



ENVIRONMENTAL LAW & POLICY CENTER

April 8, 2026

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

RE: MPSC Case No. U-22058

Dear Ms. Felice:

Attached for paperless, electronic filing is the Petition to Intervene of The Ecology Center, The Environmental Law & Policy Center, Union of Concerned Scientists, and Vote Solar (collectively, the “Clean Energy Organizations” or “CEO” or “Petitioners”). Entries of Appearance for Katherine Duckworth and Daniel Abrams and the proof of service are also attached.

Sincerely,

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

cc: Service List, Case No. U-22058

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

ELPC.org | (312) 673-6500

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

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



**STATE OF MICHIGAN
MICHIGAN PUBLIC SERVICE COMMISSION**

In the matter of the application of DTE)	
ELECTRIC COMPANY for approval of)	
special contracts and for other relief.)	Case No. U-22058
)	
)	
)	
)	

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

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

In support, Petitioners state:

1. On March 17, 2026, DTE Electric Company (“DTE” or the “Company”) filed an application requesting the Michigan Public Service Commission (“MPSC” or the “Commission”) to grant expedited approval of the Company’s Primary Supply Agreement (“PSA”) and Clean Capacity Accelerator Agreement (“CCAA”) (collectively, the “Special Contracts”) with Google LLC. Petitioners have an established interest and historical practice of actively engaging with the Company to advocate for just and reasonable rate design that results in cost-saving and environmental benefits. Petitioners and their members’ interests in these matters remain strong.

2. **The Ecology Center** is a membership-based, nonprofit environmental organization based in Ann Arbor, Michigan. Founded by community activists after the country's first Earth Day in 1970, the Ecology Center is now a regional leader that works for a safe and healthy environment where people live, work, and play. The Ecology Center works for a just and healthy environment through grassroots organizing, advocacy, and demonstration projects, and has advocated for expanded use of renewable energy since the organization's founding in 1970. The Ecology Center has members throughout the state of Michigan, including in DTE's service territory, and has intervened and participated fully as a party in many recent MPSC cases involving DTE, including U-20836, U-21534, U-21297, and U-21860 (DTE Rate Cases); U-21193 and U-20471 (DTE IRPs); U-21172 and U-21375 (DTE Voluntary Green Pricing); and U-21662 (DTE Renewable Energy Plan). The Ecology Center has also intervened in a number of cases involving other utilities regulated by the Commission regarding the same or similar issues, including Case No. U-21859 (Consumers Energy's large load tariff) and Case No. U-21986 (Indiana Michigan Power Company's large load tariff).

3. **ELPC** is a not-for-profit regional public interest environmental organization that works to achieve cleaner air, advance clean renewable energy and energy efficiency resources, improve environmental quality, protect clean water and preserve natural resources in Michigan and the Midwest. ELPC has members throughout the state of Michigan, including members who reside in DTE's service territory and members who are electric customers of DTE and will be directly impacted by the decision in this case. ELPC has intervened and participated fully as a party in many recent MPSC cases involving DTE, including U-20836, U-21534, U-21297, and U-21860 (DTE Rate Cases); U-21193 and U-20471 (DTE IRPs); U-21172 and U-21375 (DTE Voluntary Green Pricing); and U-21662 (DTE Renewable Energy Plan). ELPC has also intervened

in a number of cases involving other utilities regulated by the Commission regarding the same or similar issues, including Case No. U-21859 (Consumers Energy's large load tariff) and Case No. U-21986 (Indiana Michigan Power Company's large load tariff).

