

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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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 January 29, 2026 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**

History of Proceedings

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).

In its July 10, 2025 order in this docket (July 10 order), the Commission directed the Commission Staff (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.” July 10 order, pp. 2-3. The Commission further stated in the order that:

[t]he 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 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.

*Id.*, pp. 3-4. Accordingly, the Commission ordered the Staff to file draft Act 30 application filing guidelines in this docket by September 12, 2025. Additionally, the Commission stated that interested persons could file comments regarding the Staff's draft application guidelines in this docket by October 13, 2025, with reply comments due by November 3, 2025. *Id.*, pp. 4-5.

On September 12, 2025, the Staff filed Draft Voluntary Filing Guidelines for Applications for Certificates of Public Convenience and Necessity (Staff Draft). *See*, Case No. U-21930, filing #U-21930-0003.

On October 13, 2025, Michigan Electric Transmission Company, LLC (METC) and International Transmission Company (together with METC, ITC); Consumers Energy Company (Consumers); the Michigan Energy Innovation Business Council (MEIBC), Advanced Energy United (United), and Clean Grid Alliance (CGA) (collectively, MEIBC/United/CGA); and United and CGA (jointly) filed initial comments on the Staff Draft. *See*, Case No. U-21930, filings #U-21930-0004, -0005, -0006, and -0007. On November 3, 2025, DTE Electric Company (DTE Electric) submitted reply comments. *See*, Case No. U-21930, filing #U-21930-0008. Additionally, Erik Birchman; American Transmission Company and ATC Management Inc. (collectively, ATC); Valerie Wohlscheid-Brennan; and Robert Halpin submitted public comments in the Case Comments section of this docket. *See*, Case No. U-21930, filings #U-21930-0001-CC through U-21930-0005-CC.

The Commission appreciates the interested persons who provided extensive feedback and perspectives in this case, as demonstrated by the informative and voluminous record of public comments and case filings. This order provides a brief summary of comments received in this docket (by major topic) that pertain to the Staff Draft, followed by further guidance regarding the adoption of final Voluntary Filing Guidelines for Applications for Certificates of Public Convenience and Necessity (Final Voluntary Filing Guidelines), attached to this order as Attachment A.

## Discussion

### A. Construction Plans

Section 4(1) of Act 30 requires electric utilities, affiliated transmission companies, and independent transmission companies to submit a construction plan to the Commission for major transmission lines that an electric utility, affiliated transmission company, or independent

transmission company plans to construct within the next five years. MCL 460.564(1).

Construction plans must contain the following information: (a) the general location and size of all major transmission lines to be constructed in the five years after planning commences; (b) copies of relevant bulk power transmission information filed with any state or federal agency, national electric reliability coalition, or regional electric reliability coalition; and (c) any additional information required by Commission order or rule that directly relates to the construction plan. MCL 460.564(1).

#### 1. Proposed Guideline 1.1

The Staff Draft's proposed Guideline 1.1 identifies additional information that must be included in a construction plan, which includes:

- a. Identification of the proposed Study Area<sup>1</sup> for all major transmission lines to be constructed. A Study Area is normally a regular polygon shape, however if there is an internal portion that an applicant has removed in its initial evaluation due to insurmountable engineering, environmental or social impacts please explain why it was reasonable to remove this subregion from the final Study Area;
- b. The estimated construction year and quarter of all proposed major transmission lines;
- c. The estimated length of all proposed major transmission lines;
- d. A statement of the need for all proposed major transmission lines to be constructed;
- e. A list of all municipalities and landowners, including their addresses, within the proposed Study Area;
- f. The name, address, telephone number, and email address for a dedicated contact person or persons who have knowledge of the development of the proposed major transmission line and are authorized to communicate on behalf of the electric utility, affiliated transmission company, or independent transmission company; and

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<sup>1</sup> The Staff Draft defines "Study Area" to mean "[t]he geographic area in which the applicant plans to study for the development of a transmission project that includes the geographic area where both the proposed and alternate route(s) are likely to be, however the exact location of the proposed and alternate route(s) is not yet known." Staff Draft, p. 4. The Staff Draft further specifies that the Study Area "should, at a minimum, include the area in which municipalities and landowners are required to be noticed as outlined in Guideline 2.1." *Id.*

- g. Detail of the applicant's process for soliciting and obtaining information from landowners and municipalities regarding the property or community characteristics in the Study Area that will be used to develop the applicants proposed route and alternate route(s) submitted as part of the applicant's application with the Commission.

Staff Draft, p. 5.<sup>2</sup>

ITC expresses concerns that the additional information required by proposed Guideline 1.1 does not directly relate to a construction plan and therefore goes beyond the statutory requirements of Act 30. ITC's initial comments, p. 10 (citing MCL 460.564). Thus, while the company states that it is open to identifying a Study Area in the construction plan, it opposes any requirement to justify the extent of the Study Area or any changes the company makes to the Study Area. ITC's initial comments, p. 10. Similarly, ITC opposes any requirement to demonstrate and justify the need for a proposed transmission line in the construction plan. *Id.*, pp. 10-11. Finally, ITC expresses concern regarding the proposed guideline's requirement to include a list of landowners within the Study Area, arguing that such a requirement would be burdensome and costly given the size and location of some projects. As such, ITC opposes this requirement but supports providing awareness and guidance in the construction plan for how landowners can provide feedback about a project. *Id.*, pp. 11-12.

MEIBC/United/CGA recommend that proposed Guideline 1.1(b) be clarified to require the construction start and completion dates of a proposed transmission line, as well as the specific dates, locations, and details for staging and pre-construction activities. MEIBC/United/CGA's initial comments, pp. 3-4.

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<sup>2</sup> The Staff Draft is not paginated. As such, this order refers to pages in the Staff Draft in their natural order.

The Commission finds that Act 30 expressly authorizes the Commission, by order or by rule, to require electric utilities and transmission companies to include additional information in a construction plan if that information directly relates to the construction plan. MCL 460.564(1)(c). Further, the Commission finds that the identification of a Study Area, including the identification of any areas excluded from a Study Area, is a necessary step for determining any potential routes for a proposed major transmission line and is, therefore, directly related to the general location and size of the proposed transmission line. Accordingly, the Commission finds that the Staff Draft's proposed Guideline 1.1 is permissible under the plain language of Act 30 and further that it is reasonable for an applicant to include this information in the construction plan. The Commission, however, agrees with ITC that an applicant need not justify the need for a proposed major transmission line in the construction plan, and that a statement explaining why the proposed major transmission line is being constructed is sufficient. Additionally, the Commission agrees with ITC that the identification of all landowners within a proposed Study Area could be burdensome for some larger projects. As such, the Commission finds that an applicant's identification of all municipalities and a list of the zip codes that are located within the proposed Study Area is sufficient. Finally, the Commission agrees with MEIBC/United/CGA that the estimated construction start and end year and quarter for the proposed major transmission line is a reasonable inclusion in the information required to be included in the construction plan.

## B. Public Meetings

Section 6(1) of Act 30 requires electric utilities, affiliated transmission companies, and independent transmission companies, before applying to the Commission for a certificate, to schedule and hold a public meeting in each municipality through which a proposed major transmission line for which a construction plan has been submitted will pass. Under Act 30, a

public meeting held in a township satisfies the requirement that a public meeting be held in each affected village located within that township. MCL 460.566(1). Additionally, Section 6(2) of Act 30 requires electric utilities, affiliated transmission companies, and independent transmission companies to offer in writing to meet with the chief elected official of each affected municipality in the 60 days before a public meeting is held to discuss the utility's or company's desire to build the proposed major transmission line and to explore the routes to be considered for the transmission line. MCL 460.566(2).

1. Proposed Guideline 2.1

The Staff Draft's proposed Guideline 2.1 outlines notice requirements for the public meeting required by Act 30 and provides that applicants should provide notice to all municipalities and affected landowners through which a portion of the proposed major transmission line will pass, including all landowners with property located along any of the applicant's initially-identified proposed and alternate routes for the proposed major transmission line. Staff Draft, pp. 5-6. Additionally, proposed Guideline 2.1 states that applicants should notice all municipalities and landowners located within one mile of the centerline of the proposed right-of-way (ROW) for all initially identified proposed and alternate routes, as well as any municipalities and landowners located within the geographic area between any proposed and alternate routes for the proposed major transmission line. Staff Draft, pp. 5-6.

ITC states that it supports the goal of expanding public awareness for public meetings under Act 30 but suggests a revised approach to proposed Guideline 2.1 to address two of its concerns. First, ITC takes issue with the Staff Draft's use of the term "notice" when referring to publicization of public meetings. According to ITC, requiring "notice" for the public meetings inadvertently suggests due process rights for recipients that may otherwise not be provided under

Act 30. Consequently, ITC proposes referring to an “invitation” to the public meetings, as opposed to a “notice.” ITC initial comments, p. 14. Next, ITC asserts that proposed Guideline 2.1’s broad notice requirements are impractical given the large number of landowners who would potentially be required to be notified but who would otherwise not be directly impacted by the proposed major transmission line. By way of example, ITC contends that providing notice to the set of landowners outlined in the proposed guideline for two upcoming proposed transmission lines that are part of the Midcontinent Independent System Operator, Inc.’s Long Range Transmission Planning Tranche 2.1 “would amount to hundreds of thousands of invitees, only a small fraction of whom would have relevant information.” *Id.*, p. 15. In turn, ITC argues that processing and verifying information from these landowners would increase costs significantly and delay the filing of applications under Act 30. For this reason, ITC instead recommends that proposed Guideline 2.1 be limited to requiring applicants to provide invitations to affected municipalities and landowners located within 500 feet of the centerline of any route identified in an applicant’s construction plan. *Id.*, pp. 15-16.

Like ITC, MEIBC/United/CGA also express concern about the notice requirements outlined in proposed Guideline 2.1, arguing that the extensive notice requirements are burdensome and will unnecessarily raise concerns among unaffected landowners. MEIBC/United/CGA contend that the proposed guideline’s notice requirements will include many landowners that will never be impacted by a proposed major transmission line and that the notice requirements significantly exceed notice standards used in other jurisdictions. Consequently, MEIBC/United/CGA advocate for the Commission to limit notice for public meetings to landowners who are located within 300 feet of the centerline of the proposed major transmission line, which MEIBC/United/CGA state is

akin to notice requirements used in Wisconsin, Missouri, and Michigan's Zoning Enabling Act. MEIBC/United/CGA's initial comments, pp. 4-5.

DTE Electric states that it recognizes the importance of providing the public with an opportunity to share information and perspectives on a proposed major transmission line but expresses its concern with the proposed guideline's requirement to provide notice to municipalities and landowners located within one mile of the centerline of the ROW as well as the geographic area between an applicant's proposed and alternate routes. DTE Electric asserts that such a requirement may invite input from unaffected persons, which "could unintentionally shift focus away from those most directly impacted. Additionally, since customers ultimately inherit the cost burden, DTE Electric is also concerned about the cost to provide notice to stakeholders that are unaffected or have little interest." DTE Electric's reply comments, p. 3. Accordingly, DTE Electric encourages the Commission to consider a notice requirement that prioritizes input from impacted municipalities and landowners. *Id.*

The Commission finds that increasing public awareness and participation early in the Act 30 process provides significant benefits for both the applicant and the public. Specifically, early and meaningful public engagement in a project promotes transparency and builds trust by ensuring that municipalities and individuals potentially impacted by a proposed major transmission line understand the project's purpose, scope, and potential effects. Moreover, inclusive public participation allows the public to share local knowledge, identify concerns, and suggest practical solutions that may improve the siting of a proposed major transmission line and aid the Commission's decision-making ability. Accordingly, the Commission finds the Staff Draft's proposed Guideline 2.1 to be appropriate and, therefore, adopts it with the following modifications.

While the Commission appreciates various commenters' proposals for alternative notice standards, the Commission declines to adopt these proposed standards, finding that the Staff's proposed Guideline 2.1's requirements are more appropriate. Importantly, the Commission finds that providing notice to municipalities and landowners that have property located along an applicant's initially-identified proposed and alternate routes, who are located within one mile of the edge of the ROW of any initially-identified proposed and alternate routes, and who are located within the areas between any initially-identified proposed and alternate routes is reasonable and strikes the correct balance between the costs of providing direct invitational notice of a public meeting to a greater number of individuals and the benefits of expanding early public awareness and participation in a project.

The Commission is cognizant of commenters' concerns that expanding public notice for public meetings will increase costs and unintentionally capture individuals who may never be impacted by a proposed major transmission line. However, the Commission finds that it is appropriate for the Final Voluntary Filing Guidelines to permit an applicant to refrain from sending notice for public meetings to municipalities and landowners that are located in any geographic areas that have been excluded from the project's Study Area, as outlined in Guideline 1.1(a). The Commission finds that permitting such exclusions will decrease the likelihood that individuals with a very low likelihood of will be unnecessarily notified of a project and will allow an applicant to avoid incurring the costs of providing notice to individuals that will never be impacted by the proposed major transmission line. Finally, the Commission agrees with ITC that the proposed guideline's reference to a "notice," may cause confusion; as such, the Commission agrees to adopt the ITC's recommendation that the proposed guideline be revised to refer to a public meeting "invitation."

## 2. Proposed Guideline 2.2

The Staff Draft's proposed Guideline 2.2 outlines the form and substance of the notice an applicant should send to municipalities and landowners for public meetings and states:

The notice required in Guideline 2.1 should be in the form of a letter with verification of delivery to the taxpayer of record of the affected property and should include the following:

- a. The date, time, and location of all public meetings scheduled for the proposed major transmission line;
- b. The case number of the docket established for the proposed major transmission line, including instruction on how the person can sign up through the Commission's website to receive notifications about the docket;
- c. A Highlighted map of any initial proposed and alternate route(s);
- d. If the line is more than five miles in length, a highlighted map of the geographic area within a one-mile radius of any proposed or alternate routes, as well as the land between those routes;
- e. The name, address, telephone number, and email address for a dedicated contract person or persons who have knowledge of the development of the proposed major transmission line and are authorized to communicate on behalf of the electric utility, affiliated transmission company, or independent transmission company;
- f. Details regarding the specific type of information the applicant is seeking from the noticed landowners and municipalities, such as:
  - i. Particular characteristics about the landowner's property;
  - ii. Land use; and
  - iii. Features of historical or environmental significance.
- g. Rights the applicant is potentially seeking from the noticed landowner.

Staff Draft, p. 6.

ITC again asserts that Act 30 does not require public notice for public meetings and further that requiring verification of delivery for notices would be unduly burdensome and costly, with costs for some projects likely exceeding \$2 million to \$3 million with minimal benefit. As such, ITC recommends the removal of proposed Guideline 2.2. ITC's initial comments, p. 16. In the alternative, the company recommends revising the proposed guideline to reference an "invitation," as opposed to a "notice," and to contain only: (a) the date, time, and location of all public meetings for the proposed major transmission line; (b) the case number assigned to the proceeding

and a statement regarding the location of case information on the Commission's website; (c) a link or QR code to the applicant's project website; and (d) the name and contact information for a representative of the applicant knowledgeable about the proposed transmission line and authorized to speak on behalf of applicant. *Id.*, pp. 16-17.

MEIBC/United/CGA propose revisions to subsections (d) and (f) of proposed Guideline 2.2. Specifically, they state that if their proposed revision to Guideline 2.1, which includes limiting notice to municipalities and landowners located within 300 feet of a proposed transmission line, is adopted, that the highlighted map required by subsection (d) of the proposed guideline should be similarly changed. Additionally, for subsection (f), MEIBC/United/CGA state that if the applicant is not seeking information from noticed municipalities or landowners, then the applicant should clearly state this in the letter sent to municipalities and landowners. MEIBC/United/CGA's initial comments, p. 5.

In comments in this docket, Ms. Wohlscheid-Brennen advocates for the Commission to require applicants to provide a timeline for Act 30 filings and to direct landowners to the Commission's public Act 30 website, arguing that transparency about the Act 30 process is important at the beginning of the process so that landowners have an adequate opportunity to find legal representation. Further, Ms. Wohlscheid-Brennan urges the Commission to require applicants to include a copy of an ROW easement for landowners to review prior to any public meetings, which she contends serves as an opportunity for the applicant to demonstrate good faith and to seek voluntary easements that will benefit the public meeting process. Case No. U-21930, filing #U-21930-0003-CC, p. 2.

