

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.

Case No. **U-20836**

**PETITION TO INTERVENE OF THE
GREAT LAKES RENEWABLE ENERGY ASSOCIATION**

The Great Lakes Renewable Energy Association (“GLREA”), by and through its counsel, Public Law Resource Center PLLC, hereby petitions to intervene in the above-captioned proceeding pursuant to Rule 410 of the Michigan Administrative Hearing System’s Administrative Hearing Rules, 2015 AC, R792.10401 *et seq*, and the Michigan Public Service Commission’s (“MPSC” or “Commission”) Notice of Hearing. In support of this petition, GLREA states:

1. GLREA is a nonprofit organization established in 1991. GLREA’s membership includes numerous individuals who are residential customers of DTE Electric Company (“DTE”) and have a direct interest in promoting just and reasonable rates and cost minimization through the use of more efficient and diverse energy sources. GLREA, and its members, are directly affected by and interested in the rates, terms and conditions, and policies governing the provision of electric energy by DTE to its members and the general public. GLREA and its

members also have a vital interest in ensuring that electricity is provided in an efficient manner with minimization of waste to Michigan's economic and environmental resources.

2. In addition to numerous individual member customers of DTE, GLREA also includes small companies which directly assist DTE customers in installing and maintaining solar facilities and in reducing their energy costs from the utility. GLREA thus has a unique perspective given its "hands on" grass roots membership that actually installs renewable energy resources for utility customers.

3. GLREA has among its missions and objectives the promotion and expansion of cost-effective renewable energy resources to the public, including to its member customers served by DTE Electric. In this role, GLREA seeks to advance the many economic and environment benefits to be derived from renewable energy resources, including the diversification of the state's energy resources.

4. GLREA meets the statutory and agency rule criteria for being granted intervention in this proceeding. Section 6a(1), MCL 460.6a(1), states in relevant part:

Sec. 6a. (1) A gas utility, electric utility, or steam utility shall not increase its rates and charges or alter, change, or amend any rate or rate schedules, the effect of which will be to increase the cost of services to its customers, without first receiving commission approval as provided in this section.... The commission shall require notice to be given to all interested parties within the service area to be affected, and all interested parties shall have a reasonable opportunity for a full and complete hearing....

Rule 402(e), (f), and (g), R 792.10402(e), (f), and (g) of the MPSC's Rules of Practice and Procedure Before the Commission, state in relevant part:

(e) "Intervenor" means one permitted to intervene in a proceeding pursuant to these rules.

(f) "Party" means a person by or against whom a proceeding is commenced or a person who is permitted to intervene, a person who protests an application for motor carrier authority, or the staff of the commission in any

proceeding in which the staff participates. Parties to a proceeding shall designate themselves as applicants, complainants, intervenors, respondents, protestants, or staff according to the nature of the proceeding and the relationship of the parties.

(g) "Person" means any of the following entities:

(i) A natural person.

(ii) Corporation....

(v) Body politic....

(vii) Association....

The Commission's Notice of Hearing in this case also states in part:

"Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by February 11, 2022."

GLREA is a non-profit corporation, body politic, and an association representing its members ("persons") who are electric customers of DTE Electric Company and/or small companies assisting the installation of solar facilities. The Commission has traditionally recognized that customers, or an association representing a customer or customers, have standing to intervene in utility rate proceedings, and as such, constitute "interested persons" or "a party" who are affected by the utility's application.

5. GLREA meets the two-prong test commonly utilized by the Commission to determine standing as set forth in *Association of Data Processing Service Organizations, Inc. v Camp*, 397 US 150; 90 S Ct 827; 250 L Ed 184 (1970) involving a showing that (1) the petitioner would likely suffer injury in fact (i.e., its interests are impacted or affected) and (2) the petitioner's affected interests are within the zone of interest to be protected or regulated by the statute involved (i.e. the ratemaking and energy planning statute applicable herein). GLREA as an organization, and its member customers who it represents, meet these standing tests because both GLREA and its member customers of DTE have a direct interest in the costs, rates, terms

and conditions applicable to electric service provided by DTE, which are impacted or affected by these proceedings. These interests are within the zone of interest to be addressed and protected by these Commission proceedings.

6. GLREA has been granted intervention by the presiding Administrative Law Judge (ALJ) in several PSCR Plan and forecast cases involving both CECo and DTE Electric. The ALJ, and the MPSC in its March 6, 2014, order in CECo Case No. U-17317, ruled that GLREA's intervention should be granted in that case "by right." This precedent supports GLREA's intervention in this case involving DTE.

7. GLREA was also granted intervention and fully participated in DTE's recent electric rate cases, U-20162 and U-20561, and in DTE's 2015 Renewable Energy Plan Cases U-17793 U-18111, and in U-18232, and in DTE's PURPA Case, U-18091. GLREA was also a full participating intervenor in DTE Electric's Integrated Resource Plan Case, U-20471, and in DTE Case U-20713..

8. GLREA also asserts that it meets the tests for being granted permissive intervention, as it is in a unique position to provide useful information to the Commission concerning the issues to be addressed in this proceeding.

9. GLREA also asserts that GLREA and its members are not adequately represented by any other party and that the grant of this petition to intervene is in the public interest.

10. GLREA seeks to participate in all legal and factual issues relating to DTE's Application filed in this case. The specific issues and evidence to be presented by GLREA must necessarily be further developed based upon a through review of DTE's evidentiary filing by counsel and expert consultants retained on GLREA's behalf. However, preliminarily, GLREA seeks to examine the reasonableness of DTE's proposals based upon the scope and purposes of

2008 PA 295, and Michigan's energy acts effective in April 2017, among other ratemaking statutes applicable to the Commission.

WHEREFORE, GLREA respectfully requests that the Administrative Law Judge and Commission grant GLREA's Petition to Intervene as a full party in these Commission proceedings.

Respectfully submitted,

Don L. Keskey

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Dated: February 10, 2022

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ELECTRONIC SERVICE LIST

On February 10, 2022 an electronic copy of the **Petition to Intervene of the Great Lakes Renewable Energy Association** was served on the following via e-mail upon:

Name/Party	E-mail Address
Administrative Law Judge Sharon L. Feldman	feldmans@michigan.gov
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Michigan Municipal Association for Utility Issues Valerie J. M. Brader	valerie@rivenoaklaw.com
Soulidarity, We Want Green Too Andrew Bashi	Andrew.bashi@glelc.org

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

PUBLIC LAW RESOURCE CENTER PLLC

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Dated: February 10, 2022