
O L S O N , B Z D O K & H O W A R D



February 9, 2022

Ms. Lisa Felice
Michigan Public Service Commission
7109 W. Saginaw Hwy.
P. O. Box 30221
Lansing, MI 48909

Via E-Filing

RE: MPSC Case No. U-20836

Dear Ms. Felice:

The following is attached for paperless electronic filing:

Petition to Intervene of Natural Resources Defense Council;

Appearances of Christopher M. Bzdok and Tracy Jane Andrews on behalf of
Natural Resources Defense Council; and

Proof of Service.

Sincerely,

Christopher M. Bzdok
chris@envlaw.com

xc: Parties to Case No. U-20836

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of **DTE ELECTRIC COMPANY** for authority to increase its rates, amend its rate schedules and rules governing the distribution and supply of electric energy, and for miscellaneous accounting authority.

U-20836

**PETITION TO INTERVENE BY
THE NATURAL RESOURCES DEFENSE COUNCIL**

1. The Natural Resources Defense Council (“NRDC”), a national organization, seeks to intervene in this case under Rule 410 of the Commission’s Rules of Practices and Procedure, R 792.10410, to represent the interests of its members in reducing their electric bills and promoting their environmental well-being through cost-effective electricity that is generated and delivered through environmentally sound practices.

2. NRDC is a nonprofit corporation organized under the laws of the State of New York. NRDC is a national environmental organization with over 30 years of experience working on state energy policy, including utility regulation and energy efficiency. NRDC has over 12,300 members who live, use electricity, and pay electric bills in Michigan, and over 6,000 members who are within the service territory of DTE Electric Company (“DTE” or “the Company”).

3. NRDC’s members who are customers of DTE are directly affected by the rates, terms and conditions, and policies governing the provision of electricity by DTE to them. These organizations and their members have a strong interest in having their electricity needs met in a manner that is dependable, environmentally responsible, economically feasible, and provided at

costs that are relatively stable over the long term.

4. These members have the potential to be harmed if they were required to incur higher costs and encounter environmental harm caused by imprudent utility practices.

5. The Michigan Public Service Commission recognizes two types of intervention.

a. First, intervention by right, which requires that the party will suffer an injury-in-fact as a result of the outcome of the case, and that the party is within the zone of interest protected by the statute. See for example, *Association of Data Processing Service Organizations, Inc v Camp*, 397 US 150; 90 S Ct 827; 250 L Ed 184 (1970).

b. Second, permissive intervention, where the Commission has the discretion to permit a party to intervene in the case where that party can provide useful information to the Commission or a unique perspective on the issues in the case. *In re Application of The Detroit Edison Co for Authority to Increase its Rates*, Case Nos. U-15768 and U-15751, January 11, 2010, Order, p. 7 (“*In re Detroit Edison*”).

6. NRDC meets both tests.

7. NRDC’s members are within the zone of interests protected by MCL 460.1, *et seq.* These statutes generally protect ratepayers and provide opportunities for advocacy by ratepayer groups to protect their interests in Commission proceedings.

8. NRDC has organizational standing because its members meet the zone of interests test. *In re Detroit Edison*, p. 8.

9. NRDC also meets the test for permissive intervention, because NRDC will provide useful information to the Commission and a unique perspective on the issues.

10. NRDC will bring significant expertise to bear in these proceedings. Its staff and witnesses have extensive knowledge and experience in the areas of environmental, energy, and

ratepayer advocacy. In addition, NRDC has intervened and participated in numerous cases before the Commission to advocate for these issues, both individually and in coalition with other environmental organizations.

11. NRDC has intervened in many Commission electric cases in Michigan, including but not limited to the following cases:

- U-15805 DTE Energy EO and RE plans
- U-15806 Detroit Edison EO and RE plans
- U-15806-EO Detroit Edison EO plan amendment
- U-16412 DTE Energy EO plan amendment
- U-16472 Detroit Edison general rate case
- U-16670 DTE Energy EO biennial plan review
- U-16671 Detroit Edison EO biennial plan review
- U-16794 DTE Energy general rate case
- U-17049 Detroit Edison EO plan amendment
- U-17087 DTE Energy general rate case
- U-17138 DTE Energy EO plan amendment
- U-17352 DTE Electric Company EO biennial plan review
- U-17429 DTE Energy certificate of necessity for Thetford plant
- U-17601 DTE Energy 2013 EO reconciliation
- U-17602 DTE Electric Company 2013 EO reconciliation
- U-17735 Consumers Energy general rate case
- U-17767 DTE Electric Company general rate case
- U-17990 Consumers Energy general rate case
- U-18014 DTE Electric Company general rate case
- U-18255 DTE Electric Company general rate case
- U-20134 Consumers Energy General Rate Case
- U-20162 DTE Electric Company General Rate Case
- U-20561 DTE Electric Company General Rate Case
- U-20697 Consumers Energy General Rate Case
- U-20963 Consumers Energy General Rate Case

12. NRDC has also worked for years to advance policies through the legislative process that would benefit the public and the environment in these areas.

13. NRDC plans to evaluate DTE's application, testimony, and exhibits, and to conduct discovery, and then to raise those issues and take those positions that best serve the interests described above. NRDC reserves the right to advance other issues as the case develops.