ATC, in its comments to the docket, recommend that the verification of delivery in the proposed guideline be amended to only require standard mail, with attestation by the applicant of the mailing. Case No. U-21930, filing #U-21930-0002-CC, p. 3.

The Commission finds the Staff Draft's proposed Guideline 2.2 to be reasonable and, therefore, adopts the proposed guideline with the following modifications. The Commission finds that including links to the Commission's public Act 30 website, as well as an applicant's project website, is a reasonable requirement for the invitation to a public meeting. Additionally, the Commission agrees with ITC that an invitation to a public meeting, as opposed to formal public notice, is sufficient and further agrees with ITC and ATC that such invitation should be sent in the form of a letter sent via standard mail to the taxpayers of record of any affected properties. To ensure that recipients understand and identify the invitations to public meetings, the Commission finds it appropriate to require an applicant to clearly identify the applicant's name and the name of the proposed project on the invitation and to make the invitation available for the Staff's review ten business days prior to when the mailing is sent. Finally, the Commission finds that it is unnecessary for invitations for public meetings to contain a form easement for the ROW proposed for a major transmission line, as the acquisition of property rights is parcel and project specific and cannot be easily reduced to a standard form easement.

### 3. Proposed Guideline 2.3

The Staff Draft's proposed Guideline 2.3 encourages applicants to identify and review multiple alternate routes with municipalities and landowners to further engage the public during the public meeting process under Act 30. Staff Draft, p. 6.

ITC states that it agrees that engaging the public during the public meeting process is important and thus proposes no revisions to Guideline 2.3. ITC's initial comments, p. 17.

MEIBC/United/CGA recommend that the Commission clarify proposed Guideline 2.3 and note that it would be helpful for the Commission to provide further details and examples of what is expected of applicants to ensure compliance. MEIBC/United/CGA's initial comments, pp. 5-6.

The Commission finds that the evaluation and consideration of multiple alternate routes for a proposed major transmission line benefits the public, decreases the likelihood that an approved route will cause social and environmental impacts, and improves the Commission's decision-making ability. Accordingly, the Commission adopts the Staff Draft's proposed Guideline 2.3.

#### 4. Proposed Guideline 2.4

The Staff Draft's proposed Guideline 2.4 requires applicants to make public meeting materials available for the Staff's review ten business days prior to the public meeting taking place. Staff's Draft, p. 6.

ITC states that it has no objection to sharing proposed public meeting materials with the Staff prior to public meetings but recommends altering the language of proposed Guideline 2.4 to only require the sharing of materials "in substantially final form" with the Staff given that public meeting materials are often being finalized until the public meetings begin. ITC's initial comments, p. 17.

The Commission finds that public meeting materials may need to be amended and finalized within ten days of a public meeting. Accordingly, the Commission adopts proposed Guideline 2.4, as amended by ITC's proposed revision.

#### 5. Proposed Guideline 2.5

The Staff Draft's proposed Guideline 2.5 relates to the input of landowner comments, information, and revisions through the use of a geographic information system (GIS) and provides:

An applicant should make available a way for landowners attending a public meeting to identify geographic features of their parcel or add comments,

information regarding features of parcels or potential minor route adjustments, and any other pertinent information regarding the location of the proposed major transmission line. This information should be translated into a [GIS] to be used by the applicant. This could be done by having GIS systems available at the public meetings. A similar map-based interface should be hosted by the applicant on a website available to the public so that information and alternate routes may be submitted by those that were unable to attend a public meeting in person. This website should be available until 30 days prior to the Act 30 application being filed with the Commission.

Staff Draft, p. 7.

ITC states that it has no objection to providing a GIS at public meetings and online and contends that use of a GIS is a critical component of effectively engaging the public. ITC's initial comments, pp. 17-18. However, the company expresses concern with linking GIS availability to the application filing date, arguing that such a method would create a moving target that would not provide sufficient time for an applicant to properly evaluate comments submitted by the public. By way of example, ITC asserts that evaluating public comments in Case No. U-21471 involved more than 40 internal and external personnel and hundreds of hours of analysis. As a result, ITC recommends linking GIS availability to public meeting dates and specifically proposes making GIS available to the public for 14 days following the final public meeting for a project, which the company argues would allow applicants sufficient time to review and evaluate the public comments. *Id.*, p. 18.

Like ITC, MEIBC/United/CGA also contend that it would be impractical to provide a GIS platform to the public until 30 days prior to the filing of an application because it will likely take longer than 30 days to review and incorporate comments in that timeframe.

MEIBC/United/CGA's initial comments, p. 6. Consequently, MEIBC/United/CGA urge the Commission to incorporate flexibility into the timeframe for GIS availability or to tie the

timeframe to the public notice or public meeting dates, for example, requiring applicants to maintain GIS availability for at least 120 days after a public meeting. *Id.*

The Commission agrees with the Staff and ITC and finds that the incorporation of a GIS platform in the public meeting process is critical for effectively engaging the public and obtaining parcel-specific information related to a proposed major transmission line. The Commission agrees that sufficient time is needed for an applicant to properly evaluate and incorporate public comments into the proposed and alternate routes submitted as part of the application for the proposed major transmission line. Additionally, the Commission finds that, to be effective, the public must have a meaningful opportunity to provide information, comments, and proposed revisions to a proposed transmission line, which necessarily entails access to the GIS platform for a reasonable duration. The Commission, therefore, finds that an applicant should hold any public meetings for a proposed project at least six months prior to the filing of its application with the Commission and further finds that an applicant should provide the public with access to a GIS platform for the submittal of comments for at least 90 days following the last public meeting for the proposed major transmission line.

#### 6. Proposed Guideline 2.6

The Staff Draft's proposed Guideline 2.6 provides that applicants "should solicit route modifications, alternate segments, and alternate routes for the proposed major transmission line during the public meetings and from the map-based interface website specified in Guideline 2.5." Staff Draft, p. 7.

ITC first asserts that Act 30 does not authorize the Commission to dictate the type of information that an applicant must solicit at public meetings. More fundamentally, the company argues that encouraging applicants to solicit landowner-proposed routes risks mischaracterizing

both the purpose of the public meeting and the role of landowners in the routing process. ITC contends that landowner input is generally limited to property-specific concerns, whereas routing decisions rely on specialists that use comprehensive data to balance broader public interest considerations. ITC's initial comments, p. 19. Additionally, the company asserts that requiring applicants to solicit route modifications would be impractical and would give the false impression that every suggested route modification must be fully developed and analyzed, which ITC contends is inconsistent with Act 30. As a result, although ITC supports meaningful landowner feedback, and claims that it has refined routes in Case No. U-21471 in response to landowner comments, the company urges that such input must be integrated in a manner consistent with Act 30 and the realities of transmission planning. Accordingly, ITC proposes revised language for Guideline 2.6. *See, id.*, p. 20.

The Commission agrees with ITC that Act 30 does not expressly require an applicant to solicit route modifications from the public at public meetings. However, as previously explained, the Commission finds that robust public participation promotes transparency and enables interested persons to identify concerns and suggest practical solutions that may improve a proposed major transmission line and the Commission's decision-making ability. As such, the Commission finds that it is appropriate to adopt a modified guideline that states that an applicant should consider, as part of its route development, all reasonable refinements, alterations, changes, or shifts suggested by the public during the public meeting process.

#### 7. Proposed Guideline 2.7

The Staff Draft's proposed Guideline 2.7 relates to an applicant's disclosure of route evaluation factor data and provides that "[t]he evaluation factor data by route segment for route segments studied in the routing study that derived the construction plan should be made available

during public meetings, as well as on the online map-based interface, specified in Guideline 2.5.”  
Staff Draft, p. 7.

In comments, ITC requests that the Commission remove Guideline 2.7. While ITC agrees that explaining routing factors may be informative, it argues that sharing raw data at a public meeting would be inappropriate and premature because an applicant may still be collecting or validating data. Further, ITC asserts that evaluation factor data is complex and that explaining this data without context would be both impractical and unproductive. ITC’s initial comments, pp. 20-21.

The Commission agrees with ITC that evaluation factor data can be complex; however, the Commission finds that its decision-making ability is greatly aided by the evaluation of all routes that are proposed for a major transmission line. The Commission further finds that such evaluation necessarily entails the presentation and analysis of evaluation factor data used by the applicant as part of its routing process. Accordingly, the Commission finds that it is reasonable to request that an applicant provide a map and an online map-based interface that is accessible to the public that depicts all preliminary route segments for a proposed major transmission line that the applicant has considered as part of its routing study. Further, the Commission finds that it is reasonable to request that an applicant make available the evaluation factor data it relied on as part of its routing study to interested persons who request the data.

#### 8. Proposed Guideline 2.8

The Staff Draft’s proposed Guideline 2.8 provides that interested persons “should be able to submit comments and feedback via a website available to the public prior to the filing of the application with the Commission. If the commenter leaves an email address, the applicant should provide a response to that email address.” Staff Draft, p. 7.

ITC comments that it agrees that accepting comments through a public website can enhance public engagement but respectfully disagrees with the online comment period being tied to the application filing date, as opposed to the public meeting date. Accordingly, ITC recommends revisions to proposed Guideline 2.8 making the public website available from a period starting on the date of the applicant's first public meeting until 14 days after the applicant's final public meeting for a project. ITC's initial comments, p. 21. Additionally, ITC states that it acknowledges that, in some cases, a follow-up response to a public comment might be beneficial. As such, the company proposes adding the following language to proposed Guideline 2.8:

An applicant should consider directly responding to and/or following-up with public meeting attendees and comments received via a website (described in this Guideline) to the extent such response is requested and practical and if the attendee or commenter provides the applicant with either a phone number, mailing address, or email address when making the public comment.

*Id.*, pp. 21-22.

Consumers requests that the Commission reconsider proposed Guideline 2.8's requirement to respond individually to all commenters with an email address, arguing that such an approach may unintentionally reduce participation in public meetings. Consumers' initial comments, p. 3. According to Consumers, responding privately to individual commenters does not support a collective experience or ensure that all participants obtain the same information for a project. As such, the company argues that any feedback submitted through the public website should be addressed at public meetings where responses can be transparently shared with all participants. *Id.*

The Commission agrees with the Staff Draft's recommendation to permit the public to submit comments regarding a proposed major transmission line through a public website. As previously explained, the Commission finds that the public must have a meaningful opportunity to provide information, comments, and proposed revisions to a proposed major transmission line and for the

applicant to reasonably consider such comments prior to the submission of its application to the Commission. The Commission, therefore, finds that an applicant should allow the public to submit comments through a public website made available beginning on the date of the applicant's first public meeting for a proposed major transmission line and ending 90 days after the applicant's final public meeting for the project. Additionally, the Commission agrees with ITC's proposal to directly respond to comments submitted to the website and finds that an applicant should directly respond to comments submitted to the website that involve specific concerns regarding a landowner's property or public lands. Any response made by an applicant should be included in the summary of comments and responses that are submitted in the application for the proposed major transmission line.

#### 9. Proposed Guidelines 2.9 and 2.10

The Staff Draft's proposed Guideline 2.9 requests that an applicant thoroughly document all landowner comments and proposed route adjustments received, as well as an applicant's response to those comments and requests. Staff Draft, p. 7. Additionally, the Staff Draft's proposed Guideline 2.10 provides that any substantive landowner request that is not granted by an applicant include a description of how the applicant considered the proposed request and why that request could not be reasonably accommodated.

ITC states that to comply with MCL 460.567(2)(j), an applicant should keep records of public meeting comments and responses for the purpose of summarizing those comments and responses. Accordingly, ITC comments that it does not object to proposed Guideline 2.9 to the extent it is intended to reflect the requirements of Act 30. ITC, however, states that if proposed Guideline 2.9 imposes additional requirements, that the Commission then clarify the proposed guideline as any additional requirements would exceed the scope of Act 30. ITC's initial comments, p. 22.

Additionally, ITC states that Act 30 only requires an applicant to provide a summary of comments received and a summary of the applicant's response to comments. As such, ITC contends that requiring applicants to indicate whether a specific comment was "granted" or "denied" is inconsistent with Act 30 and the routing process, which ITC asserts remains ongoing at the public meeting stage. As a result, ITC requests that the Commission remove proposed Guideline 2.10. *Id.*, pp. 22-23.

The Commission finds that requiring an applicant to thoroughly document all public comments and proposed route adjustments is necessary to comply with Act 30's requirement to include a summary of comments and responses in an application filed with the Commission. *See*, MCL 460.567(2)(j). Additionally, the Commission finds that documenting an applicant's consideration and potential rejection of route adjustments proposed by the public increases transparency and improves the routing process for a proposed major transmission line by requiring an applicant to seriously consider and approve route refinements that minimize the potential impacts of a proposed major transmission line. As such, the Commission finds that it is reasonable to adopt the Staff Draft's proposed Guidelines 2.9 and 2.10, and to combine these guidelines into a single guideline included in the Final Voluntary Filing Guidelines.

#### 10. Proposed Guideline 2.11

The Staff Draft's proposed Guideline 2.11 requests that an applicant provide the following information during all public meetings:

- a. Transmission line detail as relates to public health, including any post-construction testing or evaluation (EMF [electric and magnetic fields], stray voltage, etc.) presented by a subject matter expert who is available to discuss EMF regulations and how the project is designed to meet or exceed those regulations;
- b. The need for the line;
- c. An estimated tax revenue by township due to the project;
- d. The construction process and safety measures for the proposed major transmission line;

- e. Environmental impact mitigation;
- f. Rights the applicant is seeking from landowners, for example sharing a sample easement;
- g. A high-level overview of the landowner compensation process;
- h. Post construction property restoration procedures and requirements; and
- i. The case number of the docket established for the proposed major transmission line, including instructions on how the person can sign up through the Commission's website to receive notifications about the docket.

Staff Draft, pp. 7-8.

ITC states that it generally agrees with proposed Guideline 2.11 but that it has concerns with subsections (b), (f), and (g) of the proposed guideline. For subsection (b), ITC again expresses its concern with a requirement to demonstrate need, which the company asserts is not required under Act 30. Additionally, the company states that land acquisition is not a part of the certification process under Act 30 and therefore falls outside of the Commission's jurisdiction. Accordingly, ITC proposes that the following information be included in proposed Guideline 2.11:

- a. Information related to the status of research on electric and magnetic fields (EMF) as reviewed by national and international health and scientific organizations, and explain how the project meets public health guidelines (i.e., ICNIRP [International Commission on Non-Ionizing Radiation Protection], 2010; IEEE [Institute of Electrical and Electronics Engineers]/ICES [Institute of Civil Engineers Society], 2019). Information on the electrical effects such as audible noise also should be available;
- b. General information supporting the need for the proposed major transmission;
- c. An estimated tax revenue by township due to the project;
- d. The construction process and safety measures for the proposed major transmission line;
- e. Environmental impact mitigation;
- f. General information about land acquisition post-certificate;
- g. General information about post construction property restoration procedures and requirements; and
- h. The case number of the docket established for the proposed major transmission line, including instructions on how the person can sign up through the Commission's website to receive notifications about the docket.

ITC's initial comments, pp. 23-24.

The Commission finds ITC's proposed revisions to proposed Guideline 2.11 to be reasonable and, therefore, adopts them. The Commission, however, finds that it is reasonable and appropriate to include a high-level overview of the landowner compensation process, as well as general information pertaining to the property rights an applicant may be seeking in the information presented at public meetings. The Commission finds that the presentation of this information will increase transparency and public participation in proposed projects, which the Commission finds will improve the Act 30 process.

### C. Application Public Notice

Section 8(1) of Act 30 provides that, upon applying for a certificate with the Commission, electric utilities, affiliated transmission companies, and independent transmission companies must give public notice in the manner and form prescribed by the Commission of an opportunity to comment on the application. MCL 460.568(1). The section further provides that notice must be published in a newspaper of general circulation in the area to be affected by the proposed transmission line and that notice must be sent to each affected municipality and each affected landowner on whose property a portion of the proposed transmission line will be constructed. *Id.*

#### 1. Proposed Guideline 3.1

The Staff Draft's proposed Guideline 3.1 notes that the Commission may prescribe the manner in which public notice of an opportunity to comment on an application must be provided and requires that an applicant provide public notice to each of the following: (1) all municipalities and landowners with property located along all proposed and alternate routes identified for a proposed major transmission line, (2) all municipalities and landowners with property located within one mile of the centerline of the ROW of all proposed and alternate routes identified for the proposed major transmission line, and (3) all municipalities and landowners with property located in the

geographic area between all proposed and alternate routes identified for the proposed major transmission line. Staff Draft, p. 8.

Additionally, proposed Guideline 3.1(b) outlines the form of the public notice of an opportunity to comment on an application and states:

Public notice should be in the form of a certified letter to the taxpayer of record of the affected property and should include the following:

- i. The case number of the docket established for the proposed major transmission line, including instructions on how the person can sign up through the Commission’s website to receive notifications about the docket;
- ii. A highlighted map of the initial proposed and alternate route(s) identified in the application;
- iii. If the line is more than five miles in length, a highlighted map of the geographic area within a one-mile radius of the proposed and alternate routes, as well as the land between them;
- iv. The name, address, telephone number and email address for a dedicated contact person or persons who have knowledge of the development of the proposed major transmission line and are authorized to communicate on behalf of the applicant;
- v. Detail regarding the type of information the applicant is seeking from the noticed landowner, such as:
  1. Particular characteristics about the landowner’s property;
  2. Land use; and
  3. Features of historical or environmental significance.
- vi. Rights the applicant is potentially seeking from the noticed landowner.

*Id.*, pp. 8-9.

ITC states that it disagrees with the Staff that Act 30 permits the Commission to expand the category of persons that must receive public notice for an application. According to ITC, while Act 30 permits the Commission to determine the manner and form of the public notice of an opportunity to comment on an application, the statute limits who must receive such notice—namely only to “each affected municipality and each affected landowner on whose property a portion of the proposed transmission line will be constructed.” ITC’s initial comments, p. 25

(quoting MCL 460.568(1)) (internal quotations omitted). As a result, ITC asserts that proposed Guideline 3.1 goes beyond Act 30's requirements.

ITC also argues that the expanded notice requirements under proposed Guideline 3.1 would be unworkable and would require applicants to send public notice to potentially hundreds of thousands of individuals, which the company asserts would be time-consuming and cost prohibitive. ITC's initial comments, p. 25. Additionally, ITC contends that expanding public notice would result in unintended consequences and the notification of tens of thousands of individuals that will likely never be impacted by a proposed major transmission line, creating confusion and unnecessary opposition to projects. By way of example, ITC states that notice requirements under the Staff Draft's proposed Guideline 3.1 would encompass nearly a quarter of a million people for a proposed project that spans the Lansing metropolitan area and would encompass nearly a third of Michigan's Lower Peninsula for the company's anticipated Ludington to Copperton project. *Id.*, p. 26. Accordingly, ITC contends that "the confusion, fear, and inefficiencies created by such an expansive approach would outweigh [the] benefits and would not be consistent with the statute or streamlining the application and discovery process for such cases." *Id.* ITC, however, states that it recognizes the potential benefits of providing public notice to a greater number of individuals and, therefore, proposes to revise proposed Guideline 3.1 to recommend that an applicant be required to provide public notice to affected landowners along the proposed and alternate routes inclusive of any proposed ROW, as well as any areas sought for minor modification approval, which ITC explains would likely include up to 500 feet on either side of the centerline for these routes. *Id.*, pp. 26-27. This approach, according to ITC, "would align with the approach taken in Case No. U-21471, where METC was directed to notice landowners along both the proposed and alternate route." *Id.*

Finally, ITC proposes eliminating proposed Guideline 3.1(b)(v), arguing that this requirement is unnecessary because an applicant is no longer soliciting information regarding the application's proposed and alternate routes for the proposed transmission line once the application is filed. ITC contends that at that point, the routing process is complete and that Act 30 instead contemplates that any proposed deviations to those routes come in the form of an alternative route proposed by a party to the contested case. *Id.*, pp. 28-29.

MEIBC/United/CGA recommend that proposed Guideline 3.1 be modified to be consistent with their proposed revisions to Guideline 2.1, which suggested notice to landowners and municipalities located within 300 feet of the centerline of the proposed and alternate routes. MEIBC/United/CGA initial comments, p. 6.

Consumers expresses concern with proposed Guideline 3.1's requirement to provide public notice to municipalities and landowners located within one mile of the centerline of the ROW for proposed and alternate routes, as well as municipalities and landowners located within the geographic area between these routes. Consumers acknowledges that broad public notice can be beneficial but recommends a more targeted approach. The company notes that the proposed and alternate routes in Case No. U-21471 were separated by more than four miles in certain areas and that proposed Guideline 3.1 would have required an applicant to provide public notice to all landowners located in this area, who Consumers contends would not have been impacted by the proposed transmission line. Accordingly, Consumers advocates for proposed Guideline 3.1 to include the requirement for a cost-benefit analysis to be performed to assess the financial and time burdens associated with broader public notice requirements. Consumers' initial comments, pp. 3-4.

In comments made in the docket, ATC states that it disagrees with the requirement in the proposed guideline to notice landowners and municipalities located between the proposed and alternate routes. It asserts that notification of landowners and municipalities located within one mile of the centerline of a proposed route, as well as the notice requirement already stated in MCL 460.568 provides ample notice to interested persons. Additionally, ATC recommends that standard mail be required, as opposed to certified mail for the notice required by the proposed guideline. Case No. U-21930, filing #U-21930-0002-CC, p. 4.

The Commission finds the Staff Draft's proposed Guideline 3.1 to be reasonable, and therefore adopts the proposed guideline, as amended by this order. The Commission finds, as acknowledged by the commenters, that expanding public notice of an opportunity to comment on an application creates significant benefits for the public, the applicant, and the Commission. As previously detailed, the Commission again finds that an expanded public notice increases transparency and allows affected individuals to share specific knowledge, concerns, and solutions to a proposed major transmission line's potential route, which the Commission finds will positively contribute to its decision-making ability. As a result, the Commission finds that it is appropriate and reasonable to include a guideline that requests that an applicant send public notice with verified delivery to an expanded set of municipalities and affected landowners.

While the Commission finds that expanding public notice will improve the Act 30 process, the Commission recognizes the concerns raised by some commenters regarding the potential increase in costs and challenges associated with an expanded public notice requirement. Accordingly, the Commission finds that a measured approach to an expanded public notice requirement is warranted. Specifically, the Commission finds that as the number of alternate routes for a proposed major transmission line is increased, the Commission's ability to select a route that

minimizes environmental, social, and engineering impacts is also increased. Consequently, as more alternate routes are made available for the Commission's consideration, fewer municipalities and landowners need to be directly notified of a project in order to identify and ultimately reduce a proposed transmission line's impacts.

Accordingly, the Commission finds that if an applicant proposes a single alternate route that is materially distinct from the proposed route, that applicant should send direct public notice to all municipalities and affected landowners located within one mile of the edge of the ROW of the proposed and alternate routes for the proposed major transmission line. If an applicant proposes two materially distinct alternate routes, that applicant should send direct public notice to all municipalities and affected landowners located within one-quarter mile of the edge of the ROW of the proposed and alternate routes presented for the proposed major transmission line. If an applicant proposes three or more materially distinct alternate routes, that applicant should send direct public notice to all municipalities and affected landowners located within 500-feet of the edge of the ROW of all proposed and alternate routes presented for the proposed major transmission line. Finally, given the potential for significant cost increases associated with an expanded public notice, the Commission declines to adopt the Staff Draft's proposal to require an applicant to send direct public notice of an opportunity to comment on an application to municipalities and individuals located in the geographic areas located between an applicant's proposed and alternate routes.

## 2. Proposed Guideline 3.2

The Staff Draft's proposed Guideline 3.2 notes that Section 8(4) of Act 30 permits parties to a contested case to submit alternative routes for a proposed major transmission line. Staff Draft, p. 9. The guideline further provides that:

[a]ny alternative route or route segment proposed by a party to the contested case proceeding should be confined to the notice area from those noticed in Guideline 3.1 and should be proposed before cross examination occurs in the contested case proceeding. Upon receipt of a proposed alternative route or route segment, the applicant should provide notice to all landowners with property located on the newly proposed alternative route or route segment. The letter should include notice that the landowner is now located on a proposed alternative route and should include information on how the affected landowner can seek intervention in the contested case proceeding.

*Id.*

ITC supports the Staff's proposal to define the area in which parties can propose alternative routes for a proposed major transmission line. According to ITC, defining this area will provide clarity and establish reasonable expectations for parties regarding routing options that may be realistically approved. ITC, therefore, proposes defining the area where an alternative route may be proposed to coincide with the areas that would be noticed under its proposed revisions to Guideline 3.1 (i.e., property located within 500 feet of the centerline of any proposed or alternate routes included in an application). ITC's initial comments, p. 30.

ITC, however, disagrees with proposed Guideline 3.2's requirement for applicants to provide notice to landowners with property located on a newly proposed alternative route. The company contends that Act 30 does not authorize the Commission to require applicants to provide such notice and that this requirement would be prejudicial to applicants, "effectively positioning applicants against their own due process interests." *Id.*, p. 30. ITC further argues that requiring notice for alternative routes defeats the purpose of providing public notice at the onset of a case and would create confusion and substantial delays to a proceeding. Consequently, ITC advocates for the removal of this requirement in Guideline 3.2. *Id.*

MEIBC/United/CGA recommend that the Commission clarify how alternative routes will be treated for notification purposes. They state that notifying landowners may cause confusion if a

landowner has previously received notification regarding the application for the proposed major transmission line. They therefore propose certain revisions to the proposed guideline specifying that only newly added landowners should receive notice and that the notice should include information on how the affected landowner can intervene in the contested case proceeding. MEIBC/United/CGA's initial comments, pp. 6-7.

The Commission finds that Act 30 expressly permits a party to a contested case proceeding to submit an alternative route for a proposed major transmission line and further that Act 30 authorizes the Commission to select an alternative route as the approved route for a proposed major transmission line. *See*, MCL 460.568(4). However, to provide the Commission with a meaningful opportunity to select a viable alternative route, the Commission finds that landowners located on an alternative route need to receive notice and be permitted a reasonable opportunity to participate in the contested case hearing. Accordingly, the Commission adopts proposed Guideline 3.2's recommendation to limit alternative routes to the invitation area outlined in Guideline 2.1, which includes the geographic areas located within one mile of the edge of the ROW for any proposed or alternate routes, as well as the geographic areas located between any proposed and alternate routes to the extent those areas are included in an applicant's identified Study Area. Additionally, the Commission adopts the proposed guideline's recommendation to require an applicant to provide notice to all previously unnoticed landowners with property located on the newly proposed alternative route, which should include information on how the affected landowner can seek intervention in the contested case proceeding. The Commission further finds, to avoid significant delays in the contested case proceeding, that it is reasonable to require parties to the contested case proceeding to propose any alternative route for the proposed major

transmission line within 45 days after the completion of the prehearing conference in the contested case proceeding.

#### D. Application Materials

Section 7(2) of Act 30 describes the information that must be included in an application submitted to the Commission, which includes:

- (a) The planned date for beginning construction.
- (b) A detailed description of the proposed major transmission line, its route, and its expected configuration and use.
- (c) A description and evaluation of 1 or more alternate major transmission line routes and a statement of why the proposed route was selected.
- (d) If a zoning ordinance prohibits or regulates the location or development of any portion of a proposed route, a description of the location and manner in which that zoning ordinance prohibits or regulates the location or construction of the proposed route.
- (e) The estimated overall cost of the proposed major transmission line.
- (f) Information supporting the need for the proposed major transmission line, including identification of known future wholesale users of the proposed major transmission line.
- (g) Estimated quantifiable and nonquantifiable public benefits of the proposed major transmission line.
- (h) Estimated private benefits of the proposed major transmission line to the applicant or any legal entity that is affiliated with the applicant.
- (i) Information addressing potential effects of the proposed major transmission line on public health and safety.
- (j) A summary of all comments received at each public meeting and the applicant's response to those comments.
- (k) Information indicating that the proposed major transmission line will comply with all applicable state and federal environmental standards, laws, and rules.
- (l) Other information reasonably required by the commission pursuant to rule.

MCL 460.567(2).

##### 1. Proposed Guideline 4.1

The Staff Draft's proposed Guideline 4.1 provides that an applicant, prior to the submission of its application to the Commission, should provide the Staff with a SharePoint drive that contains:

- (1) all landowner comments received by the applicant at any public meeting and the applicant's

response to those comments, and (2) all route adjustments submitted by affected landowners and the applicant's response to each request. Staff Draft, p. 10.

ITC contends that Act 30 only requires an applicant to provide a summary of public comments at public meetings and the applicant's response to those comments. As such, ITC argues that proposed Guideline 4.1, which requires that every public comment and response be submitted to the Commission, goes beyond statutory requirements and conflicts with the specific language used in Act 30. ITC's initial comments, p. 31. Accordingly, the company advocates for the removal of proposed Guideline 4.1 and for the Commission to maintain the requirement that only a summary of comments and responses is required to be included in an application. However, as an alternative, ITC proposes that the Commission revise the proposed guideline to merely "encourage applicants to make available all comments received at public meetings or through the GIS system to Staff simultaneously with its application, which serve as the basis for the public comment summary." *Id.*, p. 32. ITC, in turn, proposes alternative language for the proposed guideline that requests that an applicant's summary of comments and responses contain certain information. *Id.*

In comments made in the docket, ATC states that presenting information to the Staff solely through SharePoint may be too limiting and therefore recommended flexibility. It also voiced concerns that requiring the submittal of all route adjustments submitted by affected landowners, as well as the applicant's response to those submissions, would be overly burdensome and ripe for abuse by opponents to a project that could potentially use the requirement to inundate an applicant with untenable routing options. Case No. U-21930, filing #U-21930-0002-CC, p. 5.

The Commission acknowledges that Act 30 requires applications to include a summary of comments received at each public meeting but not copies of each individual public comment received by an applicant. *See*, MCL 460.567(2)(j). However, the Commission notes that, in Case

No. U-21471, the quality of the comment summaries received from the applicant was lacking and that the applicant merely provided generic responses to commenters' parcel-specific concerns. As the Commission noted in that case, such limited summaries were unhelpful. As a result, the Commission cautioned future Act 30 applicants to include more detailed summaries of public comments made at public meetings and the applicant's responses to those comments, as well as taking increased action to notify and inform affected landowners of route refinements that were made by the applicant in response to landowners' comments. *See*, July 10 order, pp. 54-57.

Accordingly, the Commission finds it reasonable to revise proposed Guideline 4.1 to require an applicant's public comment summary to clearly identify the main topics or concerns raised at each public meeting, to include a statement concerning the frequency in which a specific topic or concern was raised, and to include a summary of the applicant's proportionate response to each topic or concern and how the applicant considered or addressed that particular topic or concern. Further, the Commission finds it appropriate to require an applicant to highlight any route modifications proposed through the public meeting process that the applicant incorporated into the proposed and alternate routes included in the application. Finally, as proposed by ITC, the Commission finds that it is appropriate to require an applicant to provide copies of all public comments received by an applicant to the Staff simultaneously with the filing of the application. *See*, ITC's initial comments, p. 32.

## 2. Proposed Guideline 4.2

The Staff Draft's proposed Guideline 4.2 provides that, "[a]s part of its application for the proposed major transmission line, the applicant should provide detail about how the applicant complied with all requirements outlined in Act 30 and in these guidelines for the construction plan,

public meeting notice, public meetings, application public notice, and application materials.” Staff Draft, p. 10.