4. **UCS** is a national non-profit organization headquartered in Cambridge, Massachusetts, with additional offices in Washington, DC; Berkeley, California; and Chicago, Illinois. UCS is a public interest organization with more than 50 years of experience advocating for science-based policies, including responsible energy policy and utility oversight at the state and federal level, and with more than 6 years working in Michigan on these issues. UCS has approximately 6,300 supporters, 1,100 members, and 620 Science Network members that live, use electricity, and pay electric bills in Michigan, including in DTE's service territory. UCS has been engaged in Michigan's energy future for several years, including advancing sound policies through the legislative process, ensuring appropriate enforcement of relevant regulations, and has intervened and participated fully as a party in recent MPSC cases involving DTE, including Case Nos. U-21534, U-21297, and U-21860 (DTE Rate Cases); U-21193 and U-20471 (DTE IRPs); U-21375 (DTE Voluntary Green Pricing); U-21482 (DTE Interconnection Procedures); and U-21662 (DTE Renewable Energy Plan). UCS has also intervened in a number of cases involving other utilities regulated by the Commission regarding the same or similar issues, including Case No. U-21859 (Consumers Energy's large load tariff) and Case No. U-21986 (Indiana Michigan Power Company's large load tariff).

5. **Vote Solar** is an independent 501(c)(3) nonprofit working to repower the U.S. with clean energy by making solar power more accessible and affordable through effective policy advocacy. Vote Solar seeks to promote the development of solar at every scale, from distributed rooftop solar to large utility-scale plants. Vote Solar has over 90,000 members nationally,

including over 2,600 members in Michigan. Vote Solar has members residing in DTE's service territory who are customers of the Company. Vote Solar is not a trade organization nor does it have corporate members. Since 2002 Vote Solar has engaged in state, local, and federal advocacy campaigns to remove regulatory barriers and implement the key policies needed to bring solar to scale. Vote Solar is a frequent party to state utility regulatory dockets throughout the nation. Vote Solar and its members have an interest in expanding prudent and cost-effective opportunities to provide solar power in DTE's service territory. Vote Solar's technical experts help regulators and other policymakers understand policy options, identify strong program and regulatory design, and provide expertise on how to implement sustainable programs for solar growth. Vote Solar has intervened and participated fully as a party in recent MPSC cases involving DTE, including U-20836, U-21534, U-21297, and U-21860 (DTE Rate Cases); U-21193 and U-20471 (DTE IRP); U-21172 and U-21375 (DTE Voluntary Green Pricing); and U-21662 (DTE Renewable Energy Plan). Vote Solar has also intervened in a number of cases involving other utilities regulated by the Commission regarding the same or similar issues, including Case Nos. U-21859 (Consumers Energy's large load tariff) and U-21986 (Indiana Michigan Power Company's large load tariff).

6. Petitioners and members have an interest in equitable cost allocation and rate design that ensures their members and other customers are not impacted by higher rates as a result of the proposed terms of the Special Contracts. Petitioners and their members are also interested in ensuring that the Company continues to meet and even exceed the State's renewable and clean energy goals, including the renewable buildout proposed and approved in the Company's previous Integrated Resource Plan. Finally, petitioners and their members are interested in ensuring that the proposed terms do not threaten grid reliability or increase the frequency or duration of power outages.

7. The Commission rules and precedent provide that organizations may be granted intervention to advocate for the interests of the members that they represent. *See, e.g., In re Application of The Detroit Edison Co. for Authority to Increase its Rates*, MPSC Case Nos. U-15768 and U-15751 (January 11, 2010) at p. 8 (“*In re Detroit Edison*”); *see also Drake v Detroit Edison*, 453 F. Supp. 1123, 1129 (W.D. Mich. 1978) (noting that “a plaintiff may be granted standing when he asserts interests not of his own but of a third party that meet the zone of interests test.”). To establish standing to intervene in a Commission proceeding, an organization can assert and represent the interests of its third-party supporters and members without specifically identifying each individual member whose interests are to be represented. *In re Detroit Edison* at 8.

