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2010

EXECUTIVE SECRETARY

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

NOTICE OF HEARING AND OPPORTUNITY TO COMMENT AND PARTICIPATE  
IN A CONTESTED CASE REGARDING THE APPLICATION OF INTERNATIONAL  
TRANSMISSION COMPANY, D/B/A/ITC *TRANSMISSION*  
CASE NO. U-16200

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Notice regarding lack of subject matter and personal jurisdiction

Now comes Gerald Mark, **Kotranza** and speaking for himself and his wife Dorothy, hereinafter Respondent, in a special appearance and not a general appearance to make this notice of lack of subject matter and personal jurisdiction of the entity STATE OF MICHIGAN PUBLIC SERVICE COMMISSION also known as Michigan Public Service Commission as the above matter may pertain to certain rights in immovable property, as land, situated, and commonly known as 9483 Lambs, Wales, Michigan, in the United States and owned by Gerald and Dorothy Kotranza are in issue. The doctrine of Idem sonans is without standing and will not be tolerated in regards this issue.

Respondent has attempted to get information concerning whether or not ITC Transmission attempts to extend its right of way East onto Respondents property and Respondent has not been able to discover those facts.

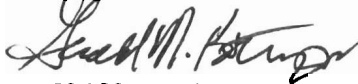
Therefore:

1. Respondent has read the document of STATE OF MICHIGAN BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION NOTICE OF HEARING including the jurisdictional statement on page 3. Exhibit A.
2. Respondent finds no mention in the statutes/Acts mentioned on noted page 3 as authority, in the exact spelling, case usage and word orientation for the entities: MICHIGAN, Mich., MICH., Mi. MICHIGAN PUBLIC SERVICE COMMISSION, Michigan Public Service Commission. Note: A copy of all the jurisdictional documents cited as authority are attached, check it out for yourself. Exhibit B.

3. Respondent asserts the documents **establishing/creating** the Michigan public service commission and the **incorporated** State of Michigan exist, **establishing/creating** and incorporating, in the exact spelling, case usage and word orientation as the entities: Michigan public service commission, State of Michigan, respectively. See exhibits B, C. . Further;
4. Respondent asserts that the People of the incorporated State of Michigan, through Public Act 3 of 1939 § 1 as amended, have granted to the Michigan public service commission certain powers as described in noted sections and have granted no powers to the entities MICHIGAN PUBLIC SERVICE COMMISSION a.k.a. Michigan Public Service **Commission**. idem sonans without standing. See exhibit B. Further;
5. Complainant respectfully demands the Commission remove Complainants land description, including any reference thereof, from any expedited or by any other description certificate and application thereof.

Respectfully

Gerald Mark Kotranza



[9483 Lambs]

Wales, Michigan



**STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

**NOTICE OF HEARING  
AND  
OPPORTUNITY TO COMMENT AND PARTICIPATE IN A CONTESTED CASE  
REGARDING THE APPLICATION OF  
INTERNATIONAL TRANSMISSION COMPANY, D/B/A ITCTransmission**

**NOTICE OF INTENT TO CONSTRUCT A TRANSMISSION LINE  
TO SERVE A WIND ENERGY RESOURCE ZONE  
PURSUANT TO 2008 PA 295  
("THE CLEAN, RENEWABLE AND EFFICIENT ENERGY ACT")  
CASE NO. U-16200**

- International Transmission Company, d/b/a ITCTransmission will construct an overhead transmission line running from the south west side of Michigan's Thumb region in Tuscola County to the north-central area of the Thumb in Huron County, then running south through Sanilac County, and ending in St. Clair County, if the Michigan Public Service Commission grants ITCTransmission an expedited siting certificate for the transmission line. The proposed transmission line will run through the following townships: Tuscola, Denmark, Gilford, Fairgrove, Akron, Columbia, Sebawaing, Brookfield, Winsor, Oliver, Colfax, Verona, Sigel, Paris, Minden, Wheatland, Custer, Sandusky, Watertown, Washington, Buel, Fremont, Greenwood, Kenockee, Wales, and Columbus. The proposed transmission line will also run through a portion of the City of Sandusky. An alternate route is included in the application and may be reviewed on the Michigan Public Service Commission's website at: [michigan.gov/mpscedockets](http://michigan.gov/mpscedockets).
- You may call or write ITCTransmission, 27175 Energy Way, Novi, Michigan 48377, (248) 946-3000 for a free copy of the application. Any person may review the application at the offices of ITCTransmission.
- The first public hearing in this matter will be held:

**DATE/TIME:** September 20, 2010, at 9:00 a.m.  
This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

**BEFORE:** Administrative Law Judge Daniel E. Nickerson, Jr.

**LOCATION:** Michigan Public Service Commission  
6545 Mercantile Way, Suite 7  
Lansing, Michigan



**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) 241-6160 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider the August 30, 2010 application of International Transmission Company, d/b/a *ITCTransmission*, for an expedited siting certificate to construct a transmission line in order to facilitate the transmission of electricity generated by wind energy conversion systems located in the primary wind energy resource zone No. 4, as designated by the Michigan Public Service Commission in its January 27, 2010 Order in Case No. U-15899. *ITCTransmission* proposes to construct the transmission line from the south west side of Michigan's Thumb region in Tuscola County to the north-central area of the Thumb in Huron County, then running south through Sanilac County and ending in St. Clair County. The proposed transmission line will run through the following townships: Tuscola, Denmark, Gilford, Fairgrove, Akron, Columbia, Sebewaing, Brookfield, Winsor, Oliver, Colfax, Verona, Sigel, Paris, Minden, Wheatland, Custer, Sandusky, Watertown, Washington, Buel, Fremont, Greenwood, Kenockee, Wales, and Columbus. The proposed transmission line will also run through a portion of the City of Sandusky. An alternate transmission line has been included in the application, which may be viewed on the Commission's website at: [michigan.gov/mpscdockets](http://michigan.gov/mpscdockets).

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: [michigan.gov/mpscdockets](http://michigan.gov/mpscdockets). 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: [mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov). If you require assistance prior to e-filing, contact Commission staff at (517) 241-6180 or by email at: [mpscdockets@michigan.gov](mailto:mpscdockets@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 September 13, 2010. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon *ITCTransmission's* attorney, Shaun M. Johnson, at Dykema Gossett PLLC, Capiioi View, 201 Townsend Street, Suite 900, Lansing, Michigan 48933.

