

September 8, 2026

Ms. Lisa Felice
Executive Secretary
Michigan Public Service Commission
7109 West Saginaw Highway
Post Office Box 30221
Lansing, MI 48909

RE: MPSC Case No. U-21985 – In the matter of the application of Consumers Energy Company for approval of the sale of its River Hydroelectric Generating Fleet, related Power Purchase Agreement, and other relief.

Dear Ms. Felice:

Enclosed for electronic filing in the above-captioned case, please find **Notice of Further Limited Waiver of Statutory Deadline**. This is a paperless filing and only being filed in PDF on the MPSC e-docket.

Sincerely,

Bret A. Totoraitis
Phone: 517-788-0835
Email: bret.totoraitis@cmsenergy.com

cc: Parties per Attachment 1 to Proof of Service

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of)
CONSUMERS ENERGY COMPANY)
for approval of the sale of its River)
Hydroelectric Generating Fleet, related)
Power Purchase Agreement, and other)
relief.)
_____)

Case No. U-21985

NOTICE OF FURTHER LIMITED WAIVER OF STATUTORY DEADLINE

WHEREAS, during the prehearing in this proceeding, which took place on November 24, 2025, Consumers Energy Company (“Consumers Energy” or the “Company”) agreed to a limited waiver of its right to receive a final order in the above-captioned case within 180 days under MCL 460.6q. At that time, the Company agreed to a schedule that would allow a final order from the Michigan Public Service Commission (“MPSC” or the “Commission”) within approximately 300 days; and

WHEREAS, Consumers Energy believes there may be an opportunity for the parties to reach a constructive solution in this case that addresses the concerns raised during the course of the proceeding and wishes to engage the parties to discuss such a solution; and

WHEREAS, the Company’s existing limited waiver provides for a Commission final order in this proceeding on or about September 10, 2026;

PLEASE TAKE NOTE, that Consumers Energy further extends its limited waiver to allow an additional 60 days for the Commission to issue its final order under MCL 460.6q to November 9, 2026. The Company asks the Commission to refrain from issuing a final order on

September 10, 2026 to allow the parties an opportunity to resolve the issues in this case cooperatively.

Respectfully submitted,

CONSUMERS ENERGY COMPANY

Dated: September 8, 2026

By: 
Bret A. Totoraitis (P72654)
Evan B. Keimach (P83418)
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Jackson, Michigan 49201
Attorneys for Consumers Energy Company
(517) 788-0835

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of)
CONSUMERS ENERGY COMPANY)
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Case No. U-21985

PROOF OF SERVICE

STATE OF MICHIGAN)
) SS
COUNTY OF JACKSON)

Melissa K. Harris, being first duly sworn, deposes and says that she is employed in the Legal Department of Consumers Energy Company; that on September 8, 2026, she served an electronic copy of the **Notice of Further Limited Waiver of Statutory Deadline** upon the persons listed in Attachment 1 hereto, at the e-mail addresses listed therein.



Melissa K. Harris

Subscribed and sworn to before me this 8th day of September, 2026.



Crystal L. Chacon, Notary Public
State of Michigan, County of Eaton
My Commission Expires: 05/25/30
Acting in the County of Jackson

ATTACHMENT 1 TO CASE NO. U-21985

Party	Email Address
Administrative Law Judge	
Hon. James M. Varchetti	varchettij@michigan.gov
Counsel for Consumers Energy Company	
Bret A. Totoraitis, Esq. Evan B. Keimach, Esq.	Bret.Totoraitis@cmsenergy.com Evan.Keimach@cmsenergy.com mpsc.filings@cmsenergy.com
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* Receives Confidential Materials