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

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

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

11. Petitioners and their members in the DTE service territory are directly affected by the rates, policies, terms and conditions governing DTE’s provision of electricity to them and other customers in the Company’s territory. If the Company’s Application is approved by the Commission, the terms of the Special Contracts will have a direct impact on the rates paid by

Petitioners' members. The scale of the Customer's load to be served by the Special Contracts will significantly increase the Company's renewable energy obligations and directly impact whether the Company will be in position to meet the State's ambitious clean energy goals, which are very important to Petitioners' members. Further, reliability impacts resulting from approval of the contacts will directly impact Petitioner's members. Finally, Petitioners seek to protect their members' interests from injury by advocating for prudent and reasonable rate design that fairly allocates costs to the customer that causes them.

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

13. Petitioners and their members' interests are within the zone of interests protected by MCL 460.1, *et seq.* The statutes generally protect ratepayers and other interested persons and provide opportunities for advocacy by groups to protect their interests in Commission proceedings. Here, Petitioners seek to ensure that the rates and terms proposed in the Special Contracts do not increase costs borne by other ratepayers, do not impede the Company's ability to meet its clean and renewable energy requirements established by law, and do not increase the frequency or duration of power outages.

14. In addition to meeting the test for intervention by right, Petitioners also meet the test for permissive intervention. "[P]ermissive intervention is appropriate where the intervenor's

participation will provide a benefit that outweighs any resulting delay or expense. Permissive intervention has also been granted where a proceeding ‘raises novel questions and important issues of policy’ and the intervenor will ‘bring a unique perspective’ to the case.” *In re. the application of DTE Electric Co*, Case No. U-17319 (March 6, 2014) at 10. Furthermore, the Commission has granted permissive intervention “to an association that represents the interests of its members, where the members generally meet the zone of interests test.” *Id.*

15. Petitioners will provide useful information to the Commission and unique perspectives and expertise in the areas of clean energy, grid reliability, environmental, and ratepayer advocacy that will benefit the process as a whole. Petitioners bring a unique perspective to this case because its staff and witnesses specialize in issues related to rate design and clean energy, including participating in cases involving tariffs for large load customers in other states around the country. For example, Petitioners (individually or collectively) have intervened or engaged in the following proceedings involving data centers or large load customers: Michigan PSC Docket Nos. U-21859 (Consumers Energy’s large load tariff) and U-21986 (Indiana Michigan Power Company’s large load tariff); Illinois Commerce Commission Docket Nos. 25-0677, 25-0679, and 25-0680 (involving Commonwealth Edison Company’s proposed tariff changes for large demand projects); Minnesota Public Utilities Commission Docket Nos. E002/M-25-289 (Xcel Energy large load tariffs); and Public Service Commission of Wisconsin Docket No. 6630-TE-113 (Application of Wisconsin Electric Power Company for Approval of its Very Large Customer and Bespoke Resources Tariffs).

16. Petitioners’ intervention will provide benefits far in excess of any delay or expense. Petitioners have intervened in numerous cases before the Commission in Michigan and in other cases throughout the Midwest and across the nation, both individually and in coalition. As has

been Petitioners' general practice in similar cases, Petitioners intend to coordinate closely with each other and with other intervenors in order to streamline their collective participation in discovery, testimony, and briefing in this case to ensure that the Commission has high-quality information and analysis provided through the most efficient process possible.

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

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

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

Daniel Abrams
Environmental Law & Policy Center
35 E Wacker Dr., Ste. 1600
Chicago, IL 60604
dabrams@elpc.org

Katie Duckworth
Environmental Law & Policy Center
35 E Wacker Dr., Ste. 1600
Chicago, IL 60604
kduckworth@elpc.org

and on:

Alondra Estrada, Paralegal
Environmental Law & Policy Center
aestrada@elpc.org
MPSCDocket@elpc.org

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

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

Dated: April 8, 2026

Respectfully submitted,

A handwritten signature in black ink that reads "Katie Duckworth". The signature is written in a cursive style and is positioned above the typed name.