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 website, and subject to disclosure.

Requests for adjournment must be made pursuant to the Commission's Rules of Practice and Procedure R 460.17315 and R 460.17335. Requests for further information on adjournment should be directed to (517) 241-6060.

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A copy of *ITCTransmission's* application may be reviewed on the Commission's website at: [michigan.gov/mpscedockets](http://michigan.gov/mpscedockets), and at the office of International Transmission Company, 27175 Energy Way, Novi, Michigan. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 241-6180.

Jurisdiction is pursuant to 1909 **PA** 106, as amended, MCL 460.551 et seq.; 1919 **PA** 419, as amended, MCL 460.54 et seq.; 1939 **PA** 3, as amended, MCL 460.1 et seq.; 1969 **PA** 306, as amended, MCL 24.201 et seq.; 2008 **PA** 295, MCL 460.1001 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 et seq.

August 31, 2010



## TRANSMISSION OF ELECTRICITY

### Act 106 of 1909

AN ACT to regulate the transmission of electricity through the public highways, streets and places of this state, where the source of supply and place of use are in the same or different counties; to regulate the charges to be made for electricity so transmitted; to regulate the rules and conditions of service under which said electricity shall be furnished and to confer upon the Michigan public utilities commission certain powers and duties in regard thereto.

History: 1909, Act 106, Eff. Sept. 1, 1909;—Am. 1921, Act 274, Eff. Aug. 18, 1921.

*The People of the State of Michigan enact:*

#### **460.551 Transmission of electricity in or between counties; control.**

Sec. 1. When electricity is generated or developed by steam, water or other power, within 1 county of this state, and transmitted and delivered to the consumer in the same or some other county, then the transmission and distribution of the same in or on the public highways, streets and places, the rate of charge to be made to the consumer for the electricity so transmitted and distributed and the rules and conditions of service under which said electricity shall be transmitted and distributed shall be subject to regulation as in this act provided.

History: 1909, Act 106, Eff. Sept. 1, 1909;—CL 1915, 4842;—Am. 1921, Act 274, Eff. Aug. 18, 1921;—CL 1929, 11093;—CL 1948, 460.551.

Administrative rules: R 460.501 et seq.; R 460.581 et seq.; and R 460.2101 et seq. of the Michigan Administrative Code.

#### **460.552 Transmission of electricity; rate regulation by commission.**

Sec. 2. The Michigan public utilities commission, hereinafter referred to as "the commission" shall have control and supervision of the business of transmitting and supplying electricity as mentioned in the first section of this act and no public utility supplying electricity shall put into force any rate or charge for the same without first petitioning said commission for authority to initiate or put into force such rate or charge and securing the affirmative action of the commission approving said rate or charge.

History: 1909, Act 106, Eff. Sept. 1, 1909;—CL 1915, 4843;—Am. 1921, Act 274, Eff. Aug. 18, 1921;—CL 1929, 11094;—CL 1948, 460.552.

Compiler's note: The public utilities commission, referred to in this section, ~~was~~ abolished and its powers and duties transferred to the public service commission by MCL 460.4.

#### **460.553 Transmission of electricity; user of streets, regulation.**

Sec. 3. Any person, firm or corporation engaged or organized to engage in any such business of transmitting and supplying electricity in 1 or more counties of this state shall, with the consent of the duly constituted city, village and township authorities of the cities, villages and townships in or through which it operates or may hereafter propose to operate, have the right to use the highways, streets, alleys and other public places of such cities, villages and townships: Provided, That in all cases each transmission line used shall have insulation and conductivity in accordance with its voltage. In case it has or procures a franchise from any city, village or township or a right to do business therein, it may transact a local business therein. Nothing herein contained shall be construed to impair any right possessed by any village or township to the reasonable control of its streets, alleys and public places in all matters of mere local concern.

History: 1909, Act 106, Eff. Sept. 1, 1909;—CL 1915, 4844;—Am. 1921, Act 274, Eff. Aug. 18, 1921;—CL 1929, 11095;—CL 1948, 460.553.

#### **460.554 Data and information; specifications of construction; filing; height of lines; stenciling of poles; act subject to electric transmission line certification act.**

Sec. 4. (1) If required by the commission, an electric utility erecting lines to transmit electricity in or through the highways, streets, or public places of 1 or more counties of this state shall prepare and file with the commission data and information concerning the method and manner of the construction of those lines, the franchise or consent under which those lines were constructed or are being maintained, and other information the commission reasonably requires. The commission may require the filing of detailed specifications covering the type of construction of transmission lines. The specifications shall show the details of construction of lines of various voltages. If the commission approves the specifications, all lines built by the electric utility shall be constructed according to the specifications. Transmission lines at all highway crossings shall be not less than 22 feet high and at railroad crossings shall be in accordance with the commission's rules made under authority of law. The commission may require all poles used in transmitting

electricity to be stenciled or otherwise marked with the owner's name.

(2) This act is subject to the electric transmission line certification act.

**History:** 1909, Act 106, Eff. Sept. 1, 1909;—CL 1915, 4845;—Am. 1921, Act 274, Eff. Aug. 18, 1921;—Am. 1923, Act 93, Eff. Aug. 30, 1923;—CL 1929, 11096;—CL 1948,460.554;—Am. 1995, Act 33, Imd. Eff. May 17, 1995.

#### **460.555 Public utility commission; inspection; order for improvements.**

**Sec. 5.** The commission shall have power to inspect and examine all such electrical apparatus already installed in any public highways, streets or places and all such apparatus hereafter installed, and to investigate from time to time the method employed by persons, firms or corporations transmitting and supplying electricity, and shall have power to order such improvements in such method as shall be necessary to secure good service and the safety of the public and of those employed in the business of transmitting and distributing such electricity. and of any persons liable to be injured by the erection, maintenance and use of such apparatus.

**History:** 1909, Act 106, Eff. Sept. 1, 1909;—CL 1915, 4846;—Am. 1921, Act 274, Eff. Aug. 18, 1921;—CL 1929, 11097;—CL 1948, 460.555.

