FraserTrebilcock
LAWYERS

124 West Allegan Street, Suite 1000
Lansing, Michigan 48933
T (517) 482-5800 F (517) 482-0887
www.fraserlawfirm.com

jheston@fraserlawfirm.com
(517) 377-0802

April 28, 2020

Ms. Lisa Felice, Executive Secretary
Michigan Public Service Commission
7109 W. Saginaw Hwy.
Lansing, MI 48917

RE: MPSC Docket No. U-18232

Dear Ms. Felice:

Enclosed herewith for filing in the above-referenced matter, please find the ***Direct Testimony and Exhibits of Steven J. Levitas*** on behalf of Pine Gate Renewables, LLC and Certificate of Service of same.

If you have any questions, please feel free to contact my office. Thank you.

Very truly yours,

Fraser Trebilcock Davis & Dunlap, P.C.

Jennifer Utter Heston

Jennifer Utter Heston
Digitally signed by Jennifer Utter Heston
Date: 2020.04.28 17:40:48 -04'00'

JUH/ab
Enclosures
cc: 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 approval necessary for DTE ELECTRIC COMPANY to fully comply with Public Act 295 of 2008.	))))))	**Case No. U-18232**

Direct Testimony and Exhibits of

Steven J. Levitas

On behalf of

Pine Gate Renewables, LLC

April 28, 2020

STATE OF MICHIGAN

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STATE OF MICHIGAN

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Direct Testimony of Steven J. Levitas

Q PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

A Steven J. Levitas. My business address is 130 Roberts Street, Asheville, North Carolina 28801.

Q WHAT IS YOUR OCCUPATION?

A I am the Senior Vice President for Strategic Initiatives for Pine Gate Renewables, LLC.

Q PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND AND EXPERIENCE.

A I received a B.A. from the University of North Carolina at Chapel Hill in 1976 and a J.D. with Honors from Harvard Law School in 1982. After clerking for a federal district court judge, I spent four and half years as a commercