



June 24, 2025

Ms. Lisa Felice
Michigan Public Service Commission
7109 W. Saginaw Hwy.
Lansing, MI 48909

Via E-File

RE: MPSC Case No. U-21870

Dear Ms. Felice:

Attached please find the enclosed documents for filing:

- Petition to Intervene by Natural Resources Defense Council;
- Appearances of Holly L. Hillyer, Christopher M. Bzdok, and Tracy Jane Andrews; and
- Proof of Service.

Thank you for your assistance in this matter. If you have any questions, please feel free to contact me.

Sincerely,

Christopher M. Bzdok
chris@tropospherelegal.com

CC: Parties to Case No. U-21870

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of
CONSUMERS ENERGY COMPANY for Case No. U-21870
authority to increase its rates for the generation
and distribution of electricity and for other
relief.

**PETITION TO INTERVENE BY
NATURAL RESOURCES DEFENSE COUNCIL**

1. The Natural Resources Defense Council (“NRDC”), a national organization, seeks to intervene in this case under Rule 410 of the Commission’s Rules of Practices and Procedure, R 792.10410, to represent the interests of its members in reducing their electric bills and promoting their environmental well-being through cost-effective electricity that is generated and delivered through environmentally sound practices.

2. NRDC is a nonprofit corporation organized under the laws of the State of New York. NRDC is a national environmental organization with over 30 years of experience working on state energy policy, including utility regulation and energy efficiency. NRDC has over 12,300 members who live, use electricity, and pay electric bills in Michigan, and over 4,800 members who are within the service territory of Consumers Energy Company (“Consumers” or “the Company”).

3. NRDC’s members who are customers of Consumers are directly affected by the rates, terms and conditions, and policies governing the provision of electricity by Consumers to them. These organizations and their members have a strong interest in having their electricity needs met in a manner that is dependable, environmentally responsible, economically feasible, and

provided at costs that are relatively stable over the long term.

4. These members have the potential to be harmed if they were required to incur higher costs and encounter environmental harm caused by imprudent utility practices.

5. The Michigan Public Service Commission recognizes two types of intervention.

a. First, intervention by right, which requires that the party will suffer an injury-in-fact as a result of the outcome of the case, and that the party is within the zone of interest protected by the statute. See for example, *Association of Data Processing Service Organizations, Inc v Camp*, 397 US 150; 90 S Ct 827; 250 L Ed 184 (1970).

b. Second, permissive intervention, where the Commission has the 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 in the case. *In re Application of The Detroit Edison Co for Authority to Increase its Rates*, Case Nos. U-15768 and U-15751, January 11, 2010, Order, p. 7 (“*In re Detroit Edison*”).

6. NRDC meets both tests.

7. NRDC’s members are within the zone of interests protected by MCL 460.1, *et seq.* These statutes generally protect ratepayers and provide opportunities for advocacy by ratepayer groups to protect their interests in Commission proceedings.

8. NRDC has organizational standing because its members meet the zone of interests test. *In re Detroit Edison*, p. 8.

9. NRDC also meets the test for permissive intervention, because NRDC will provide useful information to the Commission and a unique perspective on the issues.

10. NRDC will bring significant expertise to bear in these proceedings. Its staff and witnesses have extensive knowledge and experience in the areas of environmental, energy, and

ratepayer advocacy. In addition, NRDC has intervened and participated in numerous cases before the Commission to advocate for these issues, both individually and in coalition with other environmental organizations.

11. NRDC has intervened in many Commission electric cases in Michigan, including but not limited to the following cases:

- U-15805 DTE Energy EO and RE plans
- U-15806 Detroit Edison EO and RE plans
- U-15806-EO Detroit Edison EO plan amendment
- U-16412 DTE Energy EO plan amendment
- U-16472 Detroit Edison general rate case
- U-16670 DTE Energy EO biennial plan review
- U-16671 Detroit Edison EO biennial plan review
- U-16794 DTE Energy general rate case
- U-17049 Detroit Edison EO plan amendment
- U-17087 DTE Energy general rate case
- U-17138 DTE Energy EO plan amendment
- U-17352 DTE Electric Company EO biennial plan review
- U-17429 DTE Energy certificate of necessity for Thetford plant
- U-17601 DTE Energy 2013 EO reconciliation
- U-17602 DTE Electric Company 2013 EO reconciliation
- U-17735 Consumers Energy general rate case
- U-17767 DTE Electric Company general rate case
- U-17990 Consumers Energy general rate case
- U-18014 DTE Electric Company general rate case
- U-18255 DTE Electric Company general rate case
- U-20134 Consumers Energy General Rate Case
- U-20162 DTE Electric Company General Rate Case
- U-20561 DTE Electric Company General Rate Case
- U-20697 Consumers Energy General Rate Case
- U-20836 DTE Electric Company General Rate Case
- U-20963 Consumers Energy Company General Rate Case
- U-21090 Consumers Energy Company 2021 Integrated Resource Plan
- U-21148 Consumers Energy Company General Rate Case
- U-21193 DTE Electric Company 2023 Integrated Resource Plan
- U-21297 DTE Electric Company General Rate Case

- U-21389 Consumers Energy General Rate Case
- U-21534 DTE Electric Company General Rate Case
- U-21585 Consumers Energy General Rate Case

12. NRDC has also worked for years to advance policies through the legislative process that would benefit the public and the environment in these areas.