ITC first requests that proposed Guideline 4.2 refer to a public meeting “invitation,” as opposed to a “notice,” consistent with the company’s prior comments on proposed Guideline 2.1. It next requests that the term “application public notice” be removed from the proposed guideline. ITC asserts that public notice for the application is provided at the direction of the Commission’s Executive Secretary after an application has been filed and that applicants do not mail public notice materials prior to filing the application. As such, ITC argues that proposed Guideline 4.2 should not deviate from the practice already used by the Commission for public notice. ITC’s initial comments, p. 33.

The Commission agrees, consistent with its prior determination regarding the invitation for public meetings in Guideline 2.1, that the language of proposed Guideline 4.2 should be modified to refer to the public meeting invitation, and not the public meeting notice. Further, the Commission acknowledges ITC’s comment regarding the existing process for providing public notice for an application and finds that it is reasonable to modify the proposed guideline to require an applicant to include the public notice materials that will be used for the public notice in the application filing materials.

### 3. Proposed Guideline 4.3

The Staff Draft’s proposed Guideline 4.3 requests an applicant to include a discussion of how the applicant determined the Study Area used for a project. Additionally, the proposed guideline recommends that an applicant discuss the methodology employed to exclude any areas from the Study Area that the applicant considered unreasonable or infeasible. Staff Draft, p. 10.

ITC maintains that proposed Guideline 4.3 appears to be intended to capture any changes to the Study Area between the construction plan and the application, as well as to discourage applicants from narrowing the Study Area to avoid expanded notice requirements outlined in earlier proposed guidelines in the Staff Draft. ITC, however, comments that it disagrees with this approach considering the company's objections to the expanded notice requirements outlined in other proposed guidelines. Therefore, ITC advocates for removal of proposed Guideline 4.3, or at a minimum, that the proposed guideline be revised to merely require an applicant to include a discussion of how the applicant selected the Study Area. ITC's initial comments, pp. 33-34.

The Commission finds that the establishment of a Study Area is a necessary step for identifying and ultimately selecting a proposed major transmission line's approved route. Importantly, the Commission finds that the location of a proposed major transmission line remains a pivotal consideration throughout Act 30, beginning with the filing of the construction plan and concluding with the Commission's express identification of the approved route. *See*, MCL 460.564(1)(a), MCL 460.566(2), MCL 460.567(2)(b)-(c), and MCL 460.568(7). As such, the Commission finds that it is appropriate to request an applicant to include as part of its application a discussion of how the applicant determined the Study Area and, if applicable, why the applicant excluded any areas from consideration. The Commission, therefore, adopts the Staff Draft's proposed Guideline 4.3.

The Commission further notes that commercial software (e.g., Pivvot or Optioneer) exists that can be utilized to optimize and evaluate potential routes within a Study Area. The Commission finds that the optimization and evaluation of potential routes in a Study Area is an important component for determining whether a major transmission line's proposed or alternative route is feasible and reasonable. *See*, MCL 460.568(5)(b). Accordingly, the Commission finds that it is

reasonable and appropriate to adopt a separate guideline that encourages an applicant to utilize such commercially available software, if beneficial.

#### 4. Proposed Guideline 4.4

The Staff Draft's proposed Guideline 4.4 encourages applicants, "in addition to the proposed route, to identify and assess more than one utility alternate route for the proposed major transmission line in the application submitted to the Commission." Staff Draft, p. 10.

Additionally, the proposed guideline recommends that applicants include all landowner-provided alternate routes or route segments as one of the alternate routes identified in the application, complete with an applicant's assessment of those alternate routes using the applicant's chosen evaluation factors. *Id.*, pp. 10-11.

ITC comments that the meaning of "utility alternate route" in proposed Guideline 4.4 is unclear but states that it interprets the term as encouraging applicants to present more than one alternate route in an application, which the company states it does not object to. ITC further comments that the second sentence of the proposed guideline regarding the inclusion of landowner-provided alternate routes is duplicative of language used in Guideline 4.5 and therefore should be removed. ITC's initial comments, p. 34.

MEIBC/United/CGA urge the Commission to clarify a reasonable number of alternate routes that an applicant should include in its application but convey their belief that an applicant's proposed route and one alternate route is sufficient. MEIBC/United/CGA's initial comments, p. 8.

The Commission finds that Act 30 states that an application must include a "description and evaluation of 1 or more alternate major transmission line routes and a statement of why the proposed route was selected." MCL 460.567(2)(c). However, the Commission finds that the evaluation and consideration of multiple alternate routes for a proposed major transmission line

benefits the public, may decrease the extent to which an approved route causes social and environmental impacts, and improves the Commission's decision-making ability. As such, the Commission finds that it is appropriate to encourage an applicant to identify and evaluate more than one alternate route in its application. However, the Commission declines to recommend a preferred number of alternate routes to be included in an application, as the number of reasonable alternate routes included in an application is dependent on the circumstances of the given project. The Commission further agrees with ITC that the proposed guideline's language concerning the inclusion of landowner and public-proposed routes as an alternate route in the application is duplicative of proposed Guideline 4.5. The Commission, therefore, declines to adopt this provision in the proposed guideline and instead addresses this issue below.

#### 5. Proposed Guideline 4.5

The Staff Draft's proposed Guideline 4.5 states that an "application should include all alternate routes and alternate route segments proposed by any landowner as one of the alternate routes for the proposed major transmission line, complete with the applicant's assessment of those alternate routes and route segments using the applicant's identified evaluation factors." Staff Draft, p. 11.

ITC argues that proposed Guideline 4.5 would expand Act 30's requirement for an applicant to include a description of one or more alternate routes by treating any landowner-suggested route or route segment as an alternate route that would need to be assessed by the applicant. The company asserts that this expansion would require an applicant to conduct detailed analyses of potentially hundreds of landowner-provided routes, which ITC claims is unreasonable. According to ITC, although Act 30 contemplates that an applicant may consider more than one alternate

route, it does not provide authority to the Commission to dictate the precise routes that an applicant must consider as part of its application. ITC's initial comments, p. 35.

Additionally, ITC contends that proposed Guideline 4.5 will undermine an applicant's professional judgement, negating the extensive process utilized by applicants to eliminate less favorable routes from consideration. *Id.*, p. 36. As such, and to address concerns raised by the Staff in Case No. U-21471, ITC instead proposes that the Commission adopt the following language for proposed Guideline 4.5:

An application should identify all route refinements, adjustments, changes, or shifts made to a route between a construction plan and the alignment of the proposed route as presented in the application, if applicable. For each refinement, the applicant should identify the data, factors, and considerations that explain the alignment of the proposed route as presented in the application, including whether the refinement, adjustment, change, or shift was influenced by stakeholder or public input.

*Id.*, p. 37.

MEIBC/United/CGA comment that proposed Guideline 4.5 appears to be a repetition of proposed Guideline 4.4 and therefore advocate for the Commission to consolidate or clearly distinguish the intent of both guidelines. MEIBC/United/CGA's initial comments, p. 8.

The Commission agrees with ITC that the express language of Act 30 does not mandate that an applicant include specified alternate routes as part of its application. However, as previously explained, the Commission finds value in the consideration of numerous alternate routes for a proposed major transmission line, including any routes that have been submitted by members of the public through the public meeting process. Accordingly, although the Commission recognizes that it may be imprudent to require an applicant to present every route submitted by the public as an alternate route, the Commission finds that it is appropriate to request that an applicant detail all routes submitted by the public and landowners through the public engagement process and to

include, as applicable, the applicant's assessment of those routes using identified evaluation factors. The Commission finds that the presentation of this information, although not a formally presented alternate route, will still assist the Commission in identifying and selecting a route that complies with statutory requirements.

The Commission further finds that ITC's alternative language for proposed Guideline 4.5 addresses concerns raised in Case No. U-21471. Specifically, the Commission finds that the alternative language promotes transparency and understanding for how public comments influence an applicant's route refinement process. Accordingly, the Commission adopts this alternative language as a separate guideline for inclusion in the Final Voluntary Filing Guidelines.

#### 6. Proposed Guideline 4.6

The Staff Draft's proposed Guideline 4.6 provides that an applicant should include maps of all proposed and alternate routes in a Google Earth format for use by the parties in the contested case. The proposed guideline further provides that the maps should include the following information:

- a. Parcels crossed as well as any existing electrical utility easements on the parcel;
- b. Geological composition and soil type within the area of notice described in Guideline 3.1;
- c. Labeling of route segments;
- d. Any known endangered wildlife habitat or wildlife refuge;
- e. Any known dwelling within the [ROW]; and
- f. Any obstacle that was deliberately avoided through development of the proposed and alternate route(s).

Staff Draft, p. 11.

ITC comments that, generally, it does not take issue with providing electronic maps of the proposed and alternate routes; however, the company seeks clarification regarding several subsections in the proposed guideline, including what geological composition and soil type the Commission is seeking (subsection (b)) and what endangered wildlife habitats or refuges must be

identified (subsection (d)). ITC's initial comments, pp. 37-38. Additionally, ITC states that it can identify easements in its possession, but that applicants may not know or be able to reasonably identify existing utility easements owned by other companies. Further, the company states that although the identification of dwellings within a transmission line's ROW may be helpful, Google Earth will already show this information. As such, ITC instead proposes to highlight the ROW or include the centerline of the transmission line in maps provided for the proposed and alternate routes. Finally, ITC claims that the identification of "any obstacle that was deliberately avoided" (subsection (f)) is vague and further that these resources, if clarified, would already be included in the applicant's discussion of the route study. Therefore, ITC proposes removing subsection (f) of the proposed guideline because it is duplicative. *Id.*, p. 38.

In her comments in the docket, Ms. Wohlscheid-Brennen recommends that applicants be required to include proposed pole structures and parcels within the Study Area that are owned in fee by other utilities. Additionally, she states that the electronic maps provided by an applicant should include the same information required in proposed Guideline 4.9. Case No. U-21930, filing #U-21930-0003-CC, p. 4.

The Commission finds that the inclusion of electronic maps depicting all proposed and alternate routes will improve transparency and benefit the Commission's decision-making ability under Act 30; the Commission, therefore, adopts the Staff Draft's proposed Guideline 4.6. The Commission finds that it is both reasonable and appropriate for an applicant to identify electrical utility easements in maps included in the application, even if the applicant does not possess the rights to that easement. Additionally, the Commission agrees with ITC that a depiction of the proposed ROW is sufficient to identify structures within the proposed ROW and agrees with Ms. Wohlscheid-Brennan that maps should include preliminary pole placements. The

Commission further clarifies that the maps should depict any known endangered wildlife habitats or wildlife refuges as commonly evaluated in environmental assessments for like-projects and further clarifies that the maps should depict any man-made structures or environmental hazards that an applicant has deliberately avoided in the routing process. Finally, the Commission finds that the map required by the proposed guideline should be in a format that is readily available and easy to use for the Staff and other intervenors and that the map should also identify any areas that have been excluded from the Study Area, as described in Guideline 1.1(a).

#### 7. Proposed Guideline 4.7

The Staff Draft's proposed Guideline 4.7 provides that an application should include pertinent engineering information regarding transmission equipment and requests that an application include the following information:

- a. Discussion of reasons that the equipment is above ground or below ground;
- b. Designed voltage rating;
- c. Operation voltage rating;
- d. If the transmission equipment is above ground:
  - i. Conductor size and type of structures;
  - ii. Height of typical structures;
  - iii. Explanation of why these structures were selected; and
  - iv. Dimensional drawing of typical structures to be used in the project.
- e. If the transmission equipment is below ground or underwater:
  - i. Burial depth;
  - ii. Type of cable and a description of any required supporting equipment, such as insulation medium pressurizing or forced cooling;
  - iii. Cathodic protection scheme; and
  - iv. Type of dielectric fluid and safeguards used to limit potential spills in waterways.

Staff Draft, p. 11.

ITC states that it does not oppose proposed Guideline 4.7 but suggests several revisions to the guideline's proposed language to provide clarity and consistency with industry and technical

standards, including the removal of the requirement to provide information regarding cathodic protection. *See*, ITC’s initial comments, pp. 39-40.

United and CGA advocate for the Commission to include an additional subsection in proposed Guideline 4.7 that requires an applicant to consider the use of Advanced Transmission Technologies (ATT) and Grid-Enhancing Technologies (GET). Specifically, they urge the Commission to adopt the following language:

The application should provide a detailed description of any and all [ATT] or [GET] that are planned to be utilized by the applicant for construction of the transmission infrastructure. If the applicant does not plan on utilizing [ATT] or [GET], then the applicant should describe what considerations were made regarding the use of these technologies during the planning process and a detailed description of why the applicant does not plan on utilizing these technologies.

United and CGA’s initial comments, p. 4.

Relatedly, United and CGA advocate for the Commission to adopt the following definitions for ATT and GET in the “Definitions” section of the final guidelines adopted by the Commission:

Advanced Transmission Technologies: Advanced Transmission Technologies (“ATT”) means a technology such as hardware or software solutions that increase the capacity, efficiency, or reliability of an existing or new transmission facility.

Grid-Enhancing Technologies: Grid-Enhancing Technologies (“GET”) means a technology that maximizes the electricity transmission across the existing system through a suite of technologies that include but are not limited to sensors, power flow control devices, and analytical tools.

*Id.*, p. 3.

The Commission finds the Staff Draft’s proposed Guideline 4.7 to be reasonable and therefore adopts it. The Commission further finds that the clarifying revisions proposed by ITC are reasonable, with the exception of the removal of information pertaining to cathodic protection scheme. Additionally, the Commission agrees with United and CGA and adopts the inclusion of information related to ATT and GET, including the definitions proposed for those terms.

## 8. Proposed Guideline 4.8

The Staff Draft's proposed Guideline 4.8 states that an application should include route and segment scoring data and requests that an application include the following information:

- a. Raw evaluation factors and any quantitative data used to evaluate potential routes from a routing study or similar development of candidate routes presented in an excel format with any equations intact. Raw evaluation factors should be presented on a route basis as well as per routing section basis to assist with evaluation of intervenor-suggested alternatives;
- b. Any quantitative analysis done on evaluation factors or quantitative data used to evaluate potential routes that resulted in narrowing of potential routes considered. This includes selection of the proposed and alternate routes;
- c. Any formal or informal weighting factors that the applicant used in the scoring of the potential routes, if used, and how these weighting factors affected the selection of proposed and alternate routes;
- d. Evaluation factor data from the proposed and alternate routes as filed after refinement and increased data granularity is available from environmental impact study, LiDAR scans, etc., presented in excel format with any equations intact; and
- e. Data sources for final evaluation factors. If the applicant utilized multiple sources for a single evaluation factor in finalized data, explain how these were incorporated with one another.

Staff Draft, p. 12.

ITC comments that it does not oppose sharing routing data in an application but asserts that several revisions are required to clarify the proposed guideline. First, with respect to subsection (a) of the proposed guideline, ITC takes issue with the phrase "to assist with evaluation of intervenor-suggested alternatives" because, as the company claims, that phrase creates a misleading impression that an applicant's route study must anticipate or be amended to address intervenor proposals, which ITC contends is not the applicant's burden. ITC's initial comments, p. 41. Next, with respect to subsection (b) of the proposed guideline, ITC contends that the term "quantitative analysis" is unclear. As such, ITC requests that the Commission clarify the proposed guideline to make it clear that no specific type of analysis is required, which the company contends should remain at the discretion of the applicant's professional expertise and experience.

*Id.* Additionally, with respect to subsection (c), ITC argues that the proposed guideline should not require applicants to assign weights to evaluation factors. Accordingly, ITC advocates for the removal of this subsection. Finally, ITC proposes removing subsection (d) of the proposed guideline on the basis that it is unclear what data the Staff is requesting that would not be otherwise provided in subsection (a) of the proposed guideline. *Id.*, p. 42.

In her comments in this docket, Ms. Wohlscheid-Brennan encourages the Commission to require applicants to prioritize the use of existing ROWs and infrastructure. According to Ms. Wohlscheid-Brennan, prioritization of existing ROWs and infrastructure will reduce the need for greenfield ROWs, lower costs, and improve construction timelines. She further avers that such prioritization aligns with policies and practices from federal agencies and other states. Case No. U-21930, filing #U-21930-0003-CC, pp. 4-5.