Katie Duckworth (P86670)

Daniel Abrams (P87696)

Environmental Law & Policy Center

35 E Wacker Dr., Ste. 1600

Chicago, IL 60601

312-673-6500

kduckworth@elpc.org

dabrams@elpc.org

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION

ENTRY OF APPEARANCE IN AN ADMINISTRATIVE HEARING

This form is issued as provided for by 1939 PA 3, as amended, and by 1933 PA 254, as amended. The filing of this form, or an acceptable alternative, is necessary to ensure subsequent service of any hearing notices, Commission orders, and related hearing documents.

General Instructions:

Type or print legibly in ink. For assistance or clarification, please contact the Public Service Commission at 517-284-8090.

*Please Note: The Commission will provide **electronic** service of documents to all parties in this proceeding.*

THIS APPEARANCE TO BE ENTERED IN ASSOCIATION WITH THE ADMINISTRATIVE HEARING:

Case / Company Name: DTE Electric Company Docket No. U- 22058

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

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

Name Daniel Abrams

Address 35 E. Wacker Dr., Suite 1600

City Chicago State IL

Zip 60601 Phone 312-675-6300

Email dabrams@elpc.org

Date 4/8/2026

Signature: 

I am not an attorney

I am an attorney whose:

Michigan Bar # is P- 87696

_____ Bar # is: _____
(state)

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION

ENTRY OF APPEARANCE IN AN ADMINISTRATIVE HEARING

This form is issued as provided for by 1939 PA 3, as amended, and by 1933 PA 254, as amended. The filing of this form, or an acceptable alternative, is necessary to ensure subsequent service of any hearing notices, Commission orders, and related hearing documents.

General Instructions:

Type or print legibly in ink. For assistance or clarification, please contact the Public Service Commission at 517-284-8090.

*Please Note: The Commission will provide **electronic** service of documents to all parties in this proceeding.*

THIS APPEARANCE TO BE ENTERED IN ASSOCIATION WITH THE ADMINISTRATIVE HEARING:

Case / Company Name: DTE Electric Company Docket No. U- 22058

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

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

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

City Chicago State IL
Zip 60601 Phone 312-675-6300
Email kduckworth@elpc.org
Date 4/8/2026

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

Signature: Katie Schacki Duckworth

**STATE OF MICHIGAN
MICHIGAN PUBLIC SERVICE COMMISSION**

In the matter of the application of DTE)
ELECTRIC COMPANY for approval of) Case No. U-22058
special contracts and for other relief.)
)
)

PROOF OF SERVICE

I hereby certify that a true copy of the foregoing *Petition to Intervene and Appearances of Katherine Duckworth and Daniel Abrams of The Ecology Center, The Environmental Law & Policy Center, Union of Concerned Scientists, and Vote Solar (collectively, the “Clean Energy Organizations” or “CEO” or “Petitioners”)*, was served by electronic mail upon the following Parties of Record, this Wednesday, April 8, 2026.

Administrative Law Judge Hon. Theresa Staley	StaleyT1@michigan.gov
DTE Electric Company: John Janiszewski Andrea Hayden	John.janiszewski@dteenergy.com Andrea.hayden@dteenergy.com Mpscfilings_account@dteenergy.com
Attorney General of Michigan: Lucas Wollenzien Joel King	wollenzienl@michigan.gov kingj38@michigan.gov ag-enra-spec-lit@michigan.gov
MPSC Staff: Adam Cozort Amit Singh Daniel Sonneveldt	Cozortal@michigan.gov Singha9@michigan.gov sonneveldtd@michigan.gov
MEC Christopher Bzdok	chris@tropospherelegal.com

Counsel for The Environmental Law & Policy Center, The Ecology Center, and Vote Solar

Daniel Abrams
Katie S. Duckworth
Alondra Estrada
Katie Toolan

dabrams@elpc.org
kduckworth@elpc.org
aestrada@elpc.org
mpscdockets@elpc.org
ktoolan@elpc.org

Sincerely,



Katherine S. Duckworth (P86670)
Environmental Law & Policy Center
dabrams@elpc.org