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STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of DTE Electric Company for authority to increase its rates, amend its rate schedules and rules governing the distribution and supply of electric energy, and for miscellaneous accounting authority. Case No. U-22046 Volume No. 1

PREHEARING

Proceedings held via Microsoft Teams in the above-entitled matter before Theresa A.G. Staley, J.D., Administrative Law Judge with MOAHR, for the Michigan Public Service Commission, Lansing, Michigan, on Wednesday, May 27, 2026, at 9:16 a.m.

APPEARANCES:

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18 On behalf of Ecology Center, Environmental
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21 SEAN C. CLARK, J.D.
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28 On behalf of Michigan Environmental Council,
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31 SEAN P. GALLAGHER, J.D.
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35 On behalf of Michigan Cable Telecommunications
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24 the Public Rights of Way (PROTEC) and Michigan
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On behalf of City of Ann Arbor

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On behalf of Soulardarity and We Want Green,
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14 Innovation, and Advanced Energy United (MEIU)

15 HAYLEE N. SKANK, J.D.
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19 On behalf of Energy Michigan and Foundry
20 Association of Michigan

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On behalf of Michigan Public Service
Commission Staff

22 - - -

23 REPORTED BY: Lori Anne Penn, CSR-1315

Penn Reporting, LLC - lori.penn@yahoo.com

1 Wednesday, May 27, 2026

2 At 9:16 a.m.

3 - - -

4 (Hearing commenced pursuant to due notice.)

5 JUDGE STALEY: We are on the record in
6 Case No. U-22046, captioned In the matter of the
7 application of DTE Electric Company for authority to
8 increase its rates, amend its rate schedules and rules
9 governing the distribution and supply of electric energy,
10 and for miscellaneous accounting authority. Today is the
11 date and time scheduled for a prehearing in this matter,
12 it is May 27, 2026. My name is Theresa Staley, and I
13 have been assigned to this matter by the Michigan Office
14 of Administrative Hearings and Rules.

15 May I have appearances for the record,
16 please, and I'm going to start with the Company.

17 MR. CHRISTINIDIS: Thank you, your Honor.
18 Good morning. Jon Christinidis on behalf of DTE Electric
19 Company.

20 JUDGE STALEY: Good morning,
21 Mr. Christinidis. I'm going to move on to the Attorney
22 General.

23 MR. KING: Good morning, your Honor.
24 Joel King appearing on behalf of Attorney General Dana
25 Nessel.

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1 JUDGE STALEY: Thank you. Good morning,
2 Mr. King. Staff.

3 MR. TAYLOR: Good morning, your Honor.
4 Nicholas Taylor on behalf of the Michigan Public Service
5 Commission Staff. Daniel Sonneveldt, Amit Singh, and
6 Anna Stirling are also appearing on behalf Staff in this
7 matter.

8 JUDGE STALEY: Thank you. Good morning,
9 Mr. Taylor. And Great Lakes Renewable Energy
10 Association.

11 MR. KESKEY: Good morning, your Honor.
12 Don Keskey appearing on behalf of the Great Lakes
13 Renewable Energy Association.

14 JUDGE STALEY: Thank you. Good morning,
15 Mr. Keskey. I may refer to you as GLREA as we go along.

16 MR. KESKEY: That's fine.

17 JUDGE STALEY: The Association of
18 Businesses Advocating Tariff Equity.

19 MR. CAMPBELL: Good morning, your Honor.
20 Steve Campbell, Clark Hill, PLC, on behalf of the
21 Association of Businesses Advocating Tariff Equity.

22 JUDGE STALEY: Good morning,
23 Mr. Campbell. I may also be referring to your
24 association as ABATE as we go along.

25 ELPC, et al.

1 MR. ABRAMS: Good morning, your Honor.
2 Daniel Abrams appearing on behalf of the Ecology Center,
3 the Environmental Law & Policy Center, the Union of
4 Concerned Scientists, and Vote Solar, collectively the
5 Clean Energy Organizations or CEO. And I'd also like to
6 place an appearance on behalf of my colleague, Katie
7 Duckworth. Thank you.

8 JUDGE STALEY: Thank you very much. Good
9 morning, Mr. Abrams. And MEC, et al.

10 MS. CLARK: Good morning, your Honor.
11 Sean Clark appearing on behalf of the Michigan
12 Environmental Council, Natural Resources Defense Council,
13 Sierra Club, and the Citizens Utility Board. I'd also
14 like to enter appearances on behalf of Christopher Bzdok,
15 T.J. Andrews, and Holly Hillyer.

16 JUDGE STALEY: Great. Good morning,
17 Mr. Clark. Are you -- do you collectively call your
18 group by any particular acronym or name?

19 MS. CLARK: MNSC.

20 JUDGE STALEY: MNSC. Thank you very
21 much. All right. Oakland County and Michigan Cable
22 Telecommunications Association.

23 MR. GALLAGHER: Good morning, Judge
24 Staley. Sean Gallagher of the law firm of Fraser,
25 Trebilcock, Davis, Dunlap & Cavanaugh, PC, appearing on
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1 behalf of the Michigan Cable Telecommunications
2 Association. I'm also appearing on behalf of Oakland
3 County, Michigan, along with my colleagues Jared A.
4 Roberts and Geoffrey C. Bilabaye.

5 JUDGE STALEY: Good morning,
6 Mr. Gallagher. All right. Walmart.

7 MS. HORNE: Good morning, your Honor.
8 Melissa Horne on behalf of Walmart, Inc.

9 JUDGE STALEY: Good morning, Ms. Horne.
10 All right. PROTEC and Michigan-Maui.

11 MR. WATZA: Good morning, your Honor.
12 Michael Watza on behalf of PROTEC and Michigan-MAUI, as
13 well as my colleague, Nathan Inks.

14 JUDGE STALEY: Good morning. And just
15 for clarity, it's Michigan Municipal Association for
16 Utility Issues, which is Michigan-MAUI, and the Michigan
17 Coalition to Protect Public Rights of Way, which is
18 PROTEC, so I just wanted clarity for the record and,
19 again, I will be referring to you as PROTEC or Michigan-
20 MAUI as we go along. Thank you.

21 MR. WATZA: Correct.

22 JUDGE STALEY: City of Ann Arbor.

23 MS. JACKSON: Good morning, your Honor.
24 Valerie Jackson appearing on behalf of the City of Ann
25 Arbor.

1 JUDGE STALEY: Thank you. Good morning,
2 Ms. Jackson. And Soulardarity and We Want Green, Too.

3 MS. URBAN: Good morning, your Honor.
4 Amanda Urban on behalf of Soulardarity and We Want Green,
5 Too, which are collectively known as the Detroit Area
6 Advocacy Organizations, DAAO, D-A-A-O.

7 JUDGE STALEY: Thank you, Ms. Urban.
8 Kroger.

9 MR. KURTZ: Good morning, your Honor.
10 Mike Kurtz and Kurt Boehm for Kroger.

11 JUDGE STALEY: Good morning, Mr. Kurtz
12 and Mr. Boehm. And MEIBC, et al, that would be the
13 Michigan Energy Innovation Business Council, MEIBC; the
14 Institute for Energy Innovation, EIE; Advanced Energy
15 United; Energy Michigan; and Foundry Association of
16 Michigan.

17 MR. OOMS: Good morning, your Honor.
18 Justin Ooms of Varnum, LLP, on behalf of -- of that list,
19 only on behalf the Michigan Energy Innovation Business
20 Council, the Institute for Energy Innovation, and
21 Advanced Energy United, those three collectively referred
22 to as MEIU.

23 JUDGE STALEY: All right. Thank you.
24 And Ms. Skank.

25 MS. SKANK: Good morning, your Honor.

1 Haylee Skank on behalf of Energy Michigan and the Foundry
2 Association of Michigan.

3 JUDGE STALEY: Thank you. Good morning,
4 Ms. Skank. All right. And is it Gerdau MacSteel, Inc.,
5 Ms. Heston?

6 MS. HESTON: Good morning, your Honor.
7 Jennifer Heston of the Potomac Law Group appearing on
8 behalf of Gerdau MacSteel, Inc.

