

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

In the matter, on the Commission's own motion, to)	
commence a proceeding to implement filing)	
guidelines for applications under Public Act 30)	Case No. U-21930
of 1995, as amended.)	
_____)	

At the July 10, 2025 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

Public Act 30 of 1995 (Act 30), MCL 460.561 *et seq.*, regulates the location and construction of certain electric transmission lines and grants authority to the Commission to issue certificates of public convenience and necessity for the siting of these transmission lines. Under Act 30, applicants are required to, among other things, apply to the Commission for a certificate of public convenience and necessity prior to constructing a major transmission line. MCL 460.567(1).

Section 7(2) of Act 30 outlines the specific information that must be included in an application submitted pursuant to Act 30, which includes, but is not limited to: a detailed description of the applicant's proposed route for the proposed transmission line, a description and evaluation of one or more alternate routes for the proposed transmission line, the estimated private benefits of the proposed transmission line, and a summary of all comments received at public hearings held for the proposed transmission line and the applicant's response to those comments. MCL 460.567(2).

In Case Nos. U-21471 *et al.*, the Commission Staff (Staff), as part of its review of applications submitted by Michigan Electric Transmission Company, LLC, pursuant to Act 30, recommended that the Commission require the Staff to develop filing guidelines for future applications submitted under Act 30. The Staff specifically contended that Act 30 lacks clarity on several key issues, including, among other things, what constitutes an alternate route, to what degree private benefits need to be estimated in advance of a project, and whether the law provides for sufficient and clear interaction between an Act 30 applicant and landowners. *See*, Case No. U-21471, filings #U-21471-0260, pp. 1209-1210 and U-21471-0278, p. 43. Additionally, the Staff maintained that application filing guidelines would help standardize the information included in Act 30 applications, thereby minimizing the need for extensive and burdensome discovery. *See*, Case No. U-21471, filing #U-21471-0260, p. 1276.

In its July 10, 2025 order in Case Nos. U-21471 *et al.* (July 10 order), the Commission agreed with the Staff's recommendation and found that "the development of filing guidelines will help provide clarity, efficiency, and transparency to the application process under Act 30." July 10 order, p. 116. The Commission further noted that it would be concurrently issuing an order in this docket directing the Staff to work with interested persons to develop guidelines for future applications submitted under Act 30. *Id.*

Accordingly, the Commission directs the Staff to work with appropriate electric utilities, affiliated transmission companies, independent transmission companies, and other interested persons to develop voluntary application filing guidelines for future applications submitted under

Act 30.¹ The voluntary application filing guidelines developed must, at a minimum, address the following: (1) the amount of overlap that is considered reasonable between an alternate route and a proposed route; (2) the degree to which private benefits need to be estimated in advance of a project; (3) the form and quality of information submitted as part of the summary of comments received at each public meeting and the applicant's response to those comments; (4) the methodology and qualitative factors that should be used in route studies to form the basis for the applicant's selection of the proposed and alternate routes, including the standardization of data presented to enable the Staff to efficiently analyze the routes explored without the need for extensive discovery; (5) requirements for documenting all landowner requests for minor modifications to a proposed or alternate route, what action was taken by the applicant in response to the request, and the reasoning why the applicant accommodated or failed to accommodate the request; and (6) any other issues the Staff and/or interested persons believe are necessary to improve the application process under Act 30.

The Commission also strongly encourages the Staff to consider developing application filing guidelines that recommend that an applicant identify and evaluate more than one alternate route in an Act 30 application, including evidence that landowners along all alternate routes have received direct notice of the application and a meaningful opportunity to participate in the associated contested case proceeding. The Commission finds that the presentation of numerous alternate routes by an Act 30 applicant will assist the Commission in assessing the reasonableness of proposed routes, which the Commission finds will be of benefit to future Act 30 applicants and the

¹ Act 30 prohibits electric utilities, affiliated transmission companies, and independent transmission companies from beginning construction of a major transmission line until the Commission has issued a certificate of public convenience and necessity for that transmission line. MCL 460.565.

public. Finally, the Commission notes that the Act 30 application filing guidelines developed by the Staff are voluntary and will not supplant the statutory requirements outlined in Act 30. The Commission intends to initiate rulemaking pursuant to MCL 460.567 and MCL 460.574 to codify the information to be included in future Act 30 applications.

The Commission, therefore, directs the Staff to file draft Act 30 application filing guidelines in this docket by 5:00 p.m. (Eastern time (ET)) on September 12, 2025. The Commission will accept comments on the Staff's draft Act 30 application filing guidelines until 5:00 p.m. (ET) on October 13, 2025, and reply comments until 5:00 p.m. (ET) on November 3, 2025. Written comments should be mailed to: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909. Comments submitted in electronic format may be filed via the Commission's E-Dockets website, or for those persons without an E-Dockets account, via email to LARA-MPSC-Edockets@michigan.gov. Any person requiring assistance prior to filing comments may contact the Staff at (517) 284-8090. All comments should be paginated and reference the above-captioned case, Case No. U-21930. All comments will become public information available on the Commission's website and subject to disclosure.

THEREFORE, IT IS ORDERED that:

A. As described in this order, the Commission directs the Commission Staff to work with appropriate electric utilities, affiliated transmission companies, independent transmission companies, and other interested persons to develop voluntary application filing guidelines that can be used by applicants that submit applications to the Commission pursuant to Public Act 30 of 1995, MCL 460.561 *et seq.*

B. The Commission Staff shall file draft Public Act 30 of 1995 application filing guidelines in this docket by 5:00 p.m. (Eastern time) on September 12, 2025.

C. Any interested person may file comments regarding the Commission Staff's draft Public Act 30 of 1995 application filing guidelines in this docket. Comments shall be filed no later than 5:00 p.m. (Eastern time) on October 13, 2025, and reply comments shall be filed no later than 5:00 p.m. (Eastern time) on November 3, 2025.

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 and to the Michigan Department of Attorney General - Public Service Division at sheacl@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



Daniel C. Scripps, Chair

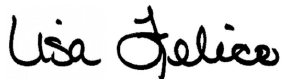


Katherine L. Peretick, Commissioner



Alessandra R. Carreon, Commissioner

By its action of July 10, 2025.



Lisa Felice, Executive Secretary

PROOF OF SERVICE

STATE OF MICHIGAN)

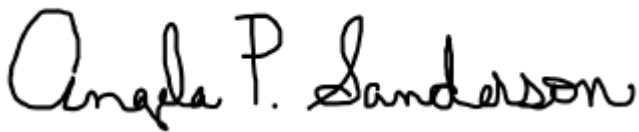
Case No. U-21930

County of Ingham)

Brianna Brown being duly sworn, deposes and says that on July 10, 2025 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 10th day of July 2025.



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

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