

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter, on the Commission's own motion,)	
to implement the provisions of Section 93(12) of)	Case No. U-16199
2008 PA 295.)	
_____)	

At the March 2, 2010 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. Orjiakor N. Isiogu, Chairman
Hon. Monica Martinez, Commissioner
Hon. Greg R. White, Commissioner

ORDER AND NOTICE OF PUBLIC HEARING AND OPPORTUNITY TO COMMENT

On October 6, 2008, Governor Jennifer M. Granholm signed into law 2008 PA 295 (Act 295), known as the "Clean, Renewable, and Efficient Energy Act." Section 93(12) of Act 295, MCL 460.1093(12), provides:

By September 1, 2010, following a public hearing, the commission shall establish an approval process for energy optimization service companies. The approval process shall ensure that energy optimization service companies have the expertise, resources, and business practices to reliably provide energy optimization services that meet the requirements of this section. The commission may adopt by reference the past or current standards of a national or regional certification or licensing program for energy optimization service companies. However, the approval process shall also provide an opportunity for energy optimization service companies that are not recognized by such a program to be approved by posting a bond in an amount determined by the commission and meeting any other requirements adopted by the commission for the purposes of this subsection. The approval process for energy optimization service companies shall require adherence to a code of conduct governing the relationship between energy optimization service companies and electric providers.

Pursuant to the statutory mandate, the Commission finds that all interested parties should have an opportunity to comment on the approval process for energy optimization service companies.

All recommendations for the approval process should be consistent with the provisions of Act 295.

To provide the public with an opportunity to comment on the energy optimization service company approval process, the Commission has scheduled a public hearing, which will be held at 9:00 a.m. on April 13, 2010, in the Commission offices at 6545 Mercantile Way in Lansing. Any person may attend the public hearing and may offer comments on the approval process. The Commission encourages interested parties to become involved in the proceedings.

Any person may also submit written or electronic comments. The comments must be filed with the Commission and must be received no later than 5:00 p.m. on April 27, 2010. Written comments should be sent to: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, MI 48909. Electronic comments may be e-mailed to mpscdockets@michigan.gov. All comments should reference Case No. U-16199. All information submitted to the Commission in this matter will become public information available on the Commission's website and subject to disclosure.

THEREFORE, IT IS ORDERED that:

A. A public hearing regarding an approval process for energy optimization service providers shall be held at 9:00 a.m. on April 13, 2010, in the offices of the Commission, 6545 Mercantile Way, Lansing.

B. The public hearing will be legislative in nature and any person may present data, views, questions, and arguments regarding the issue. Statements may be limited in duration by the presiding officer in order to ensure that all interested parties have an opportunity to participate in

the proceedings. If necessary, the proceeding will continue on such dates as the presiding officer may schedule until all persons have had a reasonable opportunity to be heard.

C. Any person may file written comments, suggestions, data, views, questions, argument, and modifications concerning the issue. To be considered, all comments must be received at the Commission no later than 5:00 p.m. on April 27, 2010, and should reference Case No. U-16199.

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

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, under MCL 462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

Orjiakor N. Isiogu, Chairman

Monica Martinez, Commissioner

Greg R. White, Commissioner

By its action of March 2, 2010.

Mary Jo Kunkle, Executive Secretary

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

STATE OF MICHIGAN)

Case No. U-16199

County of Ingham)

Lisa Felice being duly sworn, deposes and says that on March 2, 2010 A.D. she served a copy of the attached **Commission Order (Commission's Own Motion) via e-mail transmission**, to the persons as shown on the attached service list (Listserv Distribution List).

Lisa Felice

Subscribed and sworn to before me
this 1st day of March 2010

Sharron A. Allen
Notary Public, Ingham County, MI
My Commission Expires August 16, 2011

Distribution List Name: EE Collaborative Email List

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