#### **460.556 Public utility commission; discretionary powers; annual report of utilities; audit, expense.**

**Sec. 6.** The commission shall have power in its discretion to order electric current for distribution to be delivered at a suitable primary voltage, to any city, village or township through which a transmission line or lines may pass; to order service to be rendered by any such electric utility in any case in which it will be reasonable for such service to be ordered; prescribe uniform methods of keeping accounts to be observed by all persons, firms or corporations engaged in such business of transmitting and supplying electricity, and to keep informed as to the methods employed by all electric utilities in the transaction of their business; and to see that their property is maintained and operated for the security and accommodation of the public and in compliance with the provisions of law. It shall have power to require of such persons, firms or corporations annually a verified report upon such form and giving such information as will enable the commission to better discharge the duties imposed upon it hereby; and shall also have power to require from all electric utilities in the state such information as the commission may need at any time in connection with the performance of the duties imposed upon it by this act. Said commission shall also have power, in connection with any rate or service hearing or investigation, to make such audit and analysis of the books and records of the utility, and such inventory and appraisal of its property as may be necessary in connection with the duties imposed upon the commission by this act; and in any such case the commission shall keep a record of all expenses incurred by it in connection with its investigation of the affairs and property of the said utility and during the progress or at the conclusion of its work, shall state the amount thereof in writing to the said utility and said utility shall pay into the treasury of the state the amount of such expense at such times and in such manner as the commission may by order require. Said moneys when so paid into the state treasury shall go to the credit of the Michigan public utilities commission, and are hereby appropriated to the payment of its expenses.

**History:** 1909, Act 106, Eff. Sept. 1, 1909;—CL 1915,4847;—Am. 1921, Act 274, Eff. Aug. 18, 1921;—CL 1929, 11098;—CL 1948,460.556.

#### **460.557 Investigation of complaints; notice; hearing; fixing of rates; rates as just and reasonable; rate-making subject to electric transmission line certification act; rules; review of order or decree.**

**Sec. 7. (1)** The commission shall investigate each complaint against an electric utility submitted in writing by a consumer or a city, village, or township concerning the price of the electricity sold and delivered, the service rendered, or any other matter of complaint. The commission's agents, examiners, inspectors, engineers, and accountants may inspect the system and method used in transmitting and supplying electricity and examine the electric utility's books and papers pertaining to transmitting and supplying electricity, services rendered, or any other matter of complaint.

**(2)** The commission shall cause a notice of the complaint with a copy of the complaint to be served on the electric utility complained of or affected by the complaint. The electric utility has the right to a hearing in respect to the complaint. After investigation and hearing, the commission may by order fix the price of electricity to be charged by the electric utility within lawful limits. The electric utility shall receive notice of the price fixed by the commission and shall charge that fixed price until the commission changes the fixed price. The commission may establish by order rules and conditions of service that are just and reasonable. In determining the price, the commission shall consider and give due weight to all lawful elements necessary to determine the price to be fixed for supplying electricity, including cost, reasonable return on the fair value of

all **property** used in the **service**, depreciation, obsolescence, risks of business, value of service to the consumer, the connected load, the hours of the day when used, and the quantity used each month. However, the commission shall not change or alter the price **fixed** in or regulated by or **under** a franchise granted by a city, village, or township.

(3) If identical or substantially identical rates are established in 2 or more contiguous cities, villages, townships, or communities **served** or whose inhabitants are **served** by the same electric utility, the territory served shall be treated as a unit for **fixing** rates. A rate shall not be changed with respect to 1 or more of the cities, villages, townships, or communities so as to establish a rate difference within the territory served, unless it is shown that the continuance of the identical or substantially identical rate or rates will work substantial hardship to a city, village, township, person, firm, or corporation affected or unless otherwise provided by law.

(4) The rates of an electric utility shall be just and reasonable and a consumer shall not be charged more or less than other consumers are charged for like contemporaneous service rendered under similar circumstances and conditions. **An** electric utility doing business within this state shall not, directly or indirectly by a special rate, rebate, draw-back, or other device, charge, demand, collect, or receive **from** a person, partnership, or corporation, a greater or lesser compensation for a service rendered than the electric utility charges, demands, collects, or receives from any other person, **partnership**, or corporation for rendering, a like contemporaneous service.

A person, partnership, or corporation shall not, directly or indirectly, ask, demand, or accept a rebate, draw-back, or other device by which the person, partnership, or corporation shall obtain electric service for a rate less than that charged others in like circumstances.

(5) Rate-making pursuant to this act is subject to the electric transmission line certification act.

(6) The commission may promulgate rules for the conduct of its business and the proper discharge of its functions under this act, pursuant to the administrative procedures act of 1969, Act No. **306** of the Public Act. of **1969**, being sections **24.201** to **24.328** of the Michigan Compiled Laws. A person dealing with the commission or interested in a matter or proceeding pending before the commission is bound by those rules.

(7) An order or decree of the commission is subject to review as provided in section **26** of Act No. **300** of the Public Acts of 1909, being section 462.26 of the Michigan Compiled Laws.

**History:** 1909, Act 106, Eff. Sept. 1, **1909**;—CL 1915,4848;—Am. 1921, Act 274, Eff. Aug. 18, 1921;—Am. 1923, Act 108, Eff. Aug. 30, **1923**;—CL **1929**, 11099;—CL 1948,460.557;—Am. 1987, Act 8, **EFF. Apr.** 1, 1987;—Am. 1995, Act 33, **1md.** Eff. May 17, 1995.

**Compiler's note:** For provisions of Act 419 of 1919, referred to in this section, see MCL 460.51 et seq. For provisions of Act 300 of **1909**, referred to in this section, see **MCL** 462.2 et seq.

Section 2 of Act No. 497 of the Public Acts of 1982, which act amended this section, provided that this "amendatory act shall not take effect unless House Bill No. 5719 (request no. 02467 '81) of the **81st** Legislature is enacted into law." House Bill No. 5719 **was** not enacted into law during the 1982 Regular Session.

**Administrative rules:** R 460.511 et seq.; R 460.2011 et seq.; R 460.2101 et seq.; R 460.2601 et seq.; and R 460.3101 et seq. of the Michigan **Administrative** Code.

#### **460.558 Public utility commission; order mandatory; failure to comply, penalty.**

**Sec. 8.** Every corporation, its **officers**, agents and employes, and all persons and firms engaged in the business of **furnishing** electricity as aforesaid shall obey and comply with every lawful order made by the commission under the authority of this act so long as the same shall remain in force. Any corporation or person engaged in such business or any officer, agent, or employe thereof, who wilfully or knowingly fails or neglects to obey or comply with such order or any provision of this act shall forfeit to the state of Michigan not to exceed the sum of **300** dollars for each offense. Every distinct violation of any such order or of this act, shall be a separate offense, and in case of a continued violation, each day shall be deemed a separate offense. An action to recover such forfeiture may be brought in any court of competent jurisdiction in this state in the name of the people of the state of Michigan, and all moneys recovered in any such action, together with the costs thereof, shall be paid into the state treasury to the credit of the general fund.

**History:** 1909, Act 106, Eff. Sept. 1, **1909**;—CL 1915, 4849;—Am. 1921, Act 274, Eff. Aug. 18, 1921;—CL 1929, 11100;—CL 1948, 460.558.

#### **460.559 Scope; limitation.**

**Sec. 9.** This act shall not apply to the transmission or use of electricity for the purpose of conveying intelligence by telegraph, telephone or by other methods now or hereafter adopted therefor.

**History:** 1909, Act 106, Eff. Sept. 1, **1909**;—CL 1915, 4850;—Am. 1921, Act 274, Eff. Aug. 18, 1921;—CL 1929, 11101;—CL 1948, 460.559.



**MICHIGAN PUBLIC UTILITIES COMMISSION (EXCERPT)**  
**Act 419 of 1919**

**460.54 Public utilities commission; powers and duties concerning rates; franchise rights; municipally owned utility.**

**Sec. 4.** In addition to the rights, powers and duties vested in and imposed on said commission by the preceding section, its jurisdiction shall be deemed to extend to and include the control and regulation, including the fixing of rates and charges, of all public utilities within this state, producing, transmitting, delivering or **furnishing** steam for heating or power, or gas for heating or lighting purposes for the public use. Subject to the provisions of this act the said commission shall have the same measure of authority with reference to such utilities as is granted and conferred with respect to railroads and railroad companies under the various provisions of the statutes creating the Michigan railroad commission and defining its powers and duties. The power and authority granted by this act shall not extend to, or include, any power of regulation or control of any municipally owned utility; and it shall be the duty of said commission on the request of any city or village to give advice and render such assistance as may be reasonable and expedient with respect to the operation of any utility owned and operated by such city or village. In no case shall the commission have power to change or alter the rates or charges **fixed** in, or regulated by, any franchise or agreement heretofore or **hereafter** granted or made by any city, village or township. It shall be competent for any municipality and any public utility operating within the limits of said municipality, whether such utility is operating under the terms of a franchise or otherwise, to join in submitting to the commission any question involving the fixing or determination of rates or charges, or the making of rules or conditions of service, and the commission shall thereupon be empowered, and it shall be its duty to make full investigation as to all matters so submitted and to fix and establish such reasonable **maximum** rates and charges, and prescribe such rules and conditions of service and make such determination and order relative thereto as shall be just and reasonable. Such order when so made shall have like force and effect as other orders made under the provisions of this act. In any **case** where a franchise under which a utility is, or has been, operated, including street railways, shall have heretofore expired or shall hereafter expire, the municipality shall have the right to petition the commission to fix the rates and charges of said utility in accordance with the provisions of this act, or to make complaint as herein provided with reference to any practice, service or regulation of such utility, and thereupon said commission shall have **full** jurisdiction in the premises.

**History:** 1919, Act 419, Imd. Eff. May 15, 1919;—CL 1929, 11009;—Am. 1931, Act 138, Eff. Sept. 18, 1931;—CL 1948, 460.54.

## MICHIGAN PUBLIC SERVICE COMMISSION (EXCERPT)

### Act 3 of 1939

#### **460.1 Public service commission; creation; members, appointment, qualifications, terms, vacancies.**

Sec. 1. A commission to be known and designated as the "Michigan public service commission" is hereby created, which shall consist of **3** members, not more than 2 of whom shall be members of the same political party, appointed by the governor with the advice and consent of the senate. Each member shall be a citizen of the United States, and of the state of Michigan, and no member of said commission shall be pecuniarily interested in any public utility or public service subject to the jurisdiction and control of the commission. During his term no member shall serve as an officer or committee member of any political party organization or hold any office or be employed by any other commission, board, department or institution in this state. No commission member shall be retained or employed by any public utility or public service subject to the jurisdiction and control of the commission during the time he is acting as such commissioner, and for 6 months thereafter, and no member of the commission, who is a member of the bar of the state of Michigan, shall practice his profession or act as counselor or attorney in any court of this state during the time he is a member of said commission: Provided, however, This shall not require any commissioner to retire from, or dissolve any partnership, of which he is a member, but said partnership, while he is a member of the commission, shall not engage in public utility practice. Immediately upon the taking effect of this act, the offices of the present members of the Michigan public service commission are hereby abolished, and the members of the Michigan public service commission as herein created shall be appointed by the **governor** with the advice and consent of the senate, for **terms** of 6 years each: Provided, That of the members first appointed, 1 shall be appointed for a term of **2** years, 1 for a term of 4 years, and 1 for a term of 6 years. Upon the expiration of said terms successors shall be appointed with like qualifications and in **Like** manner for terms of 6 years each, and until their successors are appointed and qualified. Vacancies shall be filled in the same manner as **is** provided for appointment in the first instance.

**History:** 1939, Act 3, Imd. Eff. Feb. 15, 1939;—Am. 1947, Act 337, Imd. Eff. July 3, 1947;—CL 1948,460.1;—Am. 1951, Act 275, Eff. Sept. 28, 1951.

**Transfer of powers:** See MCL 16.331.

**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT (EXCERPT)**  
**Act 295 of 2008**

**460.1001 Short title; purpose of act.**

Sec. 1. (1) This act shall be known and may be cited as the "clean, renewable, and efficient energy act".

(2) The purpose of this act is to promote the development of clean energy, renewable energy, and energy optimization through the implementation of a clean, renewable, and energy efficient standard that will cost-effectively do all of the following:

- (a) Diversify the resources used to reliably meet the energy needs of consumers in this state.
- (b) Provide greater energy security through the use of indigenous energy resources available within the state.
- (c) Encourage private investment in renewable energy and energy efficiency.
- (d) Provide improved air quality and other benefits to energy consumers and citizens of this state.

**History: 2008, Act 295, Imd. Eff. Oct. 6, 2008.**

**Compiler's note:** Enacting section 1 of Act 295 of 2008 provides: "Enacting section 1. As provided in section 5 of 1846 RS I, MCL 8.5, this act is severable."

**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT (EXCERPT)**  
**Act 295 of 2008**

**460.1003 Definitions; A to C.**

**Sec. 3.** As used in this act:

- (a) "Advanced cleaner energy" means electricity generated using **an** advanced cleaner energy system.
- (b) "Advanced cleaner energy credit" means a credit certified under section **43** that represents generated advanced cleaner energy.
- (c) "Advanced cleaner energy system" means any of the following:
  - (i) **A** gasification facility.
  - (ii) **An** industrial cogeneration facility.
  - (iii) **A** coal-fired electric generating facility if 85% or more of the carbon dioxide emissions are captured and permanently geologically sequestered.
  - (iv) An electric generating facility or system that uses technologies not in commercial operation on the effective date of this act.
- (d) "**Affiliated** transmission company" means that term as defined in the electric transmission line certification act, 1995 PA 30, MCL **460.562**.
- (e) "Applicable regional transmission organization" means a nonprofit, member-based organization governed by an independent board of directors that serves as the federal energy regulatory commission-approved regional transmission organization with oversight responsibility for the region that includes the provider's service territory.
- (f) "Biomass" means any organic matter that is not derived from fossil fuels, that can be converted to usable fuel for the production of energy, and that replenishes over a human, not a geological, time frame, including, but not limited to, all of the following:
  - (i) Agricultural crops and crop wastes.
  - (ii) Short-rotation energy crops.
  - (iii) Herbaceous plants.
  - (iv) Trees and wood, but only if derived **from** sustainably managed forests or procurement systems, as defined in section **261c** of the management and budget act, 1984 PA 431, MCL **18.1261c**.
  - (v) Paper and pulp products.
  - (vi) **Precommercial** wood **thinning** waste, brush, or yard waste.
  - (vii) Wood wastes and residues from the processing of wood products or paper.
  - (viii) Animal wastes.
  - (ix) Wastewater sludge or sewage.
  - (x) Aquatic plants.
  - (xi) Food production and processing waste.
  - (xii) Organic by-products from the production of biofuels.
- (g) "Board" means the wind energy resource zone board created under section 143.
- (h) "Carbon dioxide emissions benefits" means that the carbon dioxide emissions per megawatt hour of electricity generated by the advanced cleaner energy system are at least 85% less or, for an integrated gasification combined cycle facility, 70% less than the **average** carbon dioxide emissions per megawatt hour of electricity generated from all coal-fired electric generating facilities operating in this state on January 1, 2008.
- (i) "Commission" means the Michigan public service commission.
- (j) "Customer meter" means an electric meter of a provider's retail customer. Customer meter does not include a municipal water pumping meter or additional meters at a single site that were installed specifically to support **interruptible** air conditioning, interruptible water heating, net metering, or time-of-day tariffs.

**History:** 2008, Act 295, Imd. Eff. Oct. 6, 2008.

**Compiler's note:** Enacting section 1 of Act 295 of 2008 provides: "Enacting section 1. As provided in section 5 of 1846 RS 1, MCL 8.5, this act is severable."

**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT (EXCERPT)**  
**Act 295 of 2008**

**460.1005 Definitions; E, F.**

**Sec. 5.** As used in this act:

- (a) "Electric provider", subject to sections 21(1), 23(1), and 25(1), means any of the following:
  - (i) Any person or entity that is regulated by the commission for the purpose of selling electricity to retail customers in this state.
  - (ii) A municipally-owned electric utility in this state.
  - (iii) A cooperative electric utility in this state.
  - (iv) Except as used in subpart B of part 2, an alternative electric supplier licensed under section 10a of 1939 PA 3, MCL 460.10a.
- (b) "Eligible electric generator" means that a methane digester or renewable energy system with a generation capacity limited to the customer's electric need and that does not exceed the following:
  - (i) For a renewable energy system, 150 kilowatts of aggregate generation at a single site.
  - (ii) For a methane digester, 550 kilowatts of aggregate generation at a single site.
- (c) "Energy conservation" means the reduction of customer energy use through the installation of measures or changes in energy usage behavior. Energy conservation does not include the use of advanced cleaner energy systems.
- (d) "Energy efficiency" means a decrease in customer consumption of electricity or natural gas achieved through measures or programs that target customer behavior, equipment, devices, or materials without reducing the quality of energy services.
- (e) "Energy optimization", subject to subdivision (f), means all of the following:
  - (i) Energy efficiency.
  - (ii) Load management, to the extent that the load management reduces overall energy usage.
  - (iii) Energy conservation, but only to the extent that the decreases in the consumption of electricity produced by energy conservation are objectively measurable and attributable to an energy optimization plan.
- (f) Energy optimization does not include electric provider infrastructure projects that are approved for cost recovery by the commission other than as provided in this act.
- (g) "Energy optimization credit" means a credit certified pursuant to section 87 that represents achieved energy optimization.
- (h) "Energy optimization plan" or "EO plan" means a plan under section 71.
- (i) "Energy optimization standard" means the minimum energy savings required to be achieved under section 77.
- (j) "Energy star" means the voluntary partnership among the United States department of energy, the United States environmental protection agency, product manufacturers, local utilities, and retailers to help promote energy efficient products by labeling with the energy star logo, educate consumers about the benefits of energy efficiency, and help promote energy efficiency in buildings by benchmarking and rating energy performance.
- (k) "Federal approval" means approval by the applicable regional transmission organization or other federal energy regulatory commission approved transmission planning process of a transmission project that includes the transmission line. Federal approval may be evidenced in any of the following manners:
  - (i) The proposed transmission line is part of a transmission project included in the applicable regional transmission organization's board-approved transmission expansion plan.
  - (ii) The applicable regional transmission organization has informed the electric utility, affiliated transmission company, or independent transmission company that a transmission project submitted for an out-of-cycle project review has been approved by the applicable regional transmission organization, and the approved transmission project includes the proposed transmission line.
  - (iii) If, after the effective date of this act, the applicable regional transmission organization utilizes another approval process for transmission projects proposed by an electric utility, affiliated transmission company, or independent transmission company, the proposed transmission line is included in a transmission project approved by the applicable regional transmission organization through the approval process developed after the effective date of this act.
  - (iv) Any other federal energy regulatory commission approved transmission planning process for a transmission project.

**History:** 2008, Act 295, Imd. Eff. Oct. 6, 2008.

**Compiler's note:** Enacting section 1 of Act 295 of 2008 provides: "Enacting section 1. As provided in section 5 of 1846 RS 1, MCL 8.5, this act is severable."

**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT( EXCERPT )**  
**Act 295 of 2008**

**460.1013Definitions; S to W.**

Sec. 13. As used in this act:

(a) "Site" means a contiguous site, regardless of the number of meters at that site. A site that would be contiguous but for the presence of a street, road, or highway shall be considered to be contiguous for the purposes of this subdivision.

(b) "Transmission line" means all structures, equipment, and real property necessary to transfer electricity at system bulk supply voltage of 100 kilovolts or more.

(c) "True net metering" means a utility billing method that applies the full retail rate to the net of the bidirectional flow of kilowatt hours across the customer interconnection with the utility distribution system. during a billing period or time-of-use pricing period. A negative net metered quantity during the billing period or during each time-of-use pricing period within the billing period reflects net excess generation for which the customer is entitled to receive credit under section 177(4).

(d) "Utility system resource cost test" means a standard that is met for an investment in energy optimization if, on a life cycle basis, the total avoided supply-side costs to the provider, including representative values for electricity or natural gas supply, transmission, distribution, and other associated costs, are greater than the total costs to the provider of administering and delivering the energy optimization program, including net costs for any provider incentives paid by customers and capitalized costs recovered under section 89.

(e) "Wind energy conversion system" means a renewable energy system that uses 1 or more wind turbines to generate electricity and has a nameplate capacity of 100 kilowatts or more.

(f) "Wind **energy** resource zone"-or "wind zone" means an area designated by the commission under section 147.

**History: 2008, Act 295, Imd. Eff. Oct. 6, 2008.**

**Compiler's note: Enacting section 1 of Act 295 of 2008 provides: "Enacting section 1. As provided in section 5 of 1846 RS 1, MCL 8.5, this act is severable."**

**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT (EXCERPT)**  
**Act 295 of 2008**

**460.1131 Reduction in state government grid-based energy purchases; goal.**

Sec. 131. It is the goal of this state to reduce state government grid-based energy purchases by 25% by 2015, when compared to energy use **and** energy purchases for the state fiscal year ending September 30, 2002.

**History:** 2008, Act 295, Imd. Eff. Oct. 6, 2008.

**Compiler's note:** Enacting section 1 of Act 295 of 2008 provides: "Enacting section 1. As provided in section 5 of 1846 RS 1, MCL 85, this act is severable."

**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT (EXCERPT)**  
**Act 295 of 2008**

**460.1141 Definitions.**

Sec. 141. As used in this part:

(a) "Construction" means any substantial action constituting placement or erection of the foundations or structures supporting a transmission line. Construction does not include preconstruction activity or the addition of circuits to an existing transmission line.

(b) "Route" means real property on or across which a transmission line is constructed or proposed to be constructed.

**History:** 2008, Act 295, Imd. Eff. Oct. 6, 2008.

**Compiler's note:** Enacting section 1 of Act 295 of 2008 provides: "Enacting section 1. As provided in section 5 of 1846 RS 1, MCL 8.5, this act is severable."



**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT (EXCERPT)**

**Act 295 of 2008**

**460.1143 Wind energy resource zone board; membership.**

**Sec. 143.** Within 60 days after the effective date of this act, the commission shall create the wind energy resource zone board. The board shall consist of 9 members, as follows:

- (a) 1 member representing the commission.
- (b) 2 members representing the electric utility industry.
- (c) 1 member representing alternative electric suppliers.
- (d) 1 member ~~representing~~ the attorney general.
- (e) 1 member representing the renewable energy industry.
- (f) 1 member representing cities and villages.
- (g) 1 member representing townships.
- (h) 1 member representing independent transmission companies.
- (i) 1 member representing a statewide environmental organization.
- (j) 1 member representing the public at large.

**History:** 2008, Act 295, Imd. Eff. Oct. 6, 2008.

**Compiler's note:** Enacting section 1 of Act 295 of 2008 provides: "Enacting section 1. As provided in section 5 of 1846 RS 1, MCL 8.5, this act is severable."

**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT (EXCERPT)**

**Act 295 of 2008**

**460.1145 Wind energy resource zone board; powers, duties, and decision-making authority; report.**

Sec. 145. (1) The wind energy resource zone board shall exercise its powers, duties, and decision-making authority under this part independently of the commission.

(2) The board shall do all of the following:

(a) In consultation with local units of government, study all of the following:

(i) Wind energy production potential and the viability of wind as a source of commercial energy generation in this state.

(ii) Availability of land in this state for potential utilization by wind energy conversion systems.

(b) Conduct modeling and other studies related to wind energy, including studying existing wind energy conversion systems, estimates for additional wind energy conversion system development, and average annual recorded wind velocity levels. The board's studies should include examination of wind energy conversion system requests currently in the applicable regional transmission organization's generator interconnection queue.

(3) Within 240 days after the effective date of this act, issue a proposed report detailing its findings under subsection (2). The board's proposed report shall include the following:

(a) A list of regions in the state with the highest level of wind energy harvest potential.

(b) A description of the estimated maximum and minimum wind generating capacity in megawatts that can be installed in each identified region of this state.

(c) An estimate of the annual maximum and minimum energy production potential for each identified region of this state.

(d) An estimate of the maximum wind generation capacity already in service in each identified region of this state.

(4) The board shall submit a copy of the proposed report under subsection (3) to the legislative body of each local unit of government located in whole or part within any region listed in subsection (3)(a). The legislative body may submit comments to the board on the proposed report within 63 days after the proposed report was submitted to the legislative body. After the deadline for submitting comments on the proposed report, the board shall hold a public hearing on the proposed report. The board may hold a separate public hearing in each region listed under subsection (3)(a). The board shall give written notice of a public hearing under this subsection to the legislative body of each local unit of government located in whole or part within the region or regions that are the subject of the hearing and shall publish the notice in a newspaper of general circulation within the region or regions.

(5) Within 45 days after satisfying the requirements of subsection (4), the board shall issue a final report as described in subsection (3).

(6) After the board issues its report under subsection (5), electric utilities, affiliated transmission companies and independent transmission companies with transmission facilities within or adjacent to regions of this state identified in the board's report shall identify existing or new transmission infrastructure necessary to deliver maximum and minimum wind energy production potential for each of those regions and shall submit this information to the board for its review.

(7) The board is dissolved 90 days after it issues its report under subsection (5).

**History:** 2008, Act 295, Imd Eff. Oct. 6, 2008.

**Compiler's note:** Enacting section I of Act 295 of 2008 provides: "Enacting section I. As provided in section 5 of 1846 RS I, MCL 8.5, this act is severable."

**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT (EXCERPT)**  
**Act 295 of 2008**

**460.1147 Wind energy resource zone; designation; creation; preparation of order; report.**

Sec. 147. (1) Based on the board's findings as reported under section 145, the commission shall, through a final order, designate the area of this state likely to be most productive of wind energy as the **primary** wind energy resource zone and may designate additional wind energy resource zones.

(2) A wind energy resource zone shall be created on land that is entirely within the boundaries of this state and shall encompass a natural geographical area or region of this state. A wind zone shall exclude land that is zoned residential when the board's proposed report is issued under section 145, unless the land is subsequently zoned for nonresidential use.

(3) In preparing its order, the commission shall evaluate projected costs and benefits in **terms** of the long-term production capacity and long-term needs for transmission. The order shall ensure that the designation of a wind zone does not represent an unreasonable threat to the public convenience, health, and safety and that any adverse impacts on private property values are minimal. In determining the location of a **wind** zone, the commission shall consider all of the following factors pursuant to the findings of the board:

- (a) Average annual wind velocity levels in the region.
- (b) Availability of land in the region that may be utilized by wind energy conversion systems.
- (c) Existing wind energy conversion systems in the region.
- (d) Potential for megawatt output of combined wind energy conversion systems in the region.
- (e) Other necessary and appropriate factors as to which findings are required by the commission.

(4) In conjunction with the issuance of its order under subsection (1), the commission shall submit to the legislature a report on the effect that setback requirements and noise limitations under local zoning or other ordinances may have on wind energy development in wind energy resource zones. The report shall include any recommendations the commission may have for legislation addressing these issues. Before preparing the report, the commission shall conduct hearings in various areas of the state to receive public comment on the report.

*History: 2008, Act 295, Imd. Eff. Oct. 6, 2008.*

*Compiler's note: Enacting section 1 of Act 295 of 2008 provides: "Enacting section 1. As provided in section 5 of 1846 RS 1, MCL 8.5, this act is severable."*

**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT (EXCERPT)**  
**Act 295 of 2008**

**460.1151 Expedited siting certificate; application; contents.**

**Sec. 151.** An application for an expedited siting certificate shall contain all of the following:

- (a) Evidence that **the** proposed transmission line received any required approvals ~~from~~ the applicable regional transmission organization.
- (b) The planned date for beginning construction of the proposed transmission line.
- (c) A detailed description of the proposed transmission line, ~~its~~ route, and its expected configuration and use.
- (d) Information addressing potential effects of the proposed transmission line on public health and safety.
- (e) Information indicating that the proposed transmission line will comply with all applicable state and federal environmental standards, laws, and rules.
- (f) **A** description and evaluation of 1 or more alternate transmission line routes and a statement of why the proposed route was selected.
- (g) Other **information** reasonably required by commission rules.

**History:** **2008, Act 295, Imd. Eff. Oct. 6, 2008.**

Compiler's note: Enacting section 1 of **Act 295 of 2008** provides: "Enacting section 1. As provided in section 5 of 1846 **RS 1**, MCL 8.5, **this act** is severable."

**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT (EXCERPT)**  
**Act 295 of 2008**

**460.1153 Notice; conduct of proceeding; determination by commission that requirements are met; precedence; certificate as conclusive and binding; time period for granting or denying certificate.**

**Sec. 153.** (1) Upon applying for a certificate, an electric utility, **affiliated** transmission company, or independent transmission company shall give public notice in the manner and **form** the commission prescribes of an opportunity to comment on and participate in a contested case with respect to the application. Notice shall be published in a newspaper of general circulation in the relevant wind energy resource zone within a reasonable time period **after** an application is provided to the commission and shall be sent to each affected municipality, electric utility, affiliated transmission company, and independent transmission company and each affected landowner on whose property a portion of the proposed transmission line will be constructed. The notice shall be written in plain, nontechnical, and easily understood terms and shall contain a title that includes the name of the electric utility, **affiliated** transmission company, or independent transmission company and the words "Notice of Intent to Construct a Transmission Line to Serve a Wind Energy Resource Zone".

(2) The commission shall conduct a proceeding on the application for an expedited siting certificate as a contested case under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. Upon receiving an application for a certificate, each affected municipality and each **affected** landowner **shall** be granted full intervenor status as of right in commission proceedings concerning the proposed transmission lines.

(3) The commission shall grant an expedited siting certificate if it determines that all of the following requirements are met:

(a) The proposed transmission line will facilitate transmission of electricity generated by wind energy conversion systems located in a wind energy resource zone.

(b) The proposed transmission line has received federal approval.

(c) The proposed transmission line does not represent an unreasonable threat to the public convenience, health, and safety.

(d) The proposed transmission line will be of appropriate capability to **enable** the wind potential of the wind energy resource zone to be realized.

(e) The proposed or alternate route to be authorized by the expedited siting certificate is feasible and reasonable.

(4) If the commission grants an expedited siting certificate for a transmission line under this part, the certificate takes precedence over a conflicting local ordinance, law, rule, regulation, policy, or **practice** that prohibits or regulates the location or construction of the transmission line. A zoning ordinance or limitation imposed after an electric utility, affiliated transmission company, or independent transmission company files for a certificate shall not limit or impair the transmission line's construction, operation, or maintenance.

(5) In an eminent domain or other related proceeding arising out of or related to a transmission line for which a certificate is issued, a certificate issued under this act is conclusive and binding as to the public convenience and necessity for that transmission line and its compatibility with the public health and safety or any zoning or land use requirements in effect when the application was filed.

(6) The **commission** has a maximum of 180 days to grant or deny an expedited siting certificate under this section.

**History:** 2008, Act 295, Imd. Eff. Oct. 6, 2008.

**Compiler's note:** Enacting section 1 of Act 295 of 2008 provides: "Enacting section 1. **As** provided in section 5 of 1846 RS I, **MCL 8.5**, this act is severable."

**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT (EXCERPT)**  
**Act 295 of 2008**

**460.1159 Commission order subject to review; administration of part.**

**Sec. 159.** (1) A commission order relating to any matter provided for under this part is subject to review as provided in section 26 of ~~1909~~ PA 300, **MCL 462.26**.

(2) In administering this part, the ~~commission~~ has only those powers and duties granted to the commission under this part.

**History:** 2008, Act 295, Imd. Eff. Oct. 6, 2008.

Compiler's note: Enacting section 1 of Act 295 of 2008 provides: "Enacting section 1. ~~As~~ provided in section 5 of 1846 RS 1, **MCL** 8.5, this act is severable."

**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT (EXCERPT)**  
**Act 295 of 2008**

**460.1161 Eminent domain not conferred.**

Sec. 161. This part does not confer the power of eminent domain.

History: 2008, Act 295, Imd. Eff. Oct. 6, 2008.

Compiler's note: Enacting section I of Act 295 of 2008 provides: "Enacting section I. As provided in section 5 of 1846 RS 1, MCL 8.5, this act is severable."

**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT (EXCERPT)**  
**Act 295 of 2008**

**460.1193 Contested case proceeding; intervention; confidential business information.**

Sec. 193. (1) Any interested party may intervene in a contested case proceeding under this act as provided in general rules of the commission.

(2) The commission and a provider shall handle confidential business information under this act in a manner consistent with state law and general rules of the commission.

History: 2008, Act 295, Imd. Eff. Oct. 6, 2008.

Compiler's **note:** Enacting section 1 of Act 295 of 2008 provides: "Enacting section 1. As provided in section 5 of 1846 RS I, MCL 8.5. this act is severable."



**CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT( EXCERPT )**  
**Act 295 of 2008**

**460.1195 Authority of commission not limited.**

**Sec. 195.** This act does not limit any authority of the commission otherwise provided by law.

**History:** 2008, Act 295, Imd. Eff. Oct. 6, 2008.

**Compiler's note:** Enacting section 1 of Act 295 of 2008 provides: "Enacting section 1. As provided in section 5 of 1846 RS I, MCL 8.5, this act is severable."

# NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

To all to whom these presents shall come. Greeting:

By virtue of the authority vested in me by the Archivist of the United States, I certify on his behalf, under the seal of the National Archives of the United States, that the attached reproduction(s) is a true and correct copy of documents in his custody.



SIGNATURE <i>Cynthia G. Fox</i>	
NAME CYNTHIA G. FOX	DATE Mar 21, 2004
TITLE DEPUTY DIRECTOR, ARCHIVES TEXTUAL SERVICES DIV.	
NAME AND ADDRESS OF DEPOSITORY NATIONAL ARCHIVES AND RECORDS ADMINISTRATION 700 PENNSYLVANIA AVENUE, NW WASHINGTON, DC 20408	

NA FORM 14007 (10-86)

to admit the State of Michigan into the Union  
footing with the original States.

Whereas, an act of Congress, approved July 26, 1836, entitled "An act to establish the northern boundary of the State of Ohio, and to provide for the admission of the State of Michigan into the Union upon the conditions therein expressed," a convention of delegates elected by the people of the said State of Michigan, for the sole purpose of giving their assent to the provisions of the said act, did, on the fifteenth of December, and established, in accordance with the said act, did, on the fifteenth of December, eighteen hundred and thirty-six, assent to the provisions of said act, therefore Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Michigan shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever. Section 2. And be it further enacted, That the Secretary of the Treasury, in carrying into effect the thirteenth and fourteenth sections of the act of the twenty-third of June, eighteen hundred and thirty-six, entitled "An act to regulate the deposits of the public money," shall consider Michigan as being one of the United States.

Twenty fourth

Pub. No. 6

## CONGRESS OF THE UNITED STATES;

At the second Session,

Begun and held at the City of Washington, on Monday, the fifth day of December, one thousand eight hundred and thirty-six.

## AN ACT

to admit the State of Michigan into the Union, upon an equal footing with the original States.

Whereas, in pursuance of the act of Congress of June the fifteenth, eighteen hundred and thirty-six, entitled, "An act to establish the northern boundary of the State of Ohio, and to provide for the admission of the State of Michigan into the Union upon the conditions therein expressed," a convention of delegates, elected by the people of the said State of Michigan, for the sole purpose of giving their assent to the boundaries of the said State of Michigan as described, declared, and established, in and by the said act, did, on the fifteenth of December, eighteen hundred and thirty-six, assent to the provisions of said act, therefore: Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Michigan shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever. Section 2. And be it further enacted, That the Secretary of the Treasury, in carrying into effect the thirteenth and fourteenth sections of the act of the twenty third of June, eighteen hundred and thirty-six, entitled "An act to regulate the deposits of the public money," shall consider the State of Michigan as being one of the United States.

Samuel A. Poore Speaker of the House of Representatives.

Wm Van Buren } Vice President of the United States, and  
 J. H. Hammond } President of the Senate.  
 Approved this 26<sup>th</sup> Jan<sup>y</sup> 1837 -  
 Andrew Jackson

Proof of service

The undersigned certifies that the foregoing instrument was served upon all parties listed below by depositing a copy thereof in the United States Mail, postage paid addressed to:

Michigan Public Service Commission  
6545 Mercantile Way, Suite 7  
Lansing, Michigan

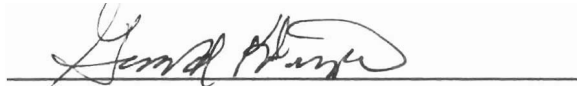
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