



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION

ORLENE HAWKS
DIRECTOR

TREMAINE PHILLIPS
COMMISSIONER

DAN SCRIPPS
CHAIR

KATHERINE PERETICK
COMMISSIONER

July 26, 2021
Case No. U-21098

Craig A. Miller
Craig A. Miller & Associates
4359 Saunders Rd.
Kalkaska, MI 49646

Dear Mr. Miller:

Brightmark Castor RNG LLC shall mail, by August 12, 2021, a copy of the enclosed notice of hearing to each landowner from whom it has not acquired the property rights for the proposed pipeline, and to all cities, incorporated villages, townships, and counties, which may be traversed by the proposed pipeline, and all federally recognized Tribes of Michigan with a land claim or reserved treaty rights within the route of the proposed pipeline. Proof of service shall be filed by the prehearing conference on August 26, 2021.

Brightmark Castor RNG LLC shall cause the enclosed notice of hearing to be published, by August 12, 2021, in a daily newspaper of general circulation in Ottawa County, Michigan and in the Michigan Oil and Gas News. Publishing requirements and a copy of the publishing format are enclosed. Affidavits of publication shall be filed by the prehearing conference on August 26, 2021.

Brightmark Castor RNG LLC shall, by August 26, 2021, serve upon each person who has petitioned to intervene a copy of the written direct testimony of its proposed witnesses and the proposed exhibits as filed with the Commission. Proofs of service shall be filed with the Commission by September 2, 2021.

Sincerely,

Lisa Felice
Executive Secretary

Enclosures

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION
NOTICE OF HEARING
FOR THE GAS CUSTOMERS OF
BRIGHTMARK CASTOR RNG LLC
CASE NO. U-21098**

- Brightmark Castor RNG LLC requests Michigan Public Service Commission's approval for a Certificate of Public Convenience and Necessity to Construct and Operate a Natural Gas Pipeline, the Castor RNG Pipeline, in Ottawa County, Michigan
- The information below describes how a person may participate in this case.
- You may write Brightmark Castor RNG LLC, 235 Pine St., Ste. 1100, San Francisco, CA 94104, for a free copy of its application. Any person may review the documents at the offices of Brightmark Castor RNG LLC.
- A pre-hearing will be held:

DATE/TIME: Thursday, August 26, 2021 at 9:00 AM

BEFORE: Administrative Law Judge Dennis Mack

LOCATION: Video/Teleconferencing

PARTICIPATION: Any interested person may participate. Persons needing any assistance to participate should contact the Commission's Executive Secretary at (517) 284-8090, or by email at mpscdockets@michigan.gov in advance of the hearing.

The Michigan Public Service Commission (Commission) will hold a pre-hearing to consider Brightmark Castor RNG LLC's (Brightmark) June 14, 2021 application requesting the Commission to: 1) issue to Brightmark a Certificate of Public Convenience and Necessity authorizing Brightmark to construct, install, own and operate the Castor RNG Pipeline that would consist of approximately 1.13 miles of new 3" nominal steel natural gas pipeline, as an Act 9 pipeline as proposed; 2) approve the route as depicted in the map as proposed subject to such changes in location as may be reasonable and necessary upon actual construction; 3) approve the general engineering specifications, design, construction and operation as proposed; 4) determine the proposed Castor RNG Pipeline will not have an adverse effect on the environment as proposed; and 5) find the pipeline, when constructed, tested and operated as proposed herein, will meet the Michigan Gas Safety Standards 24th edition.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at: mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by August 19, 2021. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Brightmark Castor RNG LLC's attorney, Craig A. Miller, 4359 Saunders Rd., Kalkaska, MI 49646.

The prehearing is scheduled to be held remotely by video conference or teleconference. Persons filing a petition to intervene will be advised of the process to participate in the hearing.

Any person wishing to participate without intervention under Mich Admin Code, R 792.10413 (Rule 413), or file a public comment, may do so by filing a written statement in this docket. The written statement may be mailed or emailed and should reference Case No. **U-21098**. Statements may be emailed to: mpscedockets@michigan.gov. Statements may be mailed to: Executive Secretary, Michigan Public Service Commission, 7109 West Saginaw Hwy., Lansing, MI 48917. All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

Requests for adjournment must be made pursuant to Michigan Office of Administrative Hearings and Rules R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

A copy of Brightmark Castor RNG LLC's application may be reviewed on the Commission's website at: michigan.gov/mpscedockets, and at the office of Brightmark Castor RNG LLC. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

Jurisdiction is pursuant to 1929 PA 9, as amended, MCL 483.101 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 165, as amended, MCL 483.151 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and Parts 1 & 4 of the Michigan Office of Administrative Hearings and Rules, Mich. Admin Code, R 792.10106 and R 792.10401 through R 792.10448.

R 792.10422 Adjournments.

Rule 422

(1) Unless the presiding officer allows otherwise, a request for adjournment shall be by motion or stipulation made orally at a hearing or in writing and shall be based on good cause.

(2) A motion or stipulation for adjournment shall state the party who is requesting the adjournment and the reason for the adjournment.

(3) An adjournment may be granted for good cause and shall be in writing or on the record.

(4) In granting an adjournment, the presiding officer, administrative law manager assigned by the hearing system to the commission, or commission may impose reasonable conditions.

