

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of <b>UNIVERSAL GAS AND</b>	)	
<b>ELECTRIC CORPORATION</b> 's request for a	)	
declaratory ruling regarding the need to provide a	)	Case No. U-15182
30-day unconditional contract cancellation period	)	
to customers that purchase more than 20,000 Ccf	)	
of natural gas annually.	)	

_____	)	
	)	
In the matter, on the Commission's own motion,	)	
to investigate the gas customer choice tariffs of	)	
Michigan Consolidated Gas Company, Consumers	)	Case No. U-15215
Energy Company, Michigan Gas Utilities	)	
Corporation, and SEMCO Energy Gas Company.	)	

At the February 14, 2007 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. J. Peter Lark, Chairman  
Hon. Laura Chappelle, Commissioner  
Hon. Monica Martinez, Commissioner

**ORDER**

On January 18, 2007, Universal Gas and Electric Corporation (Universal) filed a petition requesting that the Commission issue a declaratory ruling that Universal is neither required to provide a 30-day unconditional contract cancellation period to its commercial and industrial customers that purchase more than 20,000 Ccf<sup>1</sup> (Large Volume Customers) of natural gas annually nor required to include notice of such 30-day cancellation period within its Large Volume

\_\_\_\_\_ <sup>1</sup>1Ccf=100 cubic feet.

Customer contracts. Universal argued that the Commission has only required alternative gas suppliers (AGS) to provide an unconditional 30-day right of cancellation to residential and small commercial customers, but has not historically afforded that same right of cancellation to Large Volume Customers. According to Universal, Consumers Energy Company (Consumers) and Michigan Consolidated Gas Company (Mich Con) currently interpret their respective tariffs to require AGSs to include the 30-day unconditional right of cancellation in all customer contracts. Universal stated that an ambiguity exists in both tariffs as to whether Universal has to include notice of the 30-day cancellation provision in all of its customer contracts.

On January 19, 2007, Consumers and Mich Con filed notices of appearance.

The Commission finds that it is in the public interest to open an investigation into the gas customer choice tariffs of Mich Con, Consumers, SEMCO Energy Gas Company (SEMCO), and Michigan Gas Utilities Corporation (MGU) and to consolidate this investigatory docket, designated as Commission Case No. U-15215, with Universal's request for a declaratory ruling. Further, the Commission finds that it is in the public interest to invite all interested persons to file comments in the joint proceedings by March 14, 2007. Toward that end, the Executive Secretary should be directed to serve a copy of the declaratory ruling request on Consumers, Mich Con, SEMCO, MGU, and on all licensed AGSs in this state. The scope of these consolidated proceedings shall be limited to the issues raised by Universal's request for a declaratory ruling.

All documents filed in this case shall be submitted electronically through the Commission Electronic Case Filings Web site at: <https://efile.mpsc.cis.state.mi.us/cgi-bin/efile/login.pl>. Requirements and instructions for filing electronic documents can be found in the Electronic Case Filings Users Manual at: <http://efile.mpsc.cis.state.mi.us/efile/pdfs/usersmanual.pdf>. An application for account and letter of assurance, required of all first-time users, are located at:

<http://efile.mpsc.cis.state.mi.us/efile/pdfs/assurance.pdf>. If you require assistance prior to e-filing, contact Commission staff at 517-241-6170 or by e-mail at: [mpscfilecases@michigan.gov](mailto:mpscfilecases@michigan.gov).

The Commission FINDS that:

a. Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 *et seq.*; 1919 PA 419, as amended, MCL 460.51 *et seq.*; 1939 PA 3, as amended, MCL 460.1 *et seq.*; 1969 PA 306, as amended, MCL 24.201 *et seq.*; and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 *et seq.*

b. A docket should be opened, designated as Commission Case No. U-15215, to investigate the gas customer choice tariffs of Consumers, Mich Con, SEMCO, and MGU and that Universal's request for a declaratory ruling should be consolidated with Case No. U-15215.

c. Interested persons should be invited to file comments in the joint proceedings by March 14, 2007.

d. The Executive Secretary should serve a copy of the request for a declaratory ruling on Consumers, Mich Con, SEMCO, MGU, and on all other licensed AGSs in this state.

THEREFORE, IT IS ORDERED that:

A Commission Case Nos. U-15182 and U-15215 are consolidated.

B. Interested persons shall file comments in the joint proceedings by March 14, 2007.

C. The Executive Secretary shall serve a copy of Universal Gas and Electric Corporation's request for a declaratory ruling on Consumers Energy Company, Michigan Consolidated Gas Company, SEMCO Energy Gas Company, Michigan Gas Utilities Corporation, and on all licensed alternative gas suppliers in this state.

The Commission reserves jurisdiction and may issue further orders as necessary.

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ J. Peter Lark

Chairman

( S E A L )

/s/ Laura Chappelle

Commissioner

/s/ Monica Martinez

Commissioner

By its action of February 14, 2007.

/s/ Mary Jo Kunkle

Its Executive Secretary

The Commission reserves jurisdiction and may issue further orders as necessary.

MICHIGAN PUBLIC SERVICE COMMISSION

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Chairman

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Commissioner

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Commissioner

By its action of February 14, 2007.

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Its Executive Secretary

# P R O O F O F S E R V I C E

STATE OF MICHIGAN )

Case No. U-15215

County of Ingham )

April M. Arman being duly sworn, deposes and says that on February 14, 2007 A.D. she served a copy of the attached Commission orders via E-Mail, to the persons as shown on the attached service list.

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April M. Arman

Subscribed and sworn to before me  
this 14th day of February 2007

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Gloria Pearl Jones  
Notary Public, Eaton County, MI  
Acting in Ingham County, MI  
My Commission Expires June 5, 2007

SERVICE LIST FOR DOCKET # U – 15215 -  
DATE OF PREPARATION: 02/14/2007

CASE #

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MxEnergy Inc  
Constellation NewEnergy Inc.  
Dillon Energy Services Inc.  
Bay City Electric Light & Power  
Grand Haven Board of Light & Power  
Lansing Board of Water and Light  
Marquette Board of Light & Power  
CMS ERM Michigan LLC  
Metro Energy LLC  
Premier Energy Marketing LLC  
Quest Energy LLC/ WPS Energy Services  
Strategic Energy LLC  
City of Saint Louis  
American PowerNet Management, L.P.  
City of Marshall  
Nordic Marketing of Michigan.com  
Accent Energy Midwest  
Mary Jo Kunkle - MPSC  
SUEZ Energy Resources NA, Inc.  
Alpena Power  
Lowell Light and Power  
City of Eaton Rapids  
WPS Energy Service  
BlueStar Energy Services  
Direct Energy Services  
Lakeshore Energy Services  
Volunteer Energy Services  
Wyandotte Municipal Services  
Wyandotte Municipal Services  
First Energy Solutions  
Sempra Energy Solutions  
Mirant Energy Trading, LLC  
Coldwater Board of Public Utilities  
Hillsdale Board of Public Utilities  
Michigan Gas Utilities  
Holland Board of Public Works  
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\*  
\* Total number of users subscribed to the list:  
\* Total number of local host users on the list:  
\*

95  
0