9 JUDGE STALEY: All right. Thank you.
10 Good morning, Ms. Heston.

11 All right. Did I miss anyone? (No
12 response.)

13 All right. Thank you. Good morning,
14 everyone.

15 Mr. Christinidis, would you please
16 address the Company's compliance with the notice
17 requirements set forth in the executive secretary's
18 letter dated April 29 of this year.

19 MR. CHRISTINIDIS: Certainly, your Honor.
20 The Company by May 12, 2026, mailed the notice of hearing
21 to all cities, incorporated villages, townships, and
22 counties in DTE Electric's electric service area, as well
23 as to intervenors in Case No. U-21860. In addition, the
24 Company by May 12, 2026, published the notice of hearing
25 in newspapers of general circulation in DTE Electric's

1 electric service area. And finally, I believe this was
2 accomplished yesterday, May 26, but the date the
3 executive secretary gave was today, May 27, 2026, the
4 Company has gone ahead and served each person that's
5 petitioned to intervene with a copy of its written direct
6 testimony and exhibits that were filed in this docket in
7 this proceeding. So with that, I believe notice and
8 publication have been accomplished according to the
9 executive secretary's direction.

10 JUDGE STALEY: Thank you,
11 Mr. Christinidis.

12 Does Staff have any objections or
13 concerns regarding the Company's compliance with the
14 notice requirements?

15 MR. TAYLOR: No, your Honor, based on
16 those representations, the Staff has no objection.

17 JUDGE STALEY: All right. Thank you. I
18 am going to move on to interventions. I see that we
19 received a notice of intervention from the Attorney
20 General, we received timely petitions to intervene from
21 all but one of the proposed intervenors and one untimely
22 petition to intervene by the Ecology Center,
23 Environmental Law & Policy group, the Union of Concerned
24 Scientists, and Vote Solar. Are there any objections at
25 this time to the intervention of all of the proposed

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1 intervenors in this case?

2 MR. CHRISTINIDIS: Not from the Company,
3 your Honor.

4 JUDGE STALEY: All right. Quickly, with
5 the untimely petition to intervene, can you, Mr. Abrams,
6 address -- I know that you made a one-line mention of it,
7 but you're usually supposed to include information
8 showing good cause for the delay. Would you like to
9 explain the reason for the delay in this matter?

10 MR. ABRAMS: Your Honor, we inadvertently
11 filed one day late. Typical petitions for intervention
12 under Rule 792.10410 are due within seven days, and I'll,
13 you know, I just assumed it was seven days, I should have
14 looked more closely at the scheduling memo. So my
15 mistake, and I apologize.

16 JUDGE STALEY: O.K. All right. Well, we
17 do, you know, we do put out the schedules early so that,
18 you know, so that people can respond to that on time with
19 the notice that's put out by the executive secretary.
20 But that's fine, I will consider that good cause.

21 Before I grant these interventions, I
22 want to acknowledge that, while DTE is not lodging any
23 objections, I just want to make note for the record that
24 the parties are required under 792.10410(2) to include in
25 their petitions to intervene, they're required to

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1 clearly, set out clearly and concisely the facts
2 supporting their request for intervention. I did read
3 through every single petition to intervene in this case.
4 Those are supposed to include, you know, the petitioner's
5 alleged right or interest to intervene, the grounds of
6 the proposed intervention, and the thing that is
7 bothering me the most is that the petitions to intervene
8 are supposed to include fully and -- information to fully
9 and completely advise the parties and the Commission of
10 the specific issues of facts or law to be raised or
11 controverted. I found a mixed bag of some people had
12 everything, some proposed intervenors had everything,
13 some had one of those items, some had others and were
14 incomplete.

15 I want to make note for the record that
16 the requirements for interventions to me are very real
17 requirements. It says to me that the proposed
18 intervenors are expected to have reviewed the Company's
19 case ahead of time in preparing and filing their petition
20 to intervene, that it's meant to tell the other parties
21 and me, in this case more importantly to me, what
22 specific issues of fact or law that the proposed
23 intervenor intends to raise in this case based on their
24 review of what the Company's filed. And it's also, in my
25 view, intended to allow the other parties and me to know

1 and evaluate the relevance and scope of that proposed
2 intervention. This is because my job is to decide
3 whether to grant, deny, or limit that participation, and
4 it is also my job to determine whether two or more
5 parties have substantially identical interests and
6 positions so that I can determine whether I should
7 require parties to coordinate or, you know, their
8 participation in these cases.

9 In my view, I don't think the Company's
10 objection or lack thereof is determinative of whether or
11 not I grant, deny, or limit participation; and so when I
12 was reviewing these petitions to intervene, and noting
13 that some of the requirements were not met by many of
14 these petitions to intervene, although some did fully
15 comply, and I'm not going to single out anyone today, I
16 did contemplate whether I should deny some of them for
17 being nonconforming, maybe give an option to refile in
18 compliance with so I would know the scope of your
19 intervention, or allow intervention but require some of
20 the proposed intervenors to submit to me a detailed
21 statement of the specific issues and laws that each would
22 be pursuing because, again, that's a requirement and,
23 again, that alerts me as to what I'm going to be looking
24 at for these interventions. For this case, I've actually
25 decided that I'm just going to use this as an opportunity

1 to remind the parties that this rule exists, that I find
2 it meaningful, and that I will be enforcing them in the
3 future, because I believe a lack of clarity in the
4 petitions to intervene creates an impediment to me doing
5 my job to ensure organized and meaningful, orderly,
6 effective proceedings.

7 And so for purposes of this matter, the
8 interventions for all of the parties who filed petitions
9 to intervene and the notice to intervene are all granted
10 today, but I do want the parties to note that for the
11 record in the future. I do read these petitions to
12 intervene, and I am very interested in knowing ahead of
13 time, because these cases are ten-month cases, they're on
14 a very short timeframe, I would like to be advised in
15 advance of the parties', what they intend to be seeking
16 in terms of, you know, relief, any issues of law or fact
17 that they wish to address. So those, all of the
18 petitions to intervene are granted, but I would like the
19 parties to note that for the record.

20 Additionally, Alexandria Miskho's motion
21 for pro hac vice participation is also granted. I will
22 issue a separate order on that matter so that she can
23 submit that to the State Bar. And as soon as I get in
24 the information from the State Bar of Michigan regarding
25 Mr. Boehm's pro hac vice motion, provided that that

1 complies with all of the requirements, I will address
2 that in an order at a later date.

3 All right. With that, it is my
4 understanding that the parties have reached a consensus
5 schedule, and I will place that on the record today. It
6 is my understanding that the parties have agreed that
7 Staff and intervenor testimony will be due on August 26
8 of 2026; rebuttal testimony will be due on September 16
9 of 2026; motions to strike will be due on September 21,
10 2026; responses to motions to strike will be due on
11 September 24, 2026. Cross-examination will be scheduled
12 to start on September 28 of 2026, with that date being
13 reserved for hearings on the motions to strike, if any,
14 and for any bind-ins of testimony that are agreed to by
15 the parties, and then cross will continue each day,
16 actual cross will continue starting on the 29th and
17 will end on October 2 of 2026. I want to note for the
18 record that there has been some agreement that if
19 adjustments need to be made for that date range of
20 September 28 through October 2, as we near those dates,
21 that will definitely be up for discussion because we're
22 trying to allow parties enough time, based on some
23 concerns with filing requirement's language and
24 scheduling, that the parties have sufficient time to
25 prepare for that cross-examination. Then initial briefs

1 will be due on October 26 of 2026; reply briefs will be
2 due on November 16 of 2026; my proposal for decision will
3 be due on December 21 of 2026; exceptions will be
4 January 11 of 2027; and replies to exceptions will be due
5 on January 21 of 2027. It's also my understanding that
6 the standard discovery turnaround using best efforts,
7 good faith and best efforts will be eight business days'
8 turnaround until Staff and intervenor testimony is due,
9 and then five business days', using good faith and best
10 efforts, turnaround thereafter.