R 792.10432 Motion practice.

Rule 432

(1) In a pending proceeding, a request to the commission or presiding officer for a ruling or order, other than a final order, shall be by motion. Unless made during a hearing, a motion shall be in compliance with all of the following provisions:

(a) Be in writing.

(b) State with particularity the grounds and authority on which the motion is based.

(c) State the relief or order sought.

(d) Be signed by the party or the party's attorney.

(2) Unless a different time is set by the commission or presiding officer or unless the motion is one that may be heard *ex parte*, a written motion, notice of the hearing on the motion, and any supporting brief or affidavits shall be served as follows:

(a) Not less than 9 days before the hearing, if served electronically or by mail.

(b) Not less than 7 days before the hearing, if served electronically or by delivery to the attorney or party under Michigan court rule 2.107(c)(1) or (2).

(3) Unless a different time is set by the commission or presiding officer, any response to a motion, including a brief or an affidavit, shall be served as follows:

(a) Not less than 5 days before the hearing, if served electronically or by mail.

(b) Not less than 3 days before the hearing, if served electronically or by delivery to the attorney or party under Michigan court rule 2.107(c)(1) or (2).

(4) Motions shall be noticed for hearing at the time designated by the commission or presiding officer.

(5) When a motion is based on facts not appearing on the record, the commission or presiding officer may hear the motion on affidavits presented by the parties or may direct that the motion be heard wholly or partly as oral testimony or deposition.

(6) The commission or presiding officer may limit oral arguments on motions and may require the parties to file briefs in support of, and in opposition to, a motion. The commission may dispense with oral argument on matters brought before the commission.

MICHIGAN PUBLIC SERVICE COMMISSION
RATE-REGULATED UTILITIES
PUBLISHING REQUIREMENTS FOR NOTICE

- Attached notice shall be published in at least 3 newspapers of general circulation in service area
- Published title of notice shall be printed in at least 12-point boldface type
- Body of notice shall be in 9-point type surrounded by a black border 1/8 inch from the body of the notice
- Company logo shall be displayed at the end of the published notice
- Affidavits of publication with annexed notice shall be filed by the date of the prehearing conference

STATE OF MICHIGAN
BEFORE THE
MICHIGAN PUBLIC
SERVICE COMMISSION
NOTICE OF HEARING
FOR THE CUSTOMERS
OF
(COMPANY)
CASE NO. U-

S
A
M
P
L
E

P
U
B
L
I
S
H
I
N
G

F
O
R
M

- (COMPANY) will implement a **(proposed action)** if the Michigan Public Service Commission (Commission) approves its request.
- The information below describes how a person may participate in this case.
- You may call or write **(Company, Address, Telephone Number)** for a free copy of its application. Any person may review the application at **(Company's)** offices.
- The first public hearing in this matter will be held:

DATE/TIME: Month, day, year (e.g. April 5, 2018), at Time (e.g. 9:00 a.m.)

BEFORE: Administrative Law Judge **(Name)**

LOCATION: Michigan Public Service Commission
7109 West Saginaw Highway
Lansing, Michigan 48917

PARTICIPATION: Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 284-8090 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission will hold a public hearing to consider (Company's) (Date) request for (brief summary of application).

Implementation method(s)/schedule(s).

Any person wishing to intervene and become a party to the case shall file a petition to intervene with this Commission by **(Date)**. The proof of service shall indicate service upon **(Company's) Attorney, (Name), (Address)**.

Any person wishing to make a statement of position without becoming a party to the case, may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his or her wish to make a statement of position. All information submitted to the Commission in this matter will become public information, available on the Michigan Public Service Commission's Web site, and subject to disclosure.

Requests for adjournment must be made pursuant to the Commission's Rules of Practice and Procedure R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

A copy of (Company's) request may also be reviewed on the Commission's web site: <https://mi-psc.force.com/s/> or at the office of the Commission's Executive Secretary, 7109 W. Saginaw Highway, Lansing, MI 48917 or at the office of (Company, Address). For more information on participating in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

The Commission has jurisdiction pursuant to **(cite appropriate jurisdiction)**.

(Company Logo)

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

U-21098

In the Matter of the Application of Brightmark)
Castor RNG LLC for a Certificate of Public)
Convenience and Necessity to Construct and Operate)
a Natural Gas Pipeline, the Castor RNG Pipeline, in)
Ottawa County, Michigan)

PROOF OF SERVICE

STATE OF MICHIGAN)
)
County of Eaton)

Angela Pearl Sanderson being duly sworn, deposes and says that on **July 26, 2021**, she served a copy of the attached **Notice of Hearing** by e-mail to those persons as shown on the below service list.

Angela P. Sanderson
Angela P. Sanderson

Subscribed and sworn to before me
this 26th day of July, 2021.

Lisa Felice
Notary Public, Eaton County, Michigan
My Commission Expires: April 15, 2028

Service List - Case No. U-21098

Name	Email Address
Craig A. Miller	craig.miller@yahoo.com
Dennis Mack	mackd2@michigan.gov
Michael J. Orris	orrism@michigan.gov

Attorney General

Michigan Attorney General –
Public Service Division
7109 West Saginaw Highway
Lansing MI 48917