Agricultural College of the State of Michigan, one of the country’s first institutions of higher education to teach scientific agriculture. After passage of the Morrill Act, the college became coeducational and expanded its curriculum beyond agriculture. Today, MSU is one of the largest universities in the United States in terms of enrollment and alumni worldwide.

2. LBWL is a municipally owned utility, which provides power and water to the City of Lansing and certain surrounding areas. Its rates are not set by the Commission, but are instead set by LBWL’s Board of Commissioners. The Lansing Board of Water & Light is governed by a board of commissioners, which is comprised of eight voting members who represent the City of Lansing and three non-voting members who represent the outlying cities and townships serviced by LBWL. LBWL is the largest municipally owned utility in Michigan, and is a major employer in the Lansing area.

3. MSU and LBWL are Consumers Energy Company’s (“Consumers”) largest gas transportation customers and fall under the Extra Extremely Large Transport (“XXLT”) class.

Because of MSU's and LBWL's unique position as Rate XXLT customers, the Commission has granted MSU's and LBWL's petitions to intervene in the past several Consumers' rate cases. See e.g., Case Nos. U-18424 (LBWL only), U-20322, U-20650, U-21148, U-21308, and U-21490.

4. The Commission recognizes two bases for intervention by parties in contested case proceedings. The first type of intervention is where the party has standing to intervene as of right, which requires that the party: (i) will have suffered an injury in fact as a result of the outcome of the case; and (ii) be within the "zone of interest" to be protected by statute. *In the matter of the application of Detroit Edison Co*, January 11, 2010 Opinion and Order in Case Nos. U-15768 and U-15751, pp 5-7, citing *Association of Data Processing Service Organizations, Inc v Camp*, 397 US 150 (1970); see also *Drake v Detroit Edison*, 453 F Supp 1123, 1127 (WD Mich 1978). The second type of intervention is permissive, where the Commission exercises 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 to be resolved in the case. E.g., *In re DTE Electric Co*, MPSC Case No. U-17319, p 10 (March 6, 2014), quoting, MPSC Case No. U-11057, pp 2-3 (June 5, 1996); see also, R 792.10410 and 10412.

5. MSU and LBWL meet both standards.

6. Consumers' Application proposes an increase in charges for Rate XXLT, which is the transportation class available to customers with the highest annual minimum throughput. (Application at Attachment A.) Such a proposed increase would uniquely affect the interests of MSU and LBWL.

7. As Rate XXLT customers, MSU and LBWL therefore meet the test for intervention as of right because they have a direct financial interest in the amount that Consumers may charge for gas transportation services. MSU and LBWL will be directly affected by the imposition of the rules, regulations, and tariffs, namely the rate to be imposed on Rate XXLT, and how it will be calculated, created, or changed as a result of this proceeding.

8. As Consumers’ largest customers—and the only customers subject to Rate XXLT—MSU and LBWL will suffer an injury in fact depending on the rulings from these proceedings. Accordingly, MSU and LBWL are within the “zone of interest” to be protected.

9. MSU and LBWL intend to take the position in this case that Consumers’ proposed gas transportation rates for its customers should be reasonable and just. MSU and LBWL intend to participate for the duration of this case to ensure Consumers’ request to increase rates is a result of reasonable and prudent decision-making and to advocate for any necessary improvements to Consumers’ proposed rate design. MSU and LBWL reserve the right to take other and related positions as may be necessary to protect their interests and those of their customers in this proceeding.

10. WHEREFORE, MSU and LBWL respectfully request that the Administrative Law Judge and Commission grant this Petition to authorize MSU’s and LBWL’s participation in these Commission proceedings as full parties of record.

Respectfully submitted,

DICKINSON WRIGHT PLLC  
Attorneys for Michigan State University and  
Lansing Board of Water & Light

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Dated: January 6, 2025

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**PROOF OF SERVICE**

Lisa Page states that she is an employee of Dickinson Wright PLLC and that on January 6, 2025, she served Michigan State University's and Lansing Board of Water & Light's Petition to Intervene, together with this Proof of Service, upon the individuals listed on the attached Service List via electronic mail at their listed addresses.

\_\_\_\_\_  
Lisa Page

**SERVICE LIST**  
**MPSC CASE NO. U-21806**

**Administrative Law Judge**

Honorable James M. Varchetti  
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