

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

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In the Matter of the Application of	)	
Consumers Energy Company	)	
for Ex Parte Approval of Certain	)	Case No. U-21859
Amendments to Rate GDP.	)	
_____	)	

**RULING GRANTING RELIEF REQUESTED IN THE  
ATTORNEY GENERAL’S MOTION FOR ADMINISTRATIVE NOTICE**

On September 4, 2025 the Attorney General filed a motion entitled “The Attorney General’s Motion for Administrative Notice” (the Motion). The Attorney General requested the Commission “take administrative notice of the materials as referenced and cited [in the motion.]”<sup>1</sup> The materials referenced in the Motion include five articles, with internet links to websites, three filings in Cause No. 46097 before the Indiana Regulatory Commission, including testimony, and the Consumers Energy’s Electric Rate Book. The Attorney General avers that one article was referenced by a Company witness in testimony,<sup>2</sup> another article was discussed during cross-examination of a witness and referenced in the Attorney General’s Initial Brief,<sup>3</sup> and two of the other articles were also referenced in that brief.<sup>4</sup> The Attorney General included the documents from Cause No.

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<sup>1</sup> The Attorney General’s Motion for Administrative Notice, p 7.  
<sup>2</sup> Id. p 5.  
<sup>3</sup> Id. p 4-5.  
<sup>4</sup> Id. p 5-6.

46097 before the Indiana Regulatory Commission as attachments to this motion. And the Attorney General included a link to Consumers Energy's Electric Rate Book.<sup>5</sup>

The Administrative Law Judge has received communications from each party, through counsel, in response to the Motion. None of the parties expressed an objection to the relief requested in the Motion. While noting that administrative notice of its Rate Book is not necessary, Consumers Energy did not object to the motion.<sup>6</sup>

Under Rule 428 of the Michigan Public Service Commission's Rules of Practice and Procedure, the Commission or presiding officer may take administrative notice of "judicially cognizable facts" within its "specialized knowledge."<sup>7</sup> And Michigan Rule of Evidence 201 also allows the trier of fact to take notice of "generally known" facts. The Administrative Law Judge finds that the materials cited in the Motion fit the parameters for administrative notice established by these rules.

The Attorney General specifically requested the Commission take "administrative notice of the existence of the following materials and the contents viewable therein."<sup>8</sup> Therefore, the materials are not admitted for the truth of the matters asserted therein and it is left to the Commission's to assign the appropriate weight to the included material.

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<sup>5</sup> Id. p 1.

<sup>6</sup> Consumers Energy correctly notes that administrative notice of its Rate Book is likely unnecessary as tariffs and rates are inherent in the underlying matter. The Administrative Law Judge finds administrative notice of this material is not improper.

<sup>7</sup> R 792.10428.

<sup>8</sup> The Attorney General's Motion for Administrative Notice, p 1.

Accordingly, the record should reflect that Administrative Notice has been taken of “the existence of the materials and the contents viewable” as referenced in the Attorney General’s Motion.

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

**Katherine E.**  
**Talbot**

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Katherine E. Talbot  
Administrative Law Judge

Issued and Served:  
September 11, 2025

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

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STATE OF MICHIGAN	)	
	) SS.	Case No. U-21859
County of Ingham	)	
_____	)	

PROOF OF SERVICE

Meaghan Dobie being duly sworn, deposes and says that on September 11, 2025, she served a copy of the attached Ruling Granting Relief Requested in the Attorney General's Motion for Administrative Notice 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 11<sup>th</sup> day of September 2025.



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

Case No. U-21859  
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