13. NRDC plans to evaluate Consumers' application, testimony, and exhibits, and to conduct discovery, and then to raise those issues and take those positions that best serve the interests described above. NRDC reserves the right to advance other issues as the case develops.

14. This petition to intervene is timely and within the period for intervention set in the notice of prehearing.

15. No other party adequately represents the interests of NRDC and its members.

16. NRDC requests that all notices and pleadings be served on:

Christopher M. Bzdok
chris@tropospherelegal.com

Tracy Jane (TJ) Andrews
tjandrews@tropospherelegal.com

Holly L. Hillyer
holly@tropospherelegal.com

Troposphere Legal, PLC
420 E. Front St.
Traverse City, MI 49686

and on:

Natasha Fowles, Legal Assistant
natasha@tropospherelegal.com

For the reasons outlined above, NRDC respectfully requests that the Commission grant this petition to intervene and treat it as a party to this proceeding.

Troposphere Legal, PLC
Counsel for NRDC

Date: June 24, 2025

By:

Christopher M. Bzdok (P53094)
Holly L. Hillyer (P85318)
Tracy Jane Andrews (P67467)
420 E. Front St.
Traverse City, MI 49686
Phone: 231-946-0044

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: Consumers Energy Company Docket No. U-21870

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

1. (Name) Natural Resources Defense Council
2. (Name)
3. (Name)
4. (Name)
5. (Name)
6. (Name)
7. (Name)

Name Tracy Jane Andrews
Address 420 E. Front Street

City Traverse City State MI
Zip 49686 Phone (231) 709-4000
Email tjandrews@tropospherelegal.com
Date 6/24/2025

<input type="checkbox"/> I am not an attorney
<input checked="" type="checkbox"/> I am an attorney whose:
Michigan Bar # is P- <u>67467</u>
_____ Bar # is: _____
(state)

Signature: _____

Save Form

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Case / Company Name: Consumers Energy Company Docket No. U-21870

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

1. (Name) Natural Resources Defense Council
2. (Name)
3. (Name)
4. (Name)
5. (Name)
6. (Name)
7. (Name)

Name Holly L. Hillyer
Address 420 E. Front Street

City Traverse City State MI
Zip 49686 Phone (231) 709-4000
Email holly@tropospherelegal.com
Date 6/24/2025

<input type="checkbox"/> I am not an attorney
<input checked="" type="checkbox"/> I am an attorney whose:
Michigan Bar # is P- <u>85318</u>
_____ Bar # is: _____
(state)

Signature: _____

Save Form

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of **CONSUMERS ENERGY COMPANY** for authority to increase its rates for the generation and distribution of electricity and for other relief.

Case No. U-21870

PROOF OF SERVICE

On the date below, an electronic copy of **Petition to Intervene by Natural Resources Defense Council and Appearances of Tracy Jane Andrews, Christopher M. Bzdok, and Holly L. Hillyer** was served on the following:

Name/Party	E-mail Address
Administrative Law Judge Jonathan F. Thoits	thoitsj@michigan.gov
Consumers Energy Company Anne M. Uitvlugt Bret A. Totoraitis Evan B. Keimach Gary A. Gensch Jr. Spencer A. Sattler Kelly Hall Mark R. Ruskiewicz	mpsc.filings@cmsenergy.com anne.uitvlugt@cmsenergy.com bret.totoraitis@cmsenergy.com evan.keimach@cmsenergy.com gary.genschjr@cmsenergy.com spencer.sattler@cmsenergy.com kelly.hall@cmsenergy.com mark.ruskiewicz@cmsenergy.com
Michigan Attorney General Celeste R. Gill Lucas Wollenzien	ag-enra-spec-lit@michigan.gov gillcl@michigan.gov wollenzienl@michigan.gov
Michigan Public Service Commission Staff Daniel E. Sonneveldt Nicholas Taylor Michael J. Orris Lori Mayabb Amit T. Singh Alena M. Clark Adam M. Cozort	sonneveldtd@michigan.gov taylornl0@michigan.gov orrism@michigan.gov mayabb1@michigan.gov singha9@michigan.gov clarka55@michigan.gov cozortal@michigan.gov
Great Lakes Renewable Energy Association Don L. Keskey Carol Dane	dkeskey@publiclawresourcecenter.com cdane@publiclawresourcecenter.com
Walmart, Inc. Melissa M. Horne	mhorne@hcc-law.com

Hemlock Semiconductor Operations, LLC Jennifer U. Heston	jheston@fraserlawfirm.com
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The statements above are true to the best of my knowledge, information and belief.

Troposphere Legal, PLC
Counsel for NRDC

Date: June 24, 2025

By: _____
Natasha Fowles, Legal Assistant
420 E. Front St.
Traverse City, MI 49686
Phone: 231-709-4000
Email: natasha@tropospherelegal.com