



ENVIRONMENTAL LAW & POLICY CENTER

December 12, 2025

Ms. Lisa Felice
Michigan Public Service Commission
7109 W. Saginaw Hwy.
P. O. Box 30221
Lansing, MI 48909

RE: MPSC Case No. U-21986

Dear Ms. Felice:

Attached for paperless, electronic filing is the Petition to Intervene of The Ecology Center, The Environmental Law & Policy Center, Union of Concerned Scientists, and Vote Solar. Entries of Appearance for Katherine Duckworth and Daniel Abrams and the proof of service are also attached.

Sincerely,

Katherine Duckworth (P86670)
Environmental Law & Policy Center
35 E Wacker Dr., Ste. 1600
Chicago, IL 60601
312-673-6500
kduckworth@elpc.org

cc: Service List, Case No. U-21986

HQ: 35 East Wacker Drive | Suite 1600 | Chicago, IL 60601

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Manny Flores, Chair | Howard A. Learner, Executive Director

Illinois | Indiana | Iowa | Michigan | Minnesota | North Dakota | Ohio | South Dakota | Wisconsin | Washington D.C.



**STATE OF MICHIGAN
MICHIGAN PUBLIC SERVICE COMMISSION**

In the matter of the application of Indiana)	
Michigan Power Company for approval of)	Docket No. U-21986
modifications to its Large Power Tariff –)	
Tariff LP.)	
)	

**PETITION TO INTERVENE OF
THE ECOLOGY CENTER, THE ENVIRONMENTAL LAW & POLICY CENTER,
UNION OF CONCERNED SCIENTISTS, AND VOTE SOLAR**

The Ecology Center, the Environmental Law & Policy Center (“ELPC”), Union of Concerned Scientists (“UCS”) and Vote Solar (collectively, “Petitioners”) respectfully request leave to intervene in the above-captioned proceeding pursuant to the Rule 410(1) of the Michigan Public Service Commission’s (“MPSC” or “Commission”) Rules of Practice and Procedure. Mich. Admin. Code R. 792.10410(1).

In support, Petitioners state:

1. On October 17, 2025, Indiana Michigan Power Company (“I&M” or the “Company”) filed an application requesting approval of modifications to its Large Power Tariff – Tariff LP (“Application”). The Company explains that its proposed modifications are necessary “[i]n light of the magnitude and unique load profile of potential large load new customers.” Application at 2.

2. Petitioners have an established interest and historical practice of actively engaging with the Company to advocate for just and reasonable rate design that results in cost-savings for ratepayers and environmental benefits. Petitioners and their members’ interests in these matters remain strong and are directly impacted by the issues raised in this proceeding. According to the

Company, it has received inquiries from “new large customers [that] could more than double I&M’s Michigan retail load and require the Company to make significant transmission and generation infrastructure investments and other long-term financial commitments to provide service.” Loveman Testimony at 4. Petitioners and their members’ have established interests in equitable cost allocation and rate design that ensures their members and other customers are not impacted by higher rates as a result of the Company’s proposed modifications to its Large Power tariff.

3. **The Ecology Center** is a membership-based, nonprofit environmental organization based in Ann Arbor, Michigan. Founded by community activists after the country's first Earth Day in 1970, the Ecology Center is now a regional leader that works for a safe and healthy environment where people live, work, and play. The Ecology Center works for a just and healthy environment through grassroots organizing, advocacy, and demonstration projects, and has advocated for expanded use of renewable energy since the organization's founding in 1970. The Ecology Center has members throughout the state of Michigan, including Indiana-Michigan Power Company’s service territory. The Ecology Center has intervened and participated fully as a party in many recent MPSC cases involving Michigan utilities, including rate, integrated resource planning, and large load tariff cases. *See, e.g.*, Case Nos. U-21461 and U-20359 (I&M Rate Cases); U-21859 (Consumers Energy’s large load tariff); U-21585 and U-21870 (Consumers’ Rate Cases); U-20165 and U-21090 (Consumers IRPs), U-21297, and U-21860 (DTE Energy Rate Cases); and U-21193 and U-20471 (DTE Energy IRPs).

4. **ELPC** is a not-for-profit regional public interest environmental organization that works to achieve cleaner air, advance clean renewable energy and energy efficiency resources, improve environmental quality, protect clean water and preserve natural resources in Michigan

and the Midwest. ELPC has members throughout the state of Michigan, including members who reside in Indiana-Michigan Power Company's service territory and members who are electric customers of Indiana-Michigan Power Company and will be directly impacted by the decision in this case. ELPC has intervened and participated fully as a party in many recent MPSC cases involving Michigan utilities, including rate, integrated resource planning, and large load tariff cases. *See, e.g.*, Case Nos. U-21461 and U-20359 (I&M Rate Cases); U-21859 (Consumers Energy's large load tariff); U-21585 and U-21870 (Consumers' Rate Cases); U-20165 and U-21090 (Consumers IRPs), U-21297 and U-21860 (DTE Energy Rate Cases); and U-21193 and U-20471 (DTE Energy IRPs).