The Commission agrees that the inclusion of proposed Guideline 4.8's reference to intervenor-suggested alternatives could cause confusion; the Commission therefore finds that removal of this phrase is warranted. However, the Commission disagrees with ITC that any information regarding an applicant's weighting of evaluation factors should be removed. The Commission further agrees with Ms. Wohlscheid-Brennan's suggestion that the Commission require an applicant to prioritize existing ROWs and infrastructure, while acknowledging that there may be circumstances when the use of such existing features is not appropriate or where other considerations outweigh the benefits of using an existing ROW. Finding the remainder of the proposed guideline reasonable, the Commission adopts the Staff Draft's proposed Guideline 4.8 as modified.

#### 9. Proposed Guideline 4.9

The Staff Draft's proposed Guideline 4.9 outlines the following information to be included in an application's route and segment scoring data:

- a. Engineering data
  - i. Length
  - ii. Number of angles greater than 30 degrees
  - iii. Road/railroad crossings
  - iv. Transmission line crossings
  - v. Length replacing existing transmission line
  - vi. Paralleling to existing linear features, including but not limited to:
    - 1. Existing transmission line
    - 2. Public road or highway
    - 3. Recreational trails
    - 4. Existing pipelines
    - 5. Property or section lines
    - 6. Existing railroad or railroad rights of way
  - vii. Land use
    - 1. Greenfield
    - 2. Extraction
    - 3. Military installation
    - 4. Animal feeding operations
    - 5. Farmland
    - 6. Center pivot irrigation in ROW
    - 7. Solar Farms within 500 feet
    - 8. Wind Turbines within 500 feet
- b. Environmental data
  - 1. Wetland within ROW
  - 2. Hydric soil within ROW
  - 3. Rivers/streams/waterways crossed
  - 4. Woodland within ROW
  - 5. Grassland/Pasture within ROW
  - 6. Threatened and Endangered Species Critical Habitat
  - 7. National wildlife refuges
- c. Social data
  - i. Historic sites within 500 [feet]
  - ii. Schools within 500 [feet]
  - iii. Places of worship within 500 [feet]
  - iv. Hospitals and nursing homes within 500 [feet]
  - v. Memorial parks/cemeteries within 500 [feet]
  - vi. National Landmarks/monuments within 500 [feet]
  - vii. Airport obstacle free zones
  - viii. VHF Omnidirectional Range and Tactical Air Navigation (VORTAC) sites
  - ix. Archeological sites within ROW
  - x. Total area of new ROW required
  - xi. Number of parcels within ROW
  - xii. Residences
    - 1. Within 100 [feet] of centerline
    - 2. Within 101-300 [feet] of centerline
    - 3. Within 301-500 [feet] of centerline

- xiii. Buildings
  - 1. Within 100 [feet] of centerline
  - 2. Within 101-300 [feet] of centerline
  - 3. Within 301-500 [feet] of centerline
- xiv. Public facilities
  - 1. Within 100 [feet] of centerline
  - 2. Within 101-300 [feet] of centerline
  - 3. Within 301-500 [feet] of centerline
- xv. Municipal boundaries
- xvi. Public lands
- xvii. Visibility score

Staff Draft, pp. 12-14.

ITC comments that it does not object to the inclusion of uniform routing factors in applications if the Commission recognizes that not all factors may be applicable to all projects. The company, however, contends that several factors are unclear or need further definition, including the length of line replacing existing transmission line, military installations, and municipal boundaries. Additionally, for social factors (i) through (vi), ITC recommends that the Commission clarify that these factors refer to being within 500 feet of a transmission line's proposed centerline. ITC also opposes the inclusion of a visibility score as a routing factor because these scores are subjective and are difficult to consistently quantify, potentially creating biases towards specific routes regardless of overall impacts. Finally, ITC proposes the addition of a qualifier to proposed Guideline 4.9 stating that an applicant's routing experts should be permitted to exercise professional judgment to modify or remove certain evaluation factors so long as a brief explanation is included in testimony or exhibits. ITC's initial comments, pp. 43-44.

MEIBC/United/CGA recommend inclusion of additional scoring data, namely: (1) the width, length, and total acreage of the ROW for the project; (2) the total number of circuits encompassing the project; (3) the number of circuits per structure; (4) conductor configuration and size of conductor; (5) the number of total structures encompassing the project as well as the structure and

dimensions of the structure; (6) the nominal length and span between structures; and (7) access roads for construction and maintenance that are existing or that will be constructed.

MEIBC/United/CGA's initial comments, pp. 8-9.

In comments made in this docket, ATC requests additional clarity on certain evaluation factors, including the proposed guideline's inclusion of visibility scores. Case No. U-21930, filing #U-21930-0002-CC, p. 6.

The Commission finds the Staff Draft's proposed Guideline 4.9 to be reasonable and therefore adopts it with some modifications. The Commission further finds that the modifications and clarifications requested by commenters are appropriate and therefore adopts them. The Commission agrees with ITC that an applicant's routing experts should be permitted to exercise their professional judgment to modify or remove certain evaluation factors so long as a brief explanation is included in testimony or exhibits; the Commission, therefore, adopts the proposed guideline with this qualifying language.

#### 10. Proposed Guideline 4.10

The Staff Draft's proposed Guideline 4.10 provides that, if the proposed route and an alternate route include segments that overlap, an applicant should justify the overlap by providing the engineering, environmental, or social rationale for the overlap, as well as any other rationale about why the overlap is the only practically feasible route in the geographic area. Staff Draft, p. 14.

ITC opposes proposed Guideline 4.10 and notes that the Commission has found that "good reasons exist for not requiring an alternate route and a proposed route to be entirely separated," and that Act 30 "is completely devoid of any limitation on the amount of overlap the routes may possess." ITC's initial comments, p. 46 (quoting the July 10, 2025 order in Case No. U-21471, p. 52) (internal quotations omitted). In turn, ITC argues that restricting overlaps between a

proposed route and an alternate route could reduce the viability of alternatives and increase project impacts. Further, ITC contends that, if adopted, proposed Guideline 4.10 would likely be the first of its kind by placing an upper limit on the amount of overlap that may be permitted between the proposed route and an alternate route. ITC's initial comments, p. 46.

The Commission disagrees with ITC's contention that proposed Guideline 4.10 places an upper limit on the amount of overlap that an applicant can create between the proposed route and any alternate routes identified for a proposed major transmission line. On the contrary, the Commission finds that the proposed guideline merely requires an applicant to provide the rationale for why any overlaps exist between these routes. The Commission finds it reasonable to require an applicant to provide such rationale to promote transparency and to better enable the Commission to make informed decisions regarding the reasonableness and feasibility of the routes proposed by an applicant. Accordingly, the Commission adopts the Staff Draft's proposed Guideline 4.10.

#### 11. Proposed Guideline 4.11

The Staff Draft's proposed Guideline 4.11 provides that if an application includes new substations, an applicant should provide: (1) the existing lines that will be tied into the new substation, (2) a line diagram of how the substation will be connected to the existing system, and (3) an explanation of how the applicant plans on rerouting existing lines into the new substation. Staff Draft, p. 14.

ITC contends that existing transmission lines and plans for the rerouting of existing lines to a new substation are outside the Commission's jurisdiction under Act 30 unless an applicant includes these requests in its application. The company argues that the information sought in proposed Guideline 4.11 is not tied to any information required to be in an application or any of

the factors outlined in Act 30 and that the engineering related to a new substation and existing transmission lines is not relevant to Act 30 cases. Accordingly, ITC proposes revisions to the proposed guideline to only require a general explanation of how the existing transmission system will be integrated into a new substation. Further, ITC proposes revisions to limit the inclusion of a line diagram in an application to circumstances when an applicant has included a request to connect a new substation to an existing system in its application. ITC's initial comments, pp. 46-47.

The Commission disagrees with ITC's contention that the consideration of new substations is outside of the Commission's authority under Act 30. The Commission finds that Act 30 expressly 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 for that transmission line. Importantly, Act 30 defines a "transmission line" to include all structures, equipment, and real property necessary to transfer electricity at system bulk voltage of 100 kilovolts or more. *See*, MCL 460.562(k). The Commission finds that substations are a key part of effectively transmitting electricity and, therefore, that the construction of substations in conjunction with the construction of a major transmission line fall under the Commission's purview under Act 30. Accordingly, the Commission finds including information in an application relating to the construction of substations to be appropriate. The Commission, therefore, adopts the Staff Draft's proposed Guideline 4.11.

#### 12. Proposed Guideline 4.12

The Staff Draft's proposed Guideline 4.12 provides that an application should present the estimated private benefits of the proposed major transmission line and requests the following information be included in an application:

- a. A complete calculation estimating the private benefits the applicant or any legal entity affiliated with the applicant will receive from the construction and management of the project. This should be included in the application as an exhibit with a native excel file with equations intact provided as a workpaper filed concurrently with the application; and
- b. A discussion of any benefits the applicant or any legal entity affiliated with the applicant will receive that are not quantifiable.

Staff Draft, p. 14.

ITC states that the Commission has determined that an estimate of profits that an applicant is expected to earn based on information available at the time and provided in discovery was an adequate presentation of the estimated private benefits for a proposed major transmission line.

ITC's initial comments, p. 47 (citing July 10, 2025 order in Case No. U-21471, p. 54).

Accordingly, ITC states that it interprets proposed Guideline 4.12 to reflect the Commission's determination in Case No. U-21471 and that the company, therefore, does not propose any revisions to the Staff Draft's proposed guideline. ITC's initial comments, p. 47.

The Commission finds the Staff Draft's proposed Guideline 4.12 to be reasonable and, therefore, adopts the proposed guideline. The Commission further finds that it is appropriate to request that an applicant present the estimated overall cost of a proposed transmission line, which should include both the capital cost and the annual operating cost of the project. Accordingly, the Commission adopts a separate guideline requesting that such information be included in an application filed with the Commission.

### 13. Proposed Guideline 4.13

The Staff Draft's proposed Guideline 4.13 requests that an applicant include projected tax revenue by township associated with the construction and maintenance of a proposed major transmission line as part of the public benefits information that is required to be included in an application. Staff Draft, p. 14.

ITC asserts that the information requested in proposed Guideline 4.13 is unclear and further comments that there is generally not a specific tax revenue for townships associated with the construction of a proposed transmission line and that applicants likely will not pay property taxes. ITC, however, agrees that information regarding public benefits is relevant to the Commission's review of a project and therefore proposes revisions to Guideline 4.13 to require, to the extent applicable, "estimates regarding the local economic investment, job creation, and potential local tax revenue due to the construction and maintenance of the project." ITC's initial comments, p. 48.

The Commission finds the inclusion of the public benefits associated with a proposed major transmission line to be reasonable and, therefore, adopts the Staff Draft's proposed Guideline 4.13. The Commission further finds ITC's proposed revisions to be appropriate and amends the proposed guideline accordingly.

#### 14. Proposed Guideline 4.14

The Staff Draft's proposed Guideline 4.14 relates to a major transmission line's proposed ROW and requires an applicant to provide "[j]ustification for the proposed width of the [ROW], including a quantitative analysis that is based on North American Electric Reliability Corporation (NERC) requirements where the end result of the quantitative analysis is width of ROW" and "[c]onsideration taken for proximity to dwellings." Staff Draft, p. 14.

ITC states that it generally does not object to including information related to the need for a ROW but asserts that the information required by the proposed guideline is not a practical way to explain how an appropriate ROW is determined. The company contends that NERC establishes performance standards but does not set forth quantitative standards or requirements for ROW widths. ITC, therefore, proposes revisions to proposed Guideline 4.14 to remove consideration for

proximity to dwellings and to require only an “[e]xplanation that the proposed width of the [ROW] aligns with [NERC], National Electrical Safety Code Standards (NESC), or other relevant industry standards, as applicable, and related documentation or analysis.” *Id.*, pp. 48-49.

In comments made in this docket, ATC state that the ROW width is not entirely driven by NERC requirements and requests that an applicant provide justification for a proposed width for a ROW with reference to any applicable internal or external standards or any quantitative analyses. Case No. U-21930, filing #U-21930-0002-CC, p. 7.

The Commission finds that although NERC does not set forth quantitative standards or requirements for ROW widths, that an applicant can use these standards to quantitatively justify the proposed ROW for a major transmission line. As such, the Commission finds the Staff Draft’s proposed Guideline 4.14 to be reasonable and, therefore, adopts the proposed guideline as amended. The Commission, however, agrees with ITC and adopts its recommendation to remove consideration for proximity to dwellings in the proposed guideline.

#### 15. Guideline 4.15

The Staff Draft’s proposed Guideline 4.15 involves EMF, stray voltage, and public health and requires an applicant to provide the following as part of its application:

- a. Provide detail about how the applicant has minimized any potential health impacts of the project including EMF, audible noise along with the audible noise what [sic] threshold that the transmission line is being built to, and fire risk should be presented with the application;
- b. Calculate magnetic and electrical fields at the edge of the ROW and in the center of the ROW in accordance with IEEE Standard 644-2019 or most updated IEEE standard for normal and emergency conditions;
- c. Compare EMF of the proposed transmission line to current acceptable EMF exposure standards for electric transmission frequency. Describe and justify the standard used; and
- d. For residences within 250 [feet] of the edge of the [ROW] of either the Proposed Route or the alternate route(s) there should be calculations of EMF

levels outside of the residences compared with common household appliances and applicable standard.

Staff Draft, p. 15.

ITC takes issue with proposed Guideline 4.15's use of the phrase "any public health impacts of the project including EMF" because, as the company asserts, the phrase inaccurately suggests that EMFs are a public health concern. ITC, however, agrees that calculating EMFs and demonstrating compliance with industry standards is relevant to Act 30 and therefore proposes the following language for the proposed guideline:

The applicant should provide detail about potential public health and safety topics related to a proposed transmission line, including the following:

- a. Calculate resultant power-system frequency magnetic and electrical fields (EMF) at the edge of the ROW and at the centerline at 1 meter above grade, at normal (typical or average) and peak-loading conditions;
- b. Compare EMF of the proposed transmission line to current EMF exposure standards under IEEE C95.1TM 2019 for electric transmission frequency;
- c. Calculate EMF out to 500 feet from the centerline. Provide examples of magnetic field levels from other common sources in everyday environments;
- d. The audible noise at the edge of the ROW in normal and foul weather using LAF50 (60 minutes) metrics;
- e. Identify the wildfire hazard potential for the proposed transmission line in the immediately surrounding area; and
- f. Provide a brief description of stray voltage and potential impacts for the proposed transmission line.

ITC's initial comments, pp. 49-50.

MEIBC/United/CGA contend that it appears that subsections (c) and (d) of the proposed guideline are overlapping requirements. They further propose that the Commission clarify what the "EMF of the proposed transmission line" is relative to a distance or location and that if this refers to residences within 250 feet of the ROW, then subsection (c) is unnecessary.

MEIBC/United/CGA's initial comments, p. 9.

In comments made in this docket, ATC points out that the phrase "potential health impacts" implies a health risk from transmission infrastructure, which may not necessarily be true.

Additionally, it recommends separating EMF, noise, and fire risk for clarity. Case No. U-21930, filing #U-21930-0002-CC, p. 7.

The Commission finds that providing details regarding the potential public health and safety impacts of a proposed transmission line, including quantitative calculations and comparisons, is of paramount importance to the Act 30 permitting process. The Commission, therefore, adopts the Staff Draft's proposed Guideline 4.15, but agrees with commenters that certain subsections of the proposed guideline can be modified to provide clarity regarding the health impacts of EMFs as well as to eliminate the duplication of information required.

#### 16. Guideline 4.16

The Staff Draft's proposed Guideline 4.16 requests an applicant to provide "a detailed plan for property restoration post construction of transmission infrastructure. This should include details on soil restoration and compaction for agricultural fields. The filing utility is encouraged to consult with an agricultural and soil conservation specialist during and after construction." Staff Draft, p. 15.

ITC comments that it does not take issue with an applicant including information regarding property restoration, including aspects related to soil restoration and compaction. However, ITC contends that Act 30 does not grant the Commission authority to regulate construction activities, including the recommendation that an applicant consult with an agricultural and soil conservation specialist during and after construction. Accordingly, ITC proposes removal of this portion of the proposed guideline. ITC's initial comments, p. 50.

The Commission finds that providing landowners and the public with information regarding planned property restoration activities following the construction of a proposed transmission line is appropriate and provides clarity and transparency. The Commission, therefore, adopts the Staff

Draft's proposed Guideline 4.16 as amended. The Commission agrees, however, that it is unnecessary to expressly encourage how an applicant goes about performing such restoration activities. As such, the Commission agrees with ITC that removal of the final sentence of the proposed guideline, which involves encouraging applicants to consult with agricultural and soil conservation scientists, is reasonable.

## E. Other Issues

### 1. Applicability

ITC recommends that the final guidelines adopted by the Commission specify that they either do not apply to non-major transmission lines or, alternatively, that applicants should meet with the Staff in advance to determine how the final guidelines apply to those transmission lines. ITC's initial comments, p. 51.

The Commission finds that the Final Voluntary Filing Guidelines adopted by this order should apply to proposed major transmission lines. The Commission further finds that it is appropriate for an applicant to meet with the Staff prior to filing an application for a non-major transmission line to determine whether and to what extent the Final Voluntary Filing Guidelines apply. The Commission, therefore, adopts a provision in the Final Voluntary Filing Guidelines regarding the applicability of the guidelines to major and non-major transmission lines.

### 2. Effective Date

ITC requests that, although voluntary, the Commission should clarify that the final filing guidelines will be considered in the review of applications filed at least 90 days after the date of the order adopting the final guidelines. ITC's initial comments, p. 51.

The Commission finds ITC's request to be reasonable and, therefore, determines that the Final Voluntary Filing Guidelines should be used to review applications submitted to the Commission

pursuant to Act 30 beginning on Wednesday, April 29, 2026, which is 90 days after the date of this order.

THEREFORE, IT IS ORDERED that:

A. The Commission adopts the final Voluntary Filing Guidelines for Applications for Certificates of Public Convenience and Necessity, attached as Attachment A to this order, which shall become effective on Wednesday, April 29, 2026.

B. This order applies to electric utilities, affiliated transmission companies, and independent transmission companies that file an application with the Commission for a certificate of public convenience and necessity, pursuant to Public Act 30 of 1995.

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](mailto:LARA-MPSC-Edockets@michigan.gov) and to the Michigan Department of Attorney General - Public Service Division at [sheacl@michigan.gov](mailto: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

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Daniel C. Scripps, Chair

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Katherine L. Peretick, Commissioner

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Shaquila Myers, Commissioner

By its action of January 29, 2026.

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Lisa Felice, Executive Secretary

# Voluntary Filing Guidelines for Applications for Certificates of Public Convenience and Necessity

Pursuant to Public Act 30 of 1995

## Case No. U-21930

Effective April 29, 2026

# Voluntary Filing Guidelines for Applications for Certificates of Public Convenience and Necessity under Public Act 30 of 1995

## Background

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).

In its July 10, 2025, order in Case No. U-21930 (July 10 order), the Commission directed the Commission Staff (Staff) to work with appropriate electric utilities, affiliated transmission companies, independent transmission companies, and other interested persons to develop voluntary application filing guidelines to be used for future applications submitted to the Commission under Act 30. The July 10 order further directed that the voluntary application filing guidelines developed must, at a minimum, address the following issues:

- (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  
any other issues the Staff and/or interested persons believe are necessary to improve the application process under Act 30.

Additionally, the Commission strongly encouraged the Staff to consider developing application filing guidelines that recommended 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. In conformance with the Commission's directives in the July 10 order, the following Voluntary Filing Guidelines for Applications for Certificates of Public Convenience and Necessity under Public Act 30 of 1995 are established.

## **Definitions:**

***Advanced Transmission Technologies:*** Advanced Transmission Technologies ("ATT") means a technology such as hardware or software solutions that increase the capacity, efficiency, or reliability of an existing or new transmission facility.

***Affiliated transmission company:*** A person, partnership, corporation, association, or other legal entity, or its successors or assigns, which has fully satisfied the requirements to join a regional transmission organization as determined by the federal energy regulatory commission, is engaged in this state in the transmission of electricity using facilities it owns that were transferred to the entity by an electric utility that was engaged in the generation, transmission, and distribution of electricity in this state on December 31, 2000, and is not independent of an electric utility or an affiliate of the utility, generating or distributing electricity to retail customers in this state.

***Alternate route(s):*** The route(s) that an applicant identifies in the applicant's statement of why the applicant's proposed route for the major transmission line was selected, as required by MCL 460.567(2)(c), to be included in an application with the Commission.

***Alternative route(s):*** Any route(s) that are submitted by a party to the contested case to the Commission that deviate from the proposed route-identified by the applicant with its filing.

***Applicant:*** The electric utility, affiliated transmission company, or independent transmission company that ultimately files an application with the Commission for a certificate of public convenience and necessary under Act 30.

***Electric utility:*** A person, partnership, corporation, association, or other legal entity whose transmission or distribution of electricity the commission regulates under 1909 PA 106, MCL 460.551 to 460.559, or 1939 PA 3, MCL 460.1 to 460.10cc. Electric utility does not include a municipal utility, affiliated transmission company, or independent transmission company.

***Grid-Enhancing Technology:*** Grid-Enhancing Technology ("GET") means a technology that maximizes the electricity transmitted across the existing system through a suite of

technologies that include but are not limited to sensors, power flow control devices, and analytical tools.

***Independent transmission company:*** A person, partnership, corporation, association, or other legal entity, or its successors or assigns, engaged in this state in the transmission of electricity using facilities it owns that have been divested to the entity by an electric utility that was engaged in the generation, transmission, and distribution of electricity in this state on December 31, 2000, and is independent of an electric utility or an affiliate of the utility, generating or distributing electricity to retail customers in this state.

***Major transmission line:*** A transmission line of five miles or more in length wholly or partially owned by an electric utility, affiliated transmission company, or independent transmission company through which electricity is transferred at system bulk supply voltage of 345 kilovolts or more.

***Proposed route:*** The route that an applicant identifies as the proposed route for the major transmission line, as required by MCL 460.567(2)(b).

***Study Area:*** The general location that the applicant plans to study for the development of a transmission project that includes the geographic area where both a proposed and alternate route(s) are likely to be, however the exact location of the proposed and alternate route(s) is not yet known. The Study Area should, at a minimum, include the area in which municipalities and landowners that are required to receive an invitation to public meetings as outlined in Guideline 2.1 are located.

## **Objective:**

This guidance document will be used by the Commission to ensure that proper notification and sufficient data is provided in cases such that the Commission can make an informed and appropriate determination.

## **Applicability:**

These voluntary filing guidelines should be used by all applicants seeking to obtain a certificate of public convenience and necessity from the Commission for the construction of a major transmission line. If the applicant is seeking to obtain a certificate of public convenience and necessity from the Commission for the construction of a transmission line that is not a major transmission line, the applicant should meet with the Staff well in advance of the applicant's engagement with the public to determine how these guidelines should apply.

## **Guidelines:**

### **1. Construction Plans**

Section 4(1) of Act 30, MCL 460.564(1), requires an electric utility, affiliated transmission company, and independent transmission company to submit a construction plan to the Commission for major transmission lines that the electric utility, affiliated transmission company, or independent transmission company plans to construct within the next five years. Act 30 requires construction plans to contain all the following:

- a. the general location and size of all major transmission lines to be constructed in the five years after planning commences;
- b. Copies of relevant bulk power transmission information filed by the electric utility, affiliated transmission company, or independent transmission company with any state or federal agency, national electric reliability coalition, or regional electric reliability coalition; and
- c. Additional information required by Commission rule or order that directly relates to the construction plan.

**Guideline 1.1:** As part of the additional information required by the Commission, the applicant must include the following information in its construction plan:

- a. Identification of the proposed Study Area for all major transmission lines to be constructed. A Study Area is normally a regular polygon shape; however, if there is a portion of the Study Area that an applicant has removed in its initial evaluation due to insurmountable engineering, environmental, or social impacts, the applicant must explain why it was reasonable to remove the portion from the final Study Area;
- b. The estimated construction start and end year and quarter for all proposed major transmission lines;
- c. The estimated length of all proposed major transmission lines;
- d. A statement explaining why the proposed major transmission line is being constructed within the general location identified in the construction plan;
- e. A list of all municipalities and zip codes located within the proposed Study Area;
- f. The name, address, telephone number, and email address for a dedicated contact person or persons who have knowledge of the development of the proposed major transmission line and are authorized to communicate on behalf of the applicant. The applicant must make the dedicated contact person or persons available to the public through the construction of the proposed major transmission line and must ensure that the dedicated person or persons provide meaningful responses to public inquiries in a reasonably timely manner; and

- g. Detail of the applicant’s plan and process for soliciting and obtaining information from the public and municipalities regarding the property or community characteristics in the Study Area that will be used to develop the applicants proposed route and alternate route(s) submitted as part of the applicant’s application with the Commission.

## **2. Public Meetings**

Section 6(1) of Act 30, MCL 460.566(1), requires an electric utility, affiliated transmission company, and independent transmission company to schedule and hold a public meeting in each municipality through which a proposed major transmission line for which a construction plan that has been submitted under Act 30 would pass. A public meeting held in a township satisfies the requirement of holding a public meeting in each affected village located within that township.

**Guideline 2.1:** As part of the public meetings required to by Section 6(1) of Act 30, MCL 460.566(1), an applicant should provide an invitation to all affected landowners and municipalities through which the proposed major transmission line will pass, including all landowners with property located along all initially identified proposed and alternate route(s). Additionally, an applicant should provide an invitation to all landowners and municipalities with property located within one mile from the edge of the proposed right-of-way (ROW) for all initially identified proposed and alternate route(s) for the proposed major transmission line. The applicant should also provide an invitation to all landowners and municipalities with property located within the geographic area between all initially identified proposed and alternate route(s) for the proposed major transmission line with the exception of any municipalities or landowners with property located in any geographic areas that were excluded from the applicant’s Study Area, as identified in Guideline 1.1(a).

**Guideline 2.2:** The invitation required in Guideline 2.1 should be in the form of a letter sent via standard mail to the taxpayer of record of the affected property and should include the following:

- a. In a conspicuous location, the name of the applicant and the name of the proposed project.
- b. The date, time, and location of all public meetings scheduled for the proposed major transmission line;
- c. The case number of the docket established for the proposed major transmission line, including instruction on how the person can sign up through the Commission's website to receive notifications about the docket and a link to the Commission’s Act

30 webpage,<sup>1</sup> which includes an estimated case timeline and information on case intervention;

- d. A highlighted map of any initially identified proposed and alternate route(s). If the line is more than five miles in length, the highlighted map should also include the geographic area within a one-mile radius of the edge of the proposed ROW for any proposed or alternate routes, denoted as the area of public notice for the application that will be filed with the Commission;
- e. The name, address, telephone number, and email address for a dedicated contact person or persons who have knowledge of the development of the proposed major transmission line and are authorized to communicate on behalf of the applicant. The applicant must make the dedicated contact person or persons available to the public through the construction of the proposed major transmission line and must ensure that the dedicated person or persons provide meaningful responses to public inquiries in a reasonably timely manner;
- f. Details regarding the specific type of information the applicant is seeking from the noticed landowners and municipalities, such as:
  - i. Particular characteristics about the landowner's property;
  - ii. Land use; and
  - iii. Features of historical or environmental significance.
- g. A link or QR code to the applicant's project website created for the purpose of meeting Guideline 2.5, below.

An applicant should make a copy of the invitations to any public meetings available for the Staff's review at least ten business days prior to mailing.

**Guideline 2.3:** To further engage the public during the public meeting process and prior to filing, an applicant is encouraged to identify and review multiple alternate routes with landowners and municipalities, developing a full understanding of land considerations and landowner comments when refining the final proposed and alternate routes that will be included as part of the application submitted to the Commission.

**Guideline 2.4:** An applicant should make public meeting materials (in substantially final form) available for the Staff's review at least ten business days prior to the applicant holding the public meetings.

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<sup>1</sup> The Commission's Act 30 webpage is available at <https://www.michigan.gov/mpsc/regulatory/facility-siting/act-30> (last accessed January 10, 2026).

**Guideline 2.5:** An applicant should make available a way for landowners attending a public meeting to identify geographic features on their parcels or to add comments, information regarding features of parcels or potential minor route adjustments, and any other pertinent information regarding the location of the proposed major transmission line. This information should be translated into a geographic information system (GIS) to be used by the applicant. This could be done by having GIS systems available at the public meetings.

A similar map-based interface should be hosted by the applicant on a website available to the public so that parcel-specific information and public-proposed routes may be submitted by those that were unable to attend a public meeting in person. To ensure that the public has an adequate opportunity to submit comments and to provide applicants with sufficient time to review and analyze these public comments, an applicant should schedule and hold all public meetings at least six months before the filing of an application and should make this website available to the public for at least 90 days after the last public meeting for any proposed major transmission lines.

**Guideline 2.6:** The applicant should consider, as part of its route development for the proposed or alternate route(s) for the proposed major transmission line, all reasonable refinements, alterations, changes, or shifts suggested by the public to the proposed or alternate route(s) during the public meetings and from the map-based interface website specified in Guideline 2.5.

**Guideline 2.7:** As part of the public meeting, the applicant should provide a map on an online map-based interface, as specified in Guideline 2.5, that includes all preliminary route segments that the applicant has considered as part of its routing study for the proposed major transmission line. The evaluation factor data from the routing study should be made available upon request.

**Guideline 2.8:** The applicant should allow the public to submit comments regarding a proposed transmission line via a public website made available for a period starting the day of the applicant's first public meeting until 90 days after the applicant's final public meeting. An applicant should directly respond to all comments submitted to the website from landowners or the public that involve specific concerns regarding a landowner's property or any public lands, to the extent that such a response is requested and practical and if the commenter provides the applicant with either a phone number, mailing address, or email address when making the public comment. Responses to such comments received should be included in the summary of comments required to be included in an application as if the comments were received at a public meeting.

**Guideline 2.9:** All public comments, route adjustment requests, etc. received by the applicant and all applicant responses to those comments, requests, etc. should be thoroughly documented by the applicant. Any substantive landowner request that is not accommodated should include a description of how the modification was considered and why it was not able to be reasonably accommodated.

**Guideline 2.10:** During all public meetings, the applicant should provide the following information:

- a. Information related to the status of research on electric and magnetic fields (EMF) as reviewed by national and international health and scientific organizations, and an explanation of how the project meets public health guidelines (i.e., International Commission on Non-Ionizing Radiation Protection, 2020; Institute of Electrical and Electronics Engineers (IEEE)/ Institute of Civil Engineers Society (ICES), 2019). Information on electrical effects such as audible noise should also be available;
- b. General information supporting the need for the proposed line;
- c. An estimated tax revenue by township due to the project;
- d. The construction process and safety measures for the proposed major transmission line;
- e. Environmental impact mitigation;
- f. General information about land acquisition post-certificate, including general information about property rights the applicant will be seeking and how they may impact landowner's use, for example sharing a sample easement;
- g. A high-level overview of the landowner compensation process;
- h. General information about post-construction property restoration procedures and requirements; and
- i. The case number of the docket established for the proposed major transmission line, including instructions on how the person can sign up through the Commission's website to receive notifications about the docket.

### **3. Application Public Notice**

Section 8(1) of Act 30, MCL 460.568(1), requires an applicant, upon applying for a certificate of public convenience and necessity, to give public notice in the manner and form prescribed by the Commission of an opportunity to comment on the application. Act 30 further requires an applicant to publish notice in a newspaper of general circulation in the area to be affected and to send notice to each affected municipality and landowners on whose property a portion of the proposed major transmission line will be constructed.

**Guideline 3.1:** The Commission may prescribe the manner in which the public notice of an opportunity to comment on the application is provided. Accordingly, all the following apply:

- a. An applicant should provide public notice to each municipality and landowner with property located along the proposed and alternate route(s) identified in the application for the proposed major transmission line. Additionally, an applicant should provide public notice in the following manner:
  - i. If the applicant identifies and evaluates one distinct alternate route in its application (which is materially different from the proposed route), the applicant should provide public notice to each municipality and landowner with property located within one mile of the edge of the proposed ROW for the proposed and alternate routes identified for the proposed major transmission line.
  - ii. If the applicant identifies and evaluates two distinct alternate routes in its application (each materially different from the proposed route and from one another), the applicant should provide public notice to each municipality and landowner with property located within one-quarter mile of the edge of the proposed ROW for all proposed and alternate routes identified for the proposed major transmission line. If the applicant has excluded a portion of the Study Area pursuant to Guideline 1.1a, then the applicant may also exclude those areas for the purpose of the public notice required in this guideline.
  - iii. If the applicant identifies and evaluates three or more distinct alternate routes in the application (each materially different from the proposed route and from one another), the applicant should provide public notice to each municipality and landowner with property located within 500-feet from the edge of the proposed ROW for all proposed and alternate routes identified for the proposed major transmission line. If the applicant has excluded a portion of the Study Area pursuant to Guideline 1.1a, then the applicant may also exclude those areas for the purpose of the public notice required in this guideline.
- b. Public notice should be in the form of a letter with delivery tracking information to the taxpayer of record of the affected property and should include the following:
  - i. The case number of the docket established for the proposed major transmission line, including instructions on how the person can sign up through the Commission's website to receive notifications about the docket,

- as well as a link to the Commission's Act 30 webpage, which includes an estimated case timeline and information on case intervention;
- ii. A highlighted map of the initial proposed and alternate route(s) identified in the application, including a highlighted map of the geographic area within a one-mile radius of the edge of the proposed ROW for the proposed and alternate routes;
  - iii. The name, address, telephone number and email address for a dedicated contact person or persons who have knowledge of the development of the proposed major transmission line and are authorized to communicate on behalf of the applicant;
  - iv. Detail regarding information relevant to the case the applicant is seeking from the noticed landowner, such as:
    1. Particular characteristics about the landowner's property;
    2. Land use; and
    3. Features of historical or environmental significance.
  - v. Information about when routes or route segments proposed by the landowner must be given to the applicant to ensure thorough consideration and the method by which those proposals should be provided to the applicant.
  - vi. Information about how to submit a comment to the docket and provide an awareness that a comment submitted through the docket is not record evidence in the case.
  - vii. Rights the applicant is potentially seeking from the noticed landowner.

**Guideline 3.2:** Section 8(4) of Act 30, MCL 460.568(4) permits a party to a contested case proceeding established for the proposed major transmission line to submit alternative routes or route segments. After the applicant files its application, any alternative route or route segment proposed by a party to the contested case proceeding should be confined to the invitation area from Guideline 2.1 and should be proposed within 45 days after the completion of the prehearing conference held in the contested case proceeding. Upon receipt of a proposed alternative route or route segment, the applicant should provide notice to all unnoticed landowners with property located on the newly proposed alternative route segment. The letter should include notice that the landowner is now located on a proposed alternative route and should include information on how the affected landowner can seek intervention in the contested case proceeding.

#### 4. Application Materials

Section 7(2) of Act 30, MCL 460.567(2), describes the information that must be included in an application submitted to the Commission. The required information includes:

- a. The planned date for beginning construction;
- b. A detailed description of the proposed major transmission line, its route, and its expected configuration and use;
- c. A description and evaluation of 1 or more alternate major transmission line routes and a statement of why the proposed route was selected;
- d. If a zoning ordinance prohibits or regulates the location or development of any portion of a proposed route, a description of the location and manner in which that zoning ordinance prohibits or regulates the location or construction of the proposed route;
- e. The estimated overall cost of the proposed major transmission line;
- f. Information supporting the need for the proposed major transmission line, including identification of known future wholesale users of the proposed major transmission line;
- g. Estimated quantifiable and non-quantifiable public benefits of the proposed major transmission line;
- h. Estimated private benefits of the proposed major transmission line to the applicant or any legal entity that is affiliated with the applicant;
- i. Information addressing potential effects of the proposed major transmission line on public health and safety;
- j. A summary of all comments received at each public meeting and the applicant's response to those comments;
- k. Information indicating that the proposed major transmission line will comply with all applicable state and federal environmental standards, laws, and rules; and
- l. Other information reasonably required by the commission pursuant to rule.

**Guideline 4.1:** An applicant's public comment summary should clearly identify the main topics or concerns raised at each public meeting in each municipality. A summary shall include a statement related to the frequency in which the topic or concern was raised. Example comments may be helpful in explaining the topic or concern. The public comment summary should include detailed, proportionate responses to each topic and concern summarized, including acknowledgment of the comments and a concise explanation of how the applicant considered, evaluated, or addressed the topic or concern. The applicant should highlight all suggested route modifications made by the public that were incorporated into the route.

Copies of all public comments received by an applicant from a public meeting or from the GIS system as outlined in Guideline 2.5 should be made available to Staff electronically simultaneous with the application filing.

**Guideline 4.2:** As part of its application for the proposed major transmission line, the applicant should provide detail about how the applicant complied with all requirements outlined in Act 30 and in these guidelines for the construction plan, public meeting invitation, public meetings, application public notice materials, and application materials.

**Guideline 4.3:** The applicant should include a discussion of how the applicant determined the Study Area. Any areas that are not considered because they were not reasonable and/or feasible should be discussed along with the methodology that determined them to be unreasonable and/or unfeasible.

**Guideline 4.4:** The applicant is encouraged to use a commercially available transmission route optimization and evaluation software (examples include Pivvot or Optioneer) in order to automate the generation and evaluation of possible routes, both developed by the applicant and those suggested by the public.

**Guideline 4.5:** The applicant is encouraged, in addition to the proposed route, to identify and assess more than one alternate route for the proposed major transmission line in the application submitted to the Commission.

**Guideline 4.6:** As part of the information included in the application, the applicant should detail all routes submitted by the public and landowners through the public engagement process, including, as applicable, the applicant's assessment of those routes using the applicant's identified evaluation factors.

**Guideline 4.7:** An application should identify all route refinements, adjustments changes, or shifts made to a route between the construction plan and the alignment of the proposed route as presented in the application, if applicable. For each refinement, the applicant should identify the data factors and the considerations that explain the alignments of the proposed route as presented in the application, including whether the refinement, adjustment, change, or shift was influenced by an interested person or public input.

**Guideline 4.8:** The application should include electronic maps of all proposed and alternate routes in KML or KMZ format for easy use by the Staff and intervenors. These maps should include the following:

- a. Parcels crossed as well as any existing electrical utility easements on the parcel;
- b. Geological composition and soil type within the area of public notice described in Guideline 3.1;

- c. Labeling of route segments;
- d. Any known endangered wildlife habitat or wildlife refuge;
- e. Depiction of the requested ROW;
- f. Preliminary pole placement on proposed and alternate route(s);
- g. Any manmade structure or environmental hazard or consideration that was deliberately avoided through development of the proposed and alternate route(s); and
- h. Any area excluded from the Study Area, as described in Guideline 1.1(a).

**Guideline 4.9:** The application should include pertinent engineering information regarding the transmission equipment, including but not limited to:

- a. Discussion of reasons that the equipment is above ground or below ground;
- b. Designed voltage rating;
- c. Operation voltage rating;
- d. If the transmission equipment is above ground:
  - i. Type of structures, conductor size, and minimum midspan clearance above ground at peak loading;
  - ii. Height of typical structures;
  - iii. Explanation of why these structures were selected;
  - iv. Dimensional drawing of typical structures to be used in the project; and
  - v. Expected number of structures encompassing the transmission project by type
- e. If the transmission equipment is below ground or underwater:
  - i. Burial depth;
  - ii. Type of cable and a description of any required supporting equipment, such as insulation medium pressurizing or forced cooling;
  - iii. Cathodic protection scheme;
  - iv. Type of dielectric fluid, if applicable, and safeguards used to limit potential spills in waterways;
  - v. Horizontal and vertical clearances from adjacent ROWs;
  - vi. Dimensional drawings of typical structures to be used in the project such as cable vaults; and
  - vii. Required maintenance easements.
- f. The application should provide a detailed description of all ATT or GET that are planned to be utilized by the applicant for construction of the transmission infrastructure. If the application does not plan on utilizing ATT or GET, the applicant should describe what considerations were made regarding the use of these technologies during the planning process and a detailed description of why the applicant does not plan on utilizing these technologies.

**Guideline 4.10:** The application should include route and segment scoring data. This includes the following:

- a. Raw evaluation factors and any quantitative data used to evaluate potential routes from a routing study or similar development of candidate routes presented in an excel format with any equations intact. Raw evaluation factors should be presented on a route basis as well as per routing segment basis;
- b. Any quantitative analysis done on evaluation factors or quantitative data used to evaluate potential routes that resulted in narrowing of potential routes considered. This includes selection of the proposed and alternate routes;
- c. Any weighting factors that the applicant used in the scoring of the potential routes, if used, and how these weighting factors affected the selection of proposed and alternate routes. An applicant should prioritize the use of existing ROWs when weighting factors and scoring potential routes;
- d. Evaluation factor data from the proposed and alternate routes as filed after refinement and increased data granularity is available from environmental impact study, LiDAR scans, etc., presented in excel format with any equations intact; and
- e. Data sources for final evaluation factors. If the applicant utilized multiple sources for a single evaluation factor in finalized data, explain how these were incorporated with one another.

**Guideline 4.11:** An applicant should address each of the factors listed below, to the extent relevant and practical, for the specific project. In instances where a factor is not applicable or cannot reasonably be evaluated, the applicant's routing experts may exercise professional judgment to modify, with a brief explanation provided in testimony or exhibits. Route and segment scoring data should include at least the following:

- a. Engineering data
  - i. Length
  - ii. Number of angles greater than 30 degrees
  - iii. Road/railroad crossings
  - iv. Number of transmission line crossings
  - v. Length replacing existing transmission line
  - vi. Length paralleling to existing linear features, including but not limited to:
    1. Existing transmission line
    2. Public road or highway
    3. Recreational trails
    4. Existing pipelines
    5. Property or section lines

- 6. Existing railroad or railroad rights of way
- vii. Land use
  - 1. Acres of greenfield in ROW
  - 2. Acres of extraction in ROW
  - 3. Military installations within 500 feet of proposed centerline
  - 4. Animal feeding operations within 500 feet of proposed centerline
  - 5. Farmland in ROW
  - 6. Center pivot irrigation in ROW
  - 7. Solar Farms within 500 feet of the proposed centerline
  - 8. Wind Turbines within 500 feet of the proposed centerline
  - 9. Acres of floodplain in ROW
- b. Environmental data
  - i. Wetland within ROW
  - ii. Hydric soil within ROW
  - iii. Rivers/streams/waterways crossed
  - iv. Woodland within ROW
  - v. Grassland/Pasture within ROW
  - vi. Threatened and Endangered Species Critical Habitat
  - vii. National wildlife refuges
- c. Social data
  - i. Historic sites within 500 feet of the proposed centerline
  - ii. Schools within 500 feet of the proposed centerline
  - iii. Places of worship within 500 feet of the proposed centerline
  - iv. Hospitals and nursing homes within 500 feet of the proposed centerline
  - v. Memorial parks/cemeteries within 500 feet of the proposed centerline
  - vi. National Landmarks/monuments within 500 feet of the proposed centerline
  - vii. Airport obstacle free zones
  - viii. VHF Omnidirectional Range and Tactical Air Navigation (VORTAC) sites
  - ix. Archeological sites within the proposed ROW
  - x. Total area of the proposed new ROW required
  - xi. Number of parcels within the proposed ROW
  - xii. Residences
    - 1. Within 100 feet of the proposed centerline
    - 2. Within 101-300 feet of the proposed centerline
    - 3. Within 301-500 feet of the proposed centerline
  - xiii. Buildings
    - 1. Within 100 feet of the proposed centerline
    - 2. Within 101-300 feet of the proposed centerline

- 3. Within 301-500 feet of the proposed centerline
- xiv. Public facilities
  - 1. Within 100 feet of the proposed centerline
  - 2. Within 101-300 feet of the proposed centerline
  - 3. Within 301-500 feet of the proposed centerline
- xv. Number of municipal boundaries crossed
- xvi. Public lands

**Guideline 4.12:** If the proposed route or alternate route(s) include segments in common or overlap, provide justification that includes:

- a. Engineering, environmental or social rationale for the overlap; and
- b. Any other rationale about why the overlap is the only practically feasible route in that geographic area.

**Guideline 4.13:** If the application includes new substations, the following information should be provided:

- a. Existing lines that will be tied into the new substation;
- b. A line diagram of how the substation will be connected to the existing system; and
- c. Explanation of how the filing entity plans on rerouting existing lines into new substation.

**Guideline 4.14:** The applicant should present the estimated overall cost of the transmission line, including both the capital cost and annual operating cost of the project.

**Guideline 4.15:** The application should present the estimated private benefits of the proposed major transmission line to the applicant or any legal entity that is affiliated with the applicant. This should include the following:

- a. A complete calculation estimating the private benefits the applicant or any legal entity affiliated with the applicant will receive from the construction and management of the project. This should be included in the application as an exhibit with a native excel file with equations intact provided as a workpaper filed concurrently with the application; and
- b. A discussion of any benefits the applicant or any legal entity affiliated with the applicant will receive that are not quantifiable.

**Guideline 4.16:** Under public benefits, the applicant should, to the extent applicable to the proposed major transmission line, include estimates regarding the local economic investment, job creation and potential local tax revenue due to the construction and maintenance of the project.

**Guideline 4.17:** The applicant should provide justification for the proposed width of the ROW, including a quantitative analysis that is based on North American Electric Reliability Corporation (NERC) requirements, where the end result of the quantitative analysis is width of ROW.

**Guideline 4.18:** The applicant should provide detail about the potential public health and safety topics related to a proposed transmission line, including the following:

- a. Calculate resultant power-system frequency EMF at the edge of the ROW and at the centerline at 1 meter above grade, at normal (typical or average) and peak-loading conditions;<sup>2</sup>
- b. Compare EMF of the proposed transmission line to current EMF exposure standards under IEEE C95.1 2019 or a similar standard for electric transmission frequency; and
- c. Calculate EMF at 250 feet and out to 500 feet from the centerline. Provide examples of EMF levels from the other common sources in the everyday environment;

**Guideline 4.19:** The application should provide a detailed plan for property restoration, to the extent that property conditions are known by the applicant, post-construction of transmission infrastructure. This should include details on soil restoration and compaction for agricultural fields.

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<sup>2</sup> IEEE Standard Procedures for Measurement of Power Frequency Electric and Magnetic Fields from AC Power Lines, <https://standards.ieee.org/ieee/644/6732/>, Accessed 8/29/2015

# PROOF OF SERVICE

STATE OF MICHIGAN )

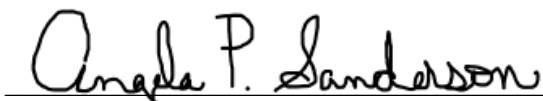
Case No. U-21930

County of Ingham )

Brianna Brown being duly sworn, deposes and says that on January 29, 2026 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 29<sup>th</sup> day of January 2026.



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

## GEMOTION DISTRIBUTION SERVICE LIST

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<a href="mailto:greg.bass@calpinesolutions.com">greg.bass@calpinesolutions.com</a>	Calpine Energy Solutions
<a href="mailto:lachappelle@varnumlaw.com">lachappelle@varnumlaw.com</a>	Chappelle, Laura
<a href="mailto:manderson@wpsci.com">manderson@wpsci.com</a>	Cherryland Electric
<a href="mailto:mengels@wpsci.com">mengels@wpsci.com</a>	Cherryland Electric
<a href="mailto:cdrys@wpsci.com">cdrys@wpsci.com</a>	Cherryland Electric
<a href="mailto:ljohnson@wpsci.com">ljohnson@wpsci.com</a>	Cherryland Electric
<a href="mailto:rjohnson@cherrylandelectric.coop">rjohnson@cherrylandelectric.coop</a>	Cherryland Electric Cooperative
<a href="mailto:frucheyb@DTEENERGY.COM">frucheyb@DTEENERGY.COM</a>	Citizens Gas Fuel Company
<a href="mailto:crystalfallsmgr@HOTMAIL.COM">crystalfallsmgr@HOTMAIL.COM</a>	City of Crystal Falls
<a href="mailto:gpirkola@escanaba.org">gpirkola@escanaba.org</a>	City of Escanaba
<a href="mailto:jolson@gladstonemi.gov">jolson@gladstonemi.gov</a>	City of Gladstone
<a href="mailto:kmaynard@cityofmarshall.com">kmaynard@cityofmarshall.com</a>	City of Marshall
<a href="mailto:tdavlin@portland-michigan.org">tdavlin@portland-michigan.org</a>	City of Portland
<a href="mailto:cwilson@cloverland.com">cwilson@cloverland.com</a>	Cloverland Electric
<a href="mailto:mheise@cloverland.com">mheise@cloverland.com</a>	Cloverland Electric
<a href="mailto:todd.mortimer@CMSENERGY.COM">todd.mortimer@CMSENERGY.COM</a>	CMS Energy
<a href="mailto:Kenneth.Johnston@cmsenergy.com">Kenneth.Johnston@cmsenergy.com</a>	Consumers Energy
<a href="mailto:Yong.Keyes@cmsenergy.com">Yong.Keyes@cmsenergy.com</a>	Consumers Energy
<a href="mailto:chibuzo.obikwelu@cmsenergy.com">chibuzo.obikwelu@cmsenergy.com</a>	Consumers Energy
<a href="mailto:sarah.jorgensen@cmsenergy.com">sarah.jorgensen@cmsenergy.com</a>	Consumers Energy Company
<a href="mailto:Michael.torrey@cmsenergy.com">Michael.torrey@cmsenergy.com</a>	Consumers Energy Company
<a href="mailto:CANDACE.GONZALES@cmsenergy.com">CANDACE.GONZALES@cmsenergy.com</a>	Consumers Energy Company
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<a href="mailto:david.fein@CONSTELLATION.COM">david.fein@CONSTELLATION.COM</a>	Constellation Energy
<a href="mailto:kate.stanley@CONSTELLATION.COM">kate.stanley@CONSTELLATION.COM</a>	Constellation Energy
<a href="mailto:kate.fleche@CONSTELLATION.COM">kate.fleche@CONSTELLATION.COM</a>	Constellation New Energy

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<a href="mailto:choicecompliance@constellation.com">choicecompliance@constellation.com</a>	Constellation New Energy Inc
<a href="mailto:lpage@dickinsonwright.com">lpage@dickinsonwright.com</a>	Dickinson Wright
<a href="mailto:shaundillon@dillonenergy.com">shaundillon@dillonenergy.com</a>	Dillon Energy Services
<a href="mailto:info@dillonpower.com">info@dillonpower.com</a>	Dillon Power, LLC
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<a href="mailto:stephen.lindeman@dteenergy.com">stephen.lindeman@dteenergy.com</a>	DTE Energy
<a href="mailto:karl.lievens@dteenergy.com">karl.lievens@dteenergy.com</a>	DTE Energy
<a href="mailto:konstantin.korolyov@dteenergy.com">konstantin.korolyov@dteenergy.com</a>	DTE Energy
<a href="mailto:mpscfilings@DTEENERGY.COM">mpscfilings@DTEENERGY.COM</a>	DTE Energy
<a href="mailto:joyce.leslie@dteenergy.com">joyce.leslie@dteenergy.com</a>	DTE Energy
<a href="mailto:karen.vucinaj@dteenergy.com">karen.vucinaj@dteenergy.com</a>	DTE Energy
<a href="mailto:customerservice@eligoenergy.com">customerservice@eligoenergy.com</a>	Eligo Energy MI, LLC
<a href="mailto:regulatory@eligoenergy.com">regulatory@eligoenergy.com</a>	Eligo Energy MI, LLC
<a href="mailto:frank.travaglione@vistracorp.com">frank.travaglione@vistracorp.com</a>	Energy Harbor
<a href="mailto:rfawaz@energyintl.com">rfawaz@energyintl.com</a>	Energy International Power Marketing d/b/a PowerOne
<a href="mailto:sejackinchuk@varnumlaw.com">sejackinchuk@varnumlaw.com</a>	Energy Michigan
<a href="mailto:michael.reiss@engie.com">michael.reiss@engie.com</a>	Engie Gas & Power LLC
<a href="mailto:customercare@plymouthenergy.com">customercare@plymouthenergy.com</a>	ENGIE Gas & Power f/k/a Plymouth Energy
<a href="mailto:VSTRetailReg@VistraCorp.com">VSTRetailReg@VistraCorp.com</a>	Everyday Energy, LLC d/b/a Energy Rewards
<a href="mailto:felice@MICHIGAN.GOV">felice@MICHIGAN.GOV</a>	Felice, Lisa
<a href="mailto:bgorman@FIRSTENERGYCORP.COM">bgorman@FIRSTENERGYCORP.COM</a>	First Energy
<a href="mailto:phil@allendaleheating.com">phil@allendaleheating.com</a>	Forner, Phil
<a href="mailto:dburks@glenergy.com">dburks@glenergy.com</a>	Great Lakes Energy
<a href="mailto:manderson@wpsci.com">manderson@wpsci.com</a>	Great Lakes Energy
<a href="mailto:mengels@wpsci.com">mengels@wpsci.com</a>	Great Lakes Energy
<a href="mailto:cdrys@wpsci.com">cdrys@wpsci.com</a>	Great Lakes Energy
<a href="mailto:ljohnson@wpsci.com">ljohnson@wpsci.com</a>	Great Lakes Energy
<a href="mailto:slamp@glenergy.com">slamp@glenergy.com</a>	Great Lakes Energy Cooperative
<a href="mailto:sculver@glenergy.com">sculver@glenergy.com</a>	Great Lakes Energy Cooperative
<a href="mailto:johnm@gogreenlightenergy.com">johnm@gogreenlightenergy.com</a>	Greenlight Energy Inc.
<a href="mailto:lrgustafson@CMSENERGY.COM">lrgustafson@CMSENERGY.COM</a>	Gustafson, Lisa
<a href="mailto:jhammel@hillsdalebpu.com">jhammel@hillsdalebpu.com</a>	Hillsdale Board of Public Utilities
<a href="mailto:coneill@homeworks.org">coneill@homeworks.org</a>	HomeWorks Tri-County Electric Cooperative
<a href="mailto:psimmer@HOMEWORKS.ORG">psimmer@HOMEWORKS.ORG</a>	HomeWorks Tri-County Electric Cooperative
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<a href="mailto:mgobrien@aep.com">mgobrien@aep.com</a>	Indiana Michigan Power Company
<a href="mailto:dan@megautilities.org">dan@megautilities.org</a>	Integritys Group
<a href="mailto:daustin@IGSENERGY.COM">daustin@IGSENERGY.COM</a>	Interstate Gas Supply Inc
<a href="mailto:michael.nugent@igs.com">michael.nugent@igs.com</a>	Interstate Gas Supply d/b/a IGS Energy
<a href="mailto:general@itctransco.com">general@itctransco.com</a>	ITC Holdings
<a href="mailto:cmarshall@itctransco.com">cmarshall@itctransco.com</a>	ITC Holdings
<a href="mailto:apascaris@itctransco.com">apascaris@itctransco.com</a>	ITC Holdings

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<a href="mailto:vanesetti@justenergy.com">vanesetti@justenergy.com</a>	Just Energy of Michigan Corporation
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<a href="mailto:krichel@DLIB.INFO">krichel@DLIB.INFO</a>	Krichel, Thomas
<a href="mailto:dbodine@LIBERTYPOWERCORP.COM">dbodine@LIBERTYPOWERCORP.COM</a>	Liberty Power
<a href="mailto:ham557@GMAIL.COM">ham557@GMAIL.COM</a>	Lowell S.
<a href="mailto:tjlundgren@varnumlaw.com">tjlundgren@varnumlaw.com</a>	Lundgren, Timothy
<a href="mailto:tcarpenter@mblp.org">tcarpenter@mblp.org</a>	Marquette Board of Light & Power
<a href="mailto:regulatory@medianenergy.com">regulatory@medianenergy.com</a>	Median Energy Corporation
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<a href="mailto:dan@megautilities.org">dan@megautilities.org</a>	MEGA
<a href="mailto:mmann@USGANDE.COM">mmann@USGANDE.COM</a>	Michigan Gas & Electric
<a href="mailto:VSTRetailReg@VistraCorp.com">VSTRetailReg@VistraCorp.com</a>	Michigan Gas & Electric (US Gas & Electric)
<a href="mailto:shannon.burzycki@wecenergygroup.com">shannon.burzycki@wecenergygroup.com</a>	Michigan Gas Utilities Corporation
<a href="mailto:mrzwiwers@INTEGRYSGROUP.COM">mrzwiwers@INTEGRYSGROUP.COM</a>	Michigan Gas Utilities/Upper Penn Power/Wisconsin
<a href="mailto:kabraham@mpower.org">kabraham@mpower.org</a>	Michigan Public Power Agency
<a href="mailto:info@michigannaturalgasllc.com">info@michigannaturalgasllc.com</a>	Michigan Natural Gas, LLC
<a href="mailto:JHDillavou@midamericanenergyservices.com">JHDillavou@midamericanenergyservices.com</a>	MidAmerican Energy Services, LLC
<a href="mailto:JCAltmayer@midamericanenergyservices.com">JCAltmayer@midamericanenergyservices.com</a>	MidAmerican Energy Services, LLC
<a href="mailto:LMLann@midamericanenergyservices.com">LMLann@midamericanenergyservices.com</a>	MidAmerican Energy Services, LLC
<a href="mailto:manderson@wpsci.com">manderson@wpsci.com</a>	Midwest Energy
<a href="mailto:mengels@wpsci.com">mengels@wpsci.com</a>	Midwest Energy
<a href="mailto:cdrys@wpsci.com">cdrys@wpsci.com</a>	Midwest Energy
<a href="mailto:ljohnson@wpsci.com">ljohnson@wpsci.com</a>	Midwest Energy
<a href="mailto:dave.allen@TEAMMIDWEST.COM">dave.allen@TEAMMIDWEST.COM</a>	Midwest Energy Cooperative
<a href="mailto:terry.rubenthaler@teammidwest.com">terry.rubenthaler@teammidwest.com</a>	Midwest Energy Cooperative
<a href="mailto:kerri.wade@teammidwest.com">kerri.wade@teammidwest.com</a>	Midwest Energy Cooperative
<a href="mailto:Marie-Rose.Gatete@teammidwest.com">Marie-Rose.Gatete@teammidwest.com</a>	Midwest Energy Cooperative
<a href="mailto:meghan.tarver@teammidwest.com">meghan.tarver@teammidwest.com</a>	Midwest Energy Cooperative
<a href="mailto:d.motley@COMCAST.NET">d.motley@COMCAST.NET</a>	Motley, Doug
<a href="mailto:rarchiba@FOSTEROIL.COM">rarchiba@FOSTEROIL.COM</a>	My Choice Energy
<a href="mailto:customerservice@nordicenergy-us.com">customerservice@nordicenergy-us.com</a>	Nordic Energy Services, LLC
<a href="mailto:regulatory@nordicenergy-us.com">regulatory@nordicenergy-us.com</a>	Nordic Energy Services, LLC
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<a href="mailto:sarah.m.fraze@xcelenergy.com">sarah.m.fraze@xcelenergy.com</a>	Northern States Xcel
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<a href="mailto:regulatory@indraenergy.com">regulatory@indraenergy.com</a>	PALMco Energy MI, LLC d/b/a Indra Energy
<a href="mailto:mpauley@GRANGER.NET">mpauley@GRANGER.NET</a>	Pauley, Marc
<a href="mailto:mmpeck@fischerfranklin.com">mmpeck@fischerfranklin.com</a>	Peck, Matthew
<a href="mailto:bschlansker@PREMIERENERGYLLC.COM">bschlansker@PREMIERENERGYLLC.COM</a>	Premier Energy Marketing LLC
<a href="mailto:manderson@wpsci.com">manderson@wpsci.com</a>	Presque Isle

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<a href="mailto:ljohnson@wpsci.com">ljohnson@wpsci.com</a>	Presque Isle
<a href="mailto:MVanschoten@pieg.com">MVanschoten@pieg.com</a>	Presque Isle Electric & Gas Cooperative, INC
<a href="mailto:aberg@pieg.com">aberg@pieg.com</a>	Presque Isle Electric & Gas Cooperative, INC
<a href="mailto:yesterdae@getprovision.com">yesterdae@getprovision.com</a>	Provision Power & Gas, LLC
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<a href="mailto:rabaey@SES4ENERGY.COM">rabaey@SES4ENERGY.COM</a>	Santana Energy
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<a href="mailto:trish.mcfadin@southstarenergy.com">trish.mcfadin@southstarenergy.com</a>	SouthStar d/b/a Grand Rapids Energy
<a href="mailto:kejoseph@sparkenergy.com">kejoseph@sparkenergy.com</a>	Spark Energy Gas, LP
<a href="mailto:cborr@WPSCI.COM">cborr@WPSCI.COM</a>	Spartan Renewable Energy, Inc. (Wolverine Power Marketing Corp)
<a href="mailto:jbelec@stephenson-mi.org">jbelec@stephenson-mi.org</a>	Stephenson Utilities Department
<a href="mailto:kay8643990@YAHOO.COM">kay8643990@YAHOO.COM</a>	Superior Energy Company
<a href="mailto:legal@symmetryenergy.com">legal@symmetryenergy.com</a>	Symmetry Energy Solutions, LLC
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<a href="mailto:ljohnson@wpsci.com">ljohnson@wpsci.com</a>	Tri-County Electric
<a href="mailto:mlindsay@uetllc.com">mlindsay@uetllc.com</a>	United Energy Trading d/b/a Kratos Gas & Power
<a href="mailto:colleen.sipiorski@wecenergygroup.com">colleen.sipiorski@wecenergygroup.com</a>	Upper Michigan Energy Resources Corporation
<a href="mailto:djmier@integrysgroup.com">djmier@integrysgroup.com</a>	Upper Michigan Energy Resources Corporation
<a href="mailto:James.Beyer@wecenergygroup.com">James.Beyer@wecenergygroup.com</a>	Upper Michigan Energy Resources Corporation
<a href="mailto:Richard.Stasik@wecenergygroup.com">Richard.Stasik@wecenergygroup.com</a>	Upper Michigan Energy Resources Corporation
<a href="mailto:nbell@upppo.com">nbell@upppo.com</a>	Upper Peninsula Power Company
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<a href="mailto:manager@villageofbaraga.org">manager@villageofbaraga.org</a>	Village of Baraga
<a href="mailto:Villagemanager@villageofclinton.org">Villagemanager@villageofclinton.org</a>	Village of Clinton
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<a href="mailto:andrew.miller1@wecenergygroup.com">andrew.miller1@wecenergygroup.com</a>	We Energies
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## GEMOTION DISTRIBUTION SERVICE LIST

[andrew.miller1@wecenergygroup.com](mailto:andrew.miller1@wecenergygroup.com)

[tking@WPSCI.COM](mailto:tking@WPSCI.COM)

[jbaumann@wpsci.com](mailto:jbaumann@wpsci.com)

[cborr@wpsci.com](mailto:cborr@wpsci.com)

[ddecouer@wpsci.com](mailto:ddecouer@wpsci.com)

[bvalice@wpsci.com](mailto:bvalice@wpsci.com)

[Amanda@misostates.org](mailto:Amanda@misostates.org)

[Deborah.e.erwin@xcelenergy.com](mailto:Deborah.e.erwin@xcelenergy.com)

[Michelle.Schlosser@xcelenergy.com](mailto:Michelle.Schlosser@xcelenergy.com)

[bryce.mckenney@nrg.com](mailto:bryce.mckenney@nrg.com)

Wisconsin Public Service

Wolverine Power

Wolverine Power

Wolverine Power

Wolverine Power

Wolverine Power

Wood, Amanda

Xcel Energy

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