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**Timothy J. Lundgren**

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July 20, 2018

Ms. Kavita Kale  
Executive Secretary  
Michigan Public Service Commission  
7109 W. Saginaw Highway  
P.O. Box 30221  
Lansing, MI 48909

**Re: MPSC Case No. U-18351**

Dear Ms. Kale:

Attached for electronic filing in the above-referenced matter, please find the Reply Brief of Energy Michigan, Inc. Thank you for your assistance in this matter.

Sincerely yours,

VARNUM

Timothy J. Lundgren

TJL/kc

Enclosures

c. All parties of record.

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

\* \* \* \* \*

In the matter, on the Commission's own motion,     )  
regarding the regulatory reviews, revisions,     )  
determination and/or approvals necessary for     )  
CONSUMERS ENERGY COMPANY to comply     )  
with Section 61 of 2016 PA 342     )  
\_\_\_\_\_ )

Case No. U-18351

**REPLY BRIEF OF ENERGY MICHIGAN, INC.**

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STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

\* \* \* \* \*

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_____	)	

REPLY BRIEF OF ENERGY MICHIGAN, INC.

I. INTRODUCTION

This Reply Brief is filed on behalf of Energy Michigan, Inc. ("Energy Michigan")<sup>1</sup> by its attorneys, Varnum LLP. Failure to address any issues or positions raised by other parties should not be taken as agreement with those issues or positions.

II. ARGUMENT

A. Option B of LC-REP Should Be Made Available to All Customers with 1 MW of Load.

In our Initial Brief, Energy Michigan took the position that Consumers Energy Company ("Consumers") should expand the availability of its LC-REP Option B offering to all customers of 1 MW or larger. Energy Michigan also addressed the concerns voiced by Consumers' witness about the utility's desire to take a cautious approach to rolling out this new option. Nothing in

<sup>1</sup> The comments expressed in this filing represent the position of Energy Michigan as an organization, but may not represent the views of any particular member of Energy Michigan.

Consumers' Initial Brief changes the positions taken by Energy Michigan, and we continue to stand behind the arguments we made in our Initial Brief.

In addition, we would note that we do not agree with the Commission Staff's proposed approach to addressing the unmet customer need that could otherwise be satisfied by an expansion of availability of Option B. Staff seems content to wait for Consumers to file changes in its next biennial filing. See Staff Initial Brief, p. 7. In contrast, Energy Michigan believes that Consumers should actively work to expand this program and should re-file the LC-REP Option B program with expanded availability within 6 months. See Energy Michigan Initial Brief, pp. 4-5. At a minimum, Energy Michigan believes that the Commission should direct Consumers to remove the "new load" restriction on access to LC-REP Option B, as it effectively closes out most existing customers of any size from enjoying any benefit from this new option. We therefore respectfully request that the Commission instruct Consumers to refile within six months an expanded version of the LC-REP Option B that, at a minimum, removes the requirement that to be applicable for Option B the customer must have new load, and preferably expands access to the program to all customers of 1 MW or larger.

### **III. CONCLUSIONS AND PRAYER FOR RELIEF**

WHEREFORE, for the reasons set forth herein, as well as those set forth in its Initial Brief, Energy Michigan hereby respectfully requests that the Commission approve the Voluntary Green Pricing Program proposed by Consumers as compliant with Section 61 of PA 342 of 2016, but require that Consumers accelerate making the Option B LC-REP program available to a greater number of its customers by removing the "new load" requirement and opening up access to all customers with a load of 1 MW or greater within 6 months.

Respectfully submitted,

Varnum LLP  
Attorneys for Energy Michigan, Inc.

July 20, 2018

By: \_\_\_\_\_

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

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Case No. U-18351

**PROOF OF SERVICE**

STATE OF MICHIGAN     )  
  ) ss.  
COUNTY OF INGHAM     )

Kimberly Champagne, the undersigned, being first duly sworn, deposes and says that she is a Legal Secretary at Varnum LLP and that on the 20th day of July, 2018, she served a copy of the Reply Brief of Energy Michigan, Inc. upon those individuals listed on the attached Service List via email at their last known addresses.

\_\_\_\_\_  
Kimberly Champagne

**SERVICE LIST**  
**MPSC CASE NO. U-18351**

**Administrative Law Judge**

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