5. UCS is a national non-profit organization headquartered in Cambridge, Massachusetts, with additional offices in Washington, DC; Oakland, California; and Chicago, Illinois. UCS is a public interest organization with more than 50 years of experience advocating for science-based policies, including responsible energy policy and utility oversight at the state and federal level, and with more than 6 years working in Michigan on these issues. UCS has approximately 6,300 supporters, 1,100 members, and 620 Science Network members that live, use electricity, and pay electric bills in Michigan, including in Indiana-Michigan Power Company's service territory. UCS has been engaged in Michigan's energy future for several years, including advancing sound policies through the legislative process, ensuring appropriate enforcement of relevant regulations, and has intervened and participated fully as a party in recent MPSC cases, including rate, integrated resource planning, and large load tariff cases. *See, e.g.*, Case Nos. U-21859 (Consumers Energy's large load tariff); U-21585 and U-21870 (Consumers' Rate Cases); U-20165 and U-21090 (Consumers IRPs), U-21297 and U-21860 (DTE Energy Rate Cases); and U-21193 and U-20471 (DTE Energy IRPs).

6. **Vote Solar** is an independent 501(c)(3) nonprofit working to repower the U.S. with clean energy by making solar power more accessible and affordable through effective policy advocacy. Vote Solar seeks to promote the development of solar at every scale, from distributed rooftop solar to large utility-scale plants. Vote Solar has over 160,000 members nationally, including over 4,000 members in Michigan. Vote Solar has members residing in Indiana-Michigan Power Company's service territory who are customers of the Company. Vote Solar is not a trade organization nor does it have corporate members. Since 2002, Vote Solar has engaged in state, local, and federal advocacy campaigns to remove regulatory barriers and implement the key policies needed to bring solar to scale. Vote Solar is a frequent party to state utility regulatory dockets throughout the nation. Vote Solar's technical experts help regulators and other policymakers understand policy options, identify strong program and regulatory designs, and provide expertise on how to implement sustainable programs for solar growth. Vote Solar has intervened and participated fully as a party in recent MPSC cases involving Michigan utilities, including rate, integrated resource planning, and large load tariff cases. *See, e.g.*, Case Nos. U-21461 and U-20359 (I&M Rate Cases); Case Nos. U-21859 (Consumers Energy's large load tariff); U-21585 and U-21870 (Consumers' Rate Cases); U-20165 and U-21090 (Consumers IRPs), U-21297 and U-21860 (DTE Energy Rate Cases); and U-21193 and U-20471 (DTE Energy IRPs).

7. Petitioners and their members have an interest in equitable cost allocation and rate design that ensures their members and other customers are not impacted by higher rates as a result of the Company's proposed modifications to its Large Power tariff. Petitioners and their members are also interested in ensuring that the Company continues to meet and even exceed the State's renewable and clean energy goals.

8. The Commission generally recognizes two types of intervention: intervention by right and permissive intervention. Petitioners qualify for both types of intervention.

9. To be granted intervention by right, a prospective intervenor must satisfy a traditional two-prong test for standing in Commission proceedings. *See In re Detroit Edison* at 7, citing *Ass'n of Data Processing Serv. Orgs. Inc. v Camp*, 397 U.S. 150 (1970); *see also Re Mich. Consol. Gas Co.*, MPSC Case No. U-10150 (December 8, 1992) at 3.

10. To satisfy the first prong of the *Data Processing* test, an intervenor must be likely to suffer an injury-in-fact as a result of the outcome of the proceeding. *In re Detroit Edison* at 7; *Drake*, 453 F. Supp. at 1127.

11. Petitioners and their members in the Company's service territory are directly affected by the rates, policies, terms and conditions governing the Company's provision of electricity to them. These members are likely to be harmed if they are required to incur higher costs or face environmental harm as a result of Company's proposals. Petitioners seek to protect their members' interests from injury by advocating for prudent and reasonable rate design.

12. To satisfy the second prong of the *Data Processing* test for standing to intervene in Commission proceedings by right, a prospective intervenor must be within the zone of interests protected or regulated by the statute or statutes governing a particular proceeding. *In re Detroit Edison* at 7. "The zone of interests test does not present a difficult barrier for litigants to negotiate insofar as it must only be shown that the asserted interests are *arguably* within the zone of interests to be protected." *Drake*, 453 F. Supp. at 1129 (emphasis added). Indeed, the court in *Drake* noted that the zone of interests test is generally a liberal one. *Id.*

13. Petitioners and their members' interests are within the zone of interests protected by MCL 460.1, *et seq.* These statutes generally protect ratepayers and other interested persons

and provide opportunities for advocacy by groups to protect their interests in Commission proceedings. Here, Petitioners seek to ensure that the rates and terms proposed in Company's Application do not increase costs borne by other ratepayers nor impede the Company's ability to meet its clean and renewable energy requirements established by law.

14. In addition to meeting the test for intervention by right, Petitioners also meet the test for permissive intervention. "[P]ermissive intervention is appropriate where the intervenor's participation will provide a benefit that outweighs any resulting delay or expense. Permissive intervention has also been granted where a proceeding 'raises novel questions and important issues of policy' and the intervenor will 'bring a unique perspective to the case.'" *In re. the application of DTE Electric Co*, Case No. U-17319 (March 6, 2014) at 10. Furthermore, the Commission has granted permissive intervention "to an association that represents the interests of its members, where the members generally meet the zone of interests test." *Id.*

15. Petitioners will provide useful information to the Commission and unique perspectives and expertise in the areas of environmental, energy, and ratepayer advocacy that will benefit the process as a whole. Petitioners bring a unique perspective to this case because their staff and witnesses specialize in issues related to rate design, clean energy, and the interconnection of large load, including participation in cases involving tariffs for large load customers in Michigan and other states around the country. For example, Petitioners (individually or collectively) have intervened or engaged in the following proceedings involving data centers or large load customers: Michigan PSC Docket No. U-21859 (Consumers Energy large load tariff); Illinois Commerce Commission Docket Nos. 25-0677, 25-0679, and 25-0680 (involving Commonwealth Edison Company's proposed tariff changes for large demand projects); Minnesota Public Utilities Commission Docket Nos. E002/M-25-289 (Xcel Energy large load tariffs); and Public Service

Commission of Wisconsin Docket No. 6630-TE-113 (Application of Wisconsin Electric Power Company for Approval of its Very Large Customer and Bespoke Resources Tariffs).

16. Petitioners' intervention will provide benefits far in excess of any delay or expense. Petitioners have intervened in numerous cases before the Commission in Michigan and in other cases throughout the Midwest and across the nation, both individually and in coalition. As has been Petitioners' general practice in similar cases, Petitioners intend to coordinate closely with each other and with other intervenors in order to streamline their collective participation in discovery, testimony, and briefing in this case to ensure that the Commission has high-quality information and analysis provided through the most efficient process possible.

17. Petitioners plan to evaluate the Company's application, testimony, and exhibits, to conduct discovery, to raise issues, and ultimately to take positions that best serve the interests described above. Petitioners reserve the right to advance other issues as the case develops.

18. This petition to intervene is timely and within the period for intervention set in the Notice of Hearing.

19. Petitioners request that all notices and pleadings be served on:

Katie Duckworth
Environmental Law & Policy Center
35 East Wacker Drive, Suite 1600
Chicago, IL 60601
kduckworth@elpc.org

and on:

Daniel Abrams
Environmental Law & Policy Center
dabrams@elpc.org

and on:

Alondra Estrada, Paralegal
Environmental Law & Policy Center

astrada@elpc.org
MPSCDocket@elpc.org

and on:

Katie Toolan, Legal Assistant
Environmental Law & Policy Center
ktoolan@elpc.org

For the reasons just outlined, Petitioners respectfully request that the Commission grant this Petition to Intervene and treat Petitioners as parties to this proceeding.

Dated: December 12, 2025

Respectfully submitted,



Katie Duckworth (P86670)
Daniel Abrams (P87696)
Environmental Law & Policy Center
35 E Wacker Dr., Ste. 1600
Chicago, IL 60601
312-673-6500
kduckworth@elpc.org
dabrams@elpc.org

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: Indiana-Michigan Power Company Docket No. U- 21986

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

1. (Name) The Ecology Center
2. (Name) Environmental Law & Policy Center
3. (Name) Union of Concerned Scientists
4. (Name) Vote Solar
5. (Name)
6. (Name)
7. (Name)

Name Katherine Duckworth
Address 35 E. Wacker Dr., Suite 1600

City Chicago State IL
Zip 60601 Phone 312-673-6500
Email kduckworth@elpc.org
Date 12/12/2025

<input type="radio"/> I am not an attorney
<input checked="" type="radio"/> I am an attorney whose: Michigan Bar # is P- <u>86670</u> _____ Bar # is: _____ (state)

Signature: Katie Sarah Duckworth

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION

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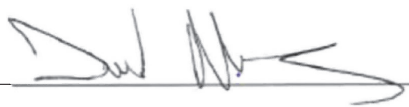
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3. (Name) Union of Concerned Scientists
4. (Name) Vote Solar
5. (Name)
6. (Name)
7. (Name)

Name Daniel Abrams
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City Chicago State IL
Zip 60601 Phone 312-673-6500
Email dabrams@elpc.org
Date 12/12/2025

Signature: 

<input type="radio"/> I am not an attorney
<input checked="" type="radio"/> I am an attorney whose: Michigan Bar # is P- <u>87696</u> _____ Bar # is: _____ (state)

**STATE OF MICHIGAN
MICHIGAN PUBLIC SERVICE COMMISSION**

In the matter of the application of Indiana Michigan Power Company for approval of modifications to its Large Power Tariff – Tariff LP.))))	Case No. U-21986
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PROOF OF SERVICE

I hereby certify that a true copy of the foregoing *Petition to Intervene and Appearances of Katherine Duckworth and Daniel Abrams of The Ecology Center, The Environmental Law & Policy Center, Union of Concerned Scientists, and Vote Solar* were served by electronic mail upon the following Parties of Record, Friday, December 12, 2025.

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Katherine Duckworth (P86670)
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