11 Mr. Christinidis, is that an accurate
12 reflection of your understanding of the agreement of the
13 parties?

14 MR. CHRISTINIDIS: Yes, your Honor.

15 JUDGE STALEY: Does anyone else -- does
16 anyone object or have any comments to the schedule as I
17 have recited it today? (No response.)

18 All right. Hearing none. That schedule
19 is adopted for this case. And I would like the parties
20 to let me know as soon as possible prior to the
21 commencement of the first cross-examination date, which
22 is really right now being reserved for hearing on motions
23 to strike and bind-ins, just let me know as soon as you
24 can if there are going to be any concerns with the
25 cross-examination dates.

1 All right. Before we conclude this, I
2 wanted to do a couple of housekeeping issues. I am not
3 going to limit briefs in this case, but I do want to
4 clarify that reply briefs are to not be a recitation of
5 information in the initial briefs, I assure you that I
6 will read briefs, and I would like reply briefs be just
7 that, reply to anything that has not been addressed in
8 the initial brief. Sometimes I find that when I'm
9 reading those sorts of things, if I find that parties are
10 reciting what they've already said in their initial
11 briefs and I know it, I just, I don't complete reading it
12 because there's not enough time in these cases.

13 If there's been an issue that's been
14 ruled on the Commission in prior matters such that the
15 issue is settled and is not an on appeal, please do not
16 continue to submit that same argument in your briefs.

17 In recent times there have been parties
18 that address issues, but then do not request any relief
19 for that issue. If an issue is important to you and has
20 an evidentiary basis, you must ask for relief. If no
21 relief is requested, then no relief will be given.

22 Finally, if you are going to be
23 requesting relief, make sure that there's a legal basis
24 for it and that you have articulated that legal basis.

25 Additionally, in testimony, before
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1 getting into the substance of testimony, please have your
2 witnesses provide a very brief, even bullet-point summary
3 of the issues they intend to address in their testimony
4 and highlight of the relief being requested as well.

5 And any further instructions that I have
6 that are typical will be included in the scheduling memo,
7 which I will submit today, so please take a look at
8 those.

9 All right. Is there anything further for
10 the record today based on any substantive or housekeeping
11 matters?

12 All right. Hearing none.

13 This matter was scheduled for a half
14 hour, we are beyond that time. Normally I would take
15 Rule 413 statements of position today, however, we are
16 beyond the time for the scheduled time for this
17 prehearing conference. If anyone has appeared today who
18 wishes to make a comment, I would submit that you can
19 submit a comment at any time, and you are not limited to
20 one comment, and you can submit those to the e-docket at
21 any time, so you are not limited, and this running out of
22 time today does not limit you in providing those comments
23 to the docket, which are read by the Commission.

24 All right. Having heard that there's
25 nothing further from the parties on this matter, we are

1 adjourned for the day. Thank you very much.

2 MR. CHRISTINIDIS: Thank you, your Honor.

3 JUDGE STALEY: We're off the record.

4 (Collective "Thank you, your Honor.")

5 (At 9:39 a.m., the hearing was adjourned to
6 September 28, 29, 30, October 1, and October 2,
7 2026, for cross-examination.)

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C E R T I F I C A T E

I, Lori Anne Penn (CSR-1315), do hereby certify that I reported in stenotype via Microsoft Teams the proceedings had in the above-entitled matter, that being Case No. U-22046, before Theresa A.G. Staley, J.D., Administrative Law Judge with Michigan Office of Administrative Hearings and Rules, for the Michigan Public Service Commission, Lansing, Michigan, on Wednesday, May 27, 2026; and do further certify that the foregoing transcript, consisting of Volume 1, pages 1 through 21, constitutes a true and correct transcript of my stenotype notes.

Lori Anne Penn

Lori Anne Penn, CSR-1315
Penn Reporting, LLC
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Dated: May 29, 2026