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September 28, 2000

VIA ELECTRONIC FILING and U.S. MAIL

Ms. Dorothy Wideman
Executive Secretary
Michigan Public Service Commission
6545 Mercantile Way
Lansing, Michigan 48909-7721

Re: MPSC Case No. U-12489

Dear Ms. Wideman:

Enclosed are an original and four (4) copies of the Petition to Intervene of the Association of Businesses Advocating Tariff Equity with a proof of service on the parties of record in the above docket.

Very truly yours,

CLARK HILL P.L.C.


Robert A. W. Strong

RAWS/lat
Enclosure

cc: Parties of Record (w/Enclosure)

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the rates, terms and)
conditions for retail customers of THE)
DETROIT EDISON COMPANY to choose)
an alternative electric supplier.)
_____)

Case No. U-12489

**PETITION TO INTERVENE OF THE
ASSOCIATION OF BUSINESSES ADVOCATING TARIFF EQUITY**

The Association of Businesses Advocating Tariff Equity (“ABATE”), by its attorneys, Clark Hill P.L.C., hereby petitions the Michigan Public Service Commission (“Commission”) for leave to intervene in and become a party to the above-entitled proceedings, and in connection therewith, represents that the rights and interests of this Petitioner, the grounds of the proposed intervention and Petitioner’s position in the proceedings are as follows:

I

ABATE is a voluntary association of large industrial businesses which are located in and doing business in the State of Michigan. The purposes of ABATE are to appear before the Commission, the Federal Energy Regulatory Commission (“FERC”) and other regulatory bodies having jurisdiction over public utilities and natural gas pipelines, to advocate the adoption of utility and energy rates, terms and conditions of service and other tariffs or contracts governing utility and energy services which are just and reasonable, nondiscriminatory, nonpreferential, equitable and based on the cost of providing service to each class of utility customer. ABATE who supports open access on terms which are fair and where there is true competition. ABATE has been formed for the

express purpose of participating in regulatory proceedings to protect the interests of businesses in connection with energy and utility matters. Members of ABATE consume substantial quantities of electricity and natural gas and in Michigan alone their combined gas and electric bills exceed \$1.5 billion annually. As large gas and electric customers, ABATE members are vitally interested in achieving increased economic efficiencies for gas and electric utilities and new electricity sourcing options which allow ABATE members to more effectively compete in the worldwide economy.

II

The current members of ABATE are: ABTco, Inc, a Louisiana-Pacific Company; BASF Corporation; The Budd Company; Cargill; DaimlerChrysler Corporation; Eaton Corporation; Edward C. Levy Company; Elf Atochem North America, Inc.; Ervin Industries, Inc.; Escanaba Paper, A Mead Company; Ford Motor Company; General Motors Corporation; Martin Marietta Magnesia Specialties, Inc.; Masco Corporation; MascoTech, Inc.; National Steel Corporation - Great Lakes Division; Pharmacia &Upjohn Company; Quanax Corporation; Solutia, Inc. and Steelcase, Inc.

III

ABATE has frequently intervened in various The Detroit Edison Company (“Edison”) cases, including its last general rate, depreciation, PSCR plan and PSCR reconciliation cases. ABATE is an active participant in Edison’s open access related cases.

IV

ABATE submits that its members have a substantial interest in these proceedings because they can fundamentally affect what ABATE members pay for electric service rendered in the future.

V

ABATE respectfully submits that because its members could be substantially affected by the rates, terms and conditions contained in Edison's proposed Retail Access Service Tariff, it should be permitted to intervene in these proceedings and be given the opportunity to cross-examine witnesses, to present witnesses on its behalf, if necessary, and generally to advocate its position with respect to all issues presented as a full party to these proceedings.

VI

ABATE's position is that the Retail Access Service Tariff must contain terms and conditions of service which are just, reasonable and nondiscriminatory and, at the same time, promote competition. In addition, the tariff must be easily understood and not contain barriers to market entry.

VII

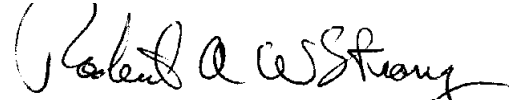
ABATE reserves the right to take new and different positions if, and when, this case proceeds to full hearings and following a review of the utility testimony filed in this case and responses to discovery.

WHEREFORE, ABATE requests that the Commission grant ABATE's Petition to Intervene in and be treated as a full party hereto. ABATE further requests that the parties mail copies of all pleadings and correspondence in these proceedings to the offices of its counsel listed below.

Respectfully submitted,

CLARK HILL PLC.

By:



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Dated: September 28, 2000

SERVICE LIST

MPSC Case No. U-12489

Administrative Law Judge

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