

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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| In the matter, on the Commission's own motion, |) | |
| regarding the regulatory reviews, revisions, |) | |
| determinations, and/or approvals necessary for |) | Case No. U-21678 |
| SEMCO ENERGY, INC. , to fully comply |) | |
| with Public Act 295 of 2008, as amended. |) | |
| _____ |) | |

At the August 7, 2025 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Daniel C. Scripps, Chair
 Hon. Katherine L. Peretick, Commissioner
 Hon. Shaquila Myers, Commissioner

ORDER APPROVING SETTLEMENT AGREEMENT

On April 29, 2025, SEMCO Energy Gas Company (SEMCO), a division of SEMCO Energy, Inc., filed an application in this docket, with supporting testimony and exhibits, for authority to reconcile its energy waste reduction plan costs and revenues for the 12-month period ended December 31, 2024.

A prehearing conference was held on June 5, 2025, before Administrative Law Judge Katherine E. Talbot. SEMCO and the Commission Staff participated in the proceeding. Subsequently, the parties filed a settlement agreement resolving all issues in the case.

The Commission has reviewed the settlement agreement and finds that the public interest is adequately represented by the parties who entered into the settlement agreement. The Commission

further finds that the settlement agreement is in the public interest, represents a fair and reasonable resolution of the proceeding, and should be approved.

THEREFORE, IT IS ORDERED that:

A. The settlement agreement, attached as Exhibit A, is approved and the revised energy waste reduction surcharges set forth in Attachment 1 to the settlement agreement will take effect with the first billing month immediately following the issuance of this order.

B. Within 30 days of the date of this order, SEMCO Energy Gas Co. shall file with the Commission tariff sheets substantially similar to Attachment 1 to the settlement agreement. After the tariff sheets have been reviewed and accepted by the Commission Staff for inclusion the company's tariff books, SEMCO Energy Gas Co. shall promptly file the final tariff sheets in this docket and serve all parties.

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 SheaCI@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

I abstain.

Shaquila Myers, Commissioner

By its action of August 7, 2025.

Lisa Felice, Executive Secretary

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission’s own motion,)
 regarding the regulatory reviews, revisions,) Case No. U-21678
 determinations, and/or approvals necessary for)
SEMCO ENERGY, INC., to fully comply)
 with Public Act 295 of 2008, as amended.)
 _____)

SETTLEMENT AGREEMENT

Pursuant to Section 78 of the Administrative Procedures Act of 1969, MCL 24.278, and Rule 431 of the Rules of Practice and Procedure before the Michigan Public Service Commission (“Commission”), R 792.10431, the undersigned Parties hereby stipulate and agree as follows:

This Settlement Agreement between SEMCO Energy Gas Company (“SEMCO” or the “Company”) and Commission Staff (“Staff”) (collectively, the “Parties”) is intended by the Parties as a final settlement and resolution of all issues before the Commission regarding SEMCO’s Energy Waste Reduction (“EWR”) Plan reconciliation for the period ended December 31, 2024.

1. On April 29, 2025, SEMCO filed its application with the Commission, including supporting testimony and exhibits of its witnesses, to reconcile its EWR Plan costs and revenues for the 12-month period ended December 31, 2024.

2. SEMCO’s application, testimony, and exhibits demonstrate that reconciling the EWR Plan costs and revenues for the year ended December 31, 2024, results in a cumulative under-recovery, among all rate classes and inclusive of the prior year’s roll forward and accrued interest, of (\$2,556,650). SEMCO proposes that the calculated

under-recovery be carried forward into 2025, on a class basis, and used as beginning balances for the 2025 reconciliation.

3. A prehearing was held on June 5, 2025, before Administrative Law Judge Katherine E. Talbot (“ALJ”). Staff appeared at the prehearing.

4. Staff’s audit of SEMCO’s 2024 EWR Plan reconciliation and annual report tested the over/under recovery account balances along with specified EWR program balances. Staff also reviewed the surcharges the Company charged its customers for the 2024 program year. Staff determined that no modifications should be made to the Company’s filing. Staff also reviewed the programs offered which enabled the Company’s customers to reduce their energy waste subsequently reducing their overall energy bills. Staff was able to review the collections for these programs and amounts spent to implement the EWR programs and asserts they are reasonable and prudent. SEMCO was not only able to achieve its legislative target but was able to substantially exceed it. Staff agrees that the Company met or exceeded all expectations to earn the performance incentive payment as set forth in its incentive mechanism structure.

5. Subsequent to the prehearing and audit, the Parties entered settlement discussions in an attempt to effectively resolve the matters before the Commission. As a result of those settlement discussions, the Parties have agreed to resolve all issues in this case as set forth in the following paragraphs.

a. The Parties agree SEMCO’s filing is reasonable and prudent and that the EWR Plan costs and revenues for the year ended December 31, 2024, result in a cumulative under-recovery, among all rate classes, inclusive of the prior year roll forward and accrued interest, of (\$2,556,650). The Parties also agree that

SEMCO's portfolio of EWR programs for each customer class was cost-effective in 2024 with an overall Gas Program Portfolio USRCT score of 3.26.

b. The Parties agree that the Commission should approve the revised EWR Plan surcharges which reflect the cumulative Over/(Under) recoveries from the 2024 Amended EWR Plan, 2024 Performance Incentive, and 2026 EWR Plan cost recovery. SEMCO will recover these costs on a volumetric basis beginning January 1, 2026, through December 31, 2026.

c. SEMCO's tariffs have been updated in a manner consistent with this Settlement Agreement and the Company's Amended 2024-2025 EWR Plan settlement agreement in Case No. U-21328. The revised tariffs are, thus, being submitted in this case as **Attachment 1** for 2026. The Parties agree that the Commission should approve the revised tariffs set forth in **Attachment 1**.

d. The Parties agree that SEMCO has met or exceeded all goals and parameters established in its 2024 Commission-approved Amended EWR Plan. Therefore, the Commission should authorize SEMCO to recover a performance incentive of \$4,001,853 ("2024 Performance Incentive") based on the methodology described in this Settlement Agreement, and available to SEMCO under 2008 PA 295, as amended by 2016 PA 341 and 2016 PA 342. SEMCO will recover the 2024 Performance Incentive beginning on January 1, 2026, continuing for a period of 12 months.

6. This Settlement Agreement is entered into for the sole and express purpose of reaching a compromise among the Parties and resolves all issues in this case. All offers of settlement and discussions relating to this Settlement Agreement are considered

privileged under Michigan Rule of Evidence 408. If the Commission approves this Settlement Agreement without modification, neither the Parties to this settlement nor the Commission shall make any reference to, or use this Settlement Agreement or the order approving it, as a reason, authority, rationale, or example for taking any action or position or making any subsequent decision in any other case or proceeding; provided however, such references may be made to enforce or implement the terms of the Settlement Agreement and the order approving it.

7. This Settlement Agreement is based on the facts and circumstances of this 2024 EWR Reconciliation proceeding and is intended for the final disposition of Case No. U-21678. So long as the Commission approves this Settlement Agreement without any modification, the Parties agree not to appeal, challenge, or otherwise contest the Commission order approving this Settlement Agreement. Except as otherwise set forth herein, the Parties agree and understand that this Settlement Agreement does not limit any party's right to take new and/or different positions on similar issues in other administrative proceedings or appeals related thereto.

8. This Settlement Agreement is not severable. Each provision of this Settlement Agreement is dependent upon all other provisions of this Settlement Agreement. Failure to comply with any provision of this Settlement Agreement constitutes failure to comply with the entire Settlement Agreement.

9. It is the opinion of the Parties that approval of this Settlement Agreement by the Commission would be in the public interest, consistent with applicable law, will aid in the expeditious conclusion of the issues in this case, and will minimize the time and expense associated with litigating this matter.

10. The Parties agree to waive Section 81 of 1969 PA 306, MCL 24.281, as it applies to the issues in this proceeding, if the Commission approves this Settlement Agreement without modification.

11. The Parties respectfully request that the Commission promptly issue an order accepting and approving this Settlement Agreement. If the Commission issues an order accepting and adopting the Settlement Agreement without modification, no party will appeal, challenge, or contest the Commission's Order accepting and approving this Settlement Agreement. If the Commission does not accept and approve this Settlement Agreement without modification, this Settlement Agreement shall be withdrawn and shall not constitute any part of the record in this proceeding or be used for any other purpose whatsoever.

12. The stipulations and agreements contained in this Settlement Agreement shall constitute the record needed to support the Commission order in this case.

**MICHIGAN PUBLIC SERVICE COMMISSION
STAFF**



Dated: July 18, 2025

Nicholas Q. Taylor (P81020)
Alena M. Clark (P73252)
Michigan Public Service Commission
7109 W. Saginaw, 3rd Floor
Lansing, MI 48917
(517) 284-8140

SEMCO ENERGY GAS COMPANY

Theresa A. G. Staley
G. Staley

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email = TASTaley@dykema.com
C = US
Date: 2025.07.18 12:36:34 -04'00'

Dated: July 18, 2025

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Theresa A.G. Staley (P56998)
Dykema Gossett PLLC
201 Townsend St., Suite 900
Lansing, MI 48933
(517) 374-9100

Effective beginning January 1, 2026
Surcharge Rates per Dth

| | Low-Income | Residential | GS-1 | GS-2 | GS-3 | TR-1 | TR-2 | TR-3 |
|--|-----------------|-----------------|------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| 2024 Reconciliation (U-21678) | \$0.1563 | \$0.0880 | \$2.3304 | \$2.3304 | \$2.3304 | \$0.0053 | \$0.0053 | \$0.0053 |
| 2026 EWR Plan Budget (U-21687) | \$0.2662 | \$0.4669 | \$5.9781 | \$5.9781 | \$5.9781 | \$0.4186 | \$0.4186 | \$0.4186 |
| Total EWR Surcharge | \$0.4225 | \$0.5549 | \$8.3085 | \$8.3085 | \$8.3085 | \$0.4239 | \$0.4239 | \$0.4239 |
| Distribution/Transportation Rate (U-20479) | \$2.2451 | \$2.2451 | \$1.9556 | \$1.5226 | \$1.1966 | \$1.0334 | \$0.8563 | \$0.4669 |
| Total Billed Rate | \$2.6676 | \$2.8000 | \$10.2641 | \$9.8311 | \$9.5051 | \$1.4573 | \$1.2802 | \$0.8908 |

M.P.S.C. No. 1 – Gas
SEMCO Energy Gas Company
(EWR Rec Case U-21678)

Continued From Sheet E-21.00

(b) Unauthorized Positive Imbalance - weather or not a DBR is declared:

The price for an Unauthorized Positive Imbalance of gas, purchased by the Company, will be the lesser of 80% of the Daily Index price or the Company's currently effective Commodity GCR rate on the Day of the sale.

- d. The Daily Index Price will be the daily average of the MichCon city-gate midpoint price and the Consumers city-gate midpoint price as published in Platts Gas Daily. If Platts Gas Daily discontinues reporting of one or both of these prices, the Company may substitute a comparable reporting service and/or city-gate pricing index.
 - e. Daily Cash-Outs will be netted together by Shipper over the effective Monthly billing period.
 - f. Daily Cash-Outs for a Pool will be billed directly to the Pool's Agent.
3. Payment of any Balancing Costs or penalties by Shippers, Authorized Agents or Pooling Agents does not (a) eliminate an imbalance, (b) constitute a sale of gas, (c) entitle Shipper or Shipper's Authorized Agent(s) to maintain an imbalance, or (d) allow Shipper or Shipper's Authorized Agent(s) to store gas on the Company's system. Imbalances are resolved on a daily basis under the Daily Cash-Out provision. It shall be the responsibility of the Shipper or Shipper's Authorized Agent(s) to adjust receipts of gas to and deliveries of gas from the Company to balance their accounts on a daily basis.
 4. All Balancing Recovery Costs will be credited to the Cost of Gas Sold under the Company's Booked Cost of Gas Sold provisions (Rule C7.2).

A. Surcharges and Credits

Gas service under this rate may be subject to surcharges and/or credits as shown below:

1. Energy Waste Reduction

- a. Energy Waste Reduction Program Clause – This clause permits, pursuant to Section 89(2) of 2008 PA 295, recovery of the actual costs of implementing its approved energy waste reduction plan. This charge is to be on a volumetric basis for all customers. Special contract customers will be billed in the sales and transportation rate class most appropriate to their volumetric throughput.
- b. Energy Waste Reduction Surcharge

| Rate Class | Up to 2500 Dth/Month | Transportation Charge | Billed Transportation Charge | MPSC Order Number |
|------------|-------------------------|-----------------------|------------------------------|-------------------|
| TR-1 | \$0.4239 per Dth | \$1.0334 per Dth | \$1.4573 per Dth | U- 21678 |
| TR-2 | \$0.4239 per Dth | \$0.8563 per Dth | \$1.2802 per Dth | U- 21678 |
| TR-3 | \$0.4239 per Dth | \$0.4669 per Dth | \$0.8908 per Dth | U- 21678 |

Continued On Sheet No. E-23.00

Issued
Mark Simone
President
Port Huron, MI

Effective for bills rendered on and after January 1, 2026. Issued under authority of the Michigan Public Service Commission dated June 12, 2025 in case U-21687 and xxx in case U-21678.

Continued From Sheet E-22.00

| Rate Class | >2,500 Per Dth | Transportation Charge | Billed Transportation Charge 2 | MPSC Order Number |
|------------|------------------|-----------------------|--------------------------------|-------------------|
| TR-1 | \$0.0001 per Dth | \$1.0334 per Dth | \$1.0335 per Dth | U-21678 |
| TR-2 | \$0.0001 per Dth | \$0.8563 per Dth | \$0.8564 per Dth | U-21678 |
| TR-3 | \$0.0001 per Dth | \$0.4669 per Dth | \$0.4670 per Dth | U-21678 |

2. Facility Improvement Demand Surcharge

All gas Transported for rates under classes TR-1, TR-2, TR-3, or by special contract, including subsidiary accounts under a principle transportation account, are subject to the Facility Improvement Demand Surcharge as indicated.

| Billing Years: April 1-March 31 | Rate per Dth |
|---------------------------------|--------------|
| 2022-2023 | \$0.0748 |
| 2023-2024 | \$0.0358 |
| 2024-2025 | \$0.0339 |
| 2025-2026 | \$0.0104 |
| 2026-2027 | \$0.0104 |

B. Infrastructure Reliability Improvement Program (“IRIP”)

The IRIP program consists of projects that will specifically target and mitigate system vulnerabilities reducing the potential impact to customers of an unexpected weather event or isolated damage impeding supply. The customer surcharges identified below will be in effect beginning January 2025 as approved in U-21624 until new rates are established in a future contested case addressing the IRIP. Special Contract customers will be billed in the transportation rate class most appropriate to their volumetric throughput.

| Rate Class | 2025 Per Customer Meter Charge | 2026 Per Customer Meter Charge | 2027 Per Customer Meter Charge |
|------------|--------------------------------|--------------------------------|--------------------------------|
| TR-1 | \$191.32 per Month | \$275.18 per Month | \$350.25 per Month |
| TR-2 | \$981.61 per Month | \$1,411.86 per Month | \$1,797.03 per Month |
| TR-3 | \$4,832.73 per Month | \$6,950.96 per Month | \$8,847.24 per Month |

E9. OFF-SYSTEM TRANSPORTATION SERVICE - (OSTS)

A. Availability

1. This Rate Schedule is available to all entities (hereinafter referred to as "OSTS Shipper") desiring to Transport gas through the Company's utility pipeline system to an Off-System location, when:
 - a. OSTs Shipper and Company have executed an Off-System Transportation Service Agreement for service under this Rate Schedule indicating, among other terms and conditions, the specific Point of Receipt where OSTs Shipper shall cause gas to enter the Company's utility pipeline system and the

Issued
Mark Simone
President
Port Huron, MI

Effective for service rendered on and after January 1, 2026. Issued under authority of the Michigan Public Service Commission dated June 12, 2025 in case U-21687 and on xxx in case U-21678.

PROOF OF SERVICE

STATE OF MICHIGAN)

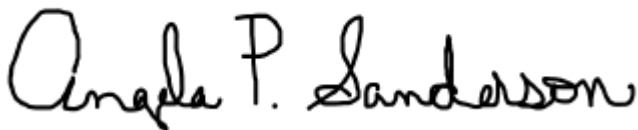
Case No. U-21678

County of Ingham)

Brianna Brown being duly sworn, deposes and says that on August 7, 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 7th day of August 2025.



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

Service List for Case: U-21676

| Name | On Behalf Of | Email Address |
|---|---|--------------------------------------|
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| Monica M. Stephens | MPSC Staff | stephensm11@michigan.gov |
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