14. This petition to intervene is timely and within the period for intervention set in the notice of prehearing.

15. No other party adequately represents the interests of NRDC and its members.

16. NRDC requests that all notices and pleadings be served on:

Christopher M. Bzdok
chris@envlaw.com

Tracy Jane (TJ) Andrews
tjandrews@envlaw.com

Olson, Bzdok & Howard, P.C.
420 E. Front St.
Traverse City, MI 49686

and on:

Breanna Thomas, Legal Assistant
breanna@envlaw.com

Kimberly Flynn, Legal Assistant
kimberly@envlaw.com

Karla Gerds, Legal Assistant
karla@envlaw.com

Jill Smigielski, Legal Assistant
jill@envlaw.com

For the reasons outlined above, NRDC respectfully requests that the Commission grant this petition to intervene and treat it as a party to this proceeding.

OLSON, BZDOK & HOWARD, P.C.
Counsel for NRDC

Date: February 9, 2022

By: _____

Christopher M. Bzdok (P53094)
Tracy Jane Andrews (P67467)
420 E. Front St.
Traverse City, MI 49686
Phone: 231-946-0044

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION

ENTRY OF APPEARANCE IN AN ADMINISTRATIVE HEARING

This form is issued as provided for by 1939 PA 3, as amended, and by 1933 PA 254, as amended. The filing of this form, or an acceptable alternative, is necessary to ensure subsequent service of any hearing notices, Commission orders, and related hearing documents.

General Instructions:

Type or print legibly in ink. For assistance or clarification, please contact the Public Service Commission at (517) 284-8090.

*Please Note: The Commission will provide **electronic** service of documents to all parties in this proceeding.*

THIS APPEARANCE TO BE ENTERED IN ASSOCIATION WITH THE ADMINISTRATIVE HEARING:

Case / Company Name: _____ Docket No. _____

Please enter my appearance in the above-entitled matter on behalf of:

1. (Name)
2. (Name)
3. (Name)
4. (Name)
5. (Name)
6. (Name)
7. (Name)

Name _____

Address _____

City _____ State _____

Zip _____ Phone (____) _____

Email _____

Date _____

<input type="checkbox"/> I am not an attorney
<input type="checkbox"/> I am an attorney whose:
Michigan Bar # is P- _____
_____ Bar # is: _____
(state)

Signature: _____

Save Form

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION

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THIS APPEARANCE TO BE ENTERED IN ASSOCIATION WITH THE ADMINISTRATIVE HEARING:

Case / Company Name: DTE Electric Company Docket No. U-20836

Please enter my appearance in the above-entitled matter on behalf of:

1. (Name) Natural Resources Defense Council (NRDC)
2. (Name)
3. (Name)
4. (Name)
5. (Name)
6. (Name)
7. (Name)

Name Tracy Jane Andrews
Address 420 E. Front Street

City Traverse City State MI
Zip 49686 Phone (231) 946-0044
Email tjandrews@envlaw.com
Date 02/09/2022

<input type="checkbox"/> I am not an attorney
<input checked="" type="checkbox"/> I am an attorney whose:
Michigan Bar # is P- <u>67467</u>
_____ Bar # is: _____
(state)

Signature:  _____

Digitally signed by Tracy Jane Andrews
DN: cn=Tracy Jane Andrews,
email=tjandrews@envlaw.com, c=US
Date: 2022.02.09 14:35:40 -05'00'

Save Form

EAHR1 - 09/29/2016

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of **DTE ELECTRIC COMPANY** for authority to increase its rates, amend its rate schedules and rules governing the distribution and supply of electric energy, and for miscellaneous accounting authority.

U-20836

PROOF OF SERVICE

On the date below, an electronic copy of **Petition to Intervene of Natural Resources Defense Council and the Appearances of Christopher M. Bzdok and Tracy Jane Andrews on behalf of Natural Resources Defense Council** was served on the following:

Name/Party	E-mail Address
Administrative Law Judge Hon. Sharon Feldman	feldmans@michigan.gov
DTE Electric Company Jon P. Christinidis Andrea E. Hayden Paula Johnson-Bacon	mpscfilings@dteenergy.com jon.christindis@dteenergy.com andrea.hayden@dteenergy.com paula.bacon@dtenergy.com
Michigan Attorney General Joel King	ag-enra-spec-lit@michigan.gov kingj38@michigan.gov
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Michigan Cable Telecommunications Association Michael S. Ashton	mashton@fraserlawfirm.com
Environmental Law & Policy Center, Ecology Center, and Vote Solar Margrethe M. Kearney Heather Vogel Alondra Estrada	MPSCDocket@elpc.org mkearney@elpc.org hvogel@elpc.org aestrada@elpc.org
The Kroger Company Kurt J. Boehm Jody Kyler Cohn Justin Bieber	kboehm@BKLawfirm.com jkylercohn@BKLawfirm.com jbieber@energystrat.com

ChargePoint, Bloom Energy, Michigan Energy Innovation Business Council and The Institute for Energy Innovation, and Energy Michigan, Inc. Timothy J. Lundgren Laura A. Chappelle Justin Ooms	tlundgren@potomaclaw.com lchappelle@potomaclaw.com jooms@potomaclaw.com
Gerdau Macsteel, Inc. Jennifer U. Heston	jheston@fraserlawfirm.com
Michigan Municipal Association for Utility Issues and City of Ann Arbor Valerie J.M. Brader	ecf@rivenoaklaw.com valerie@rivenoaklaw.com

The statements above are true to the best of my knowledge, information and belief.

OLSON, BZDOK & HOWARD, P.C.
 Counsel for NRDC

Date: February 9, 2022

By: _____

Breanna Thomas, Legal Assistant
 Kimberly Flynn, Legal Assistant
 Karla Gerds, Legal Assistant
 Jill Smigielski, Legal Assistant
 420 E. Front St.
 Traverse City, MI 49686
 Phone: 231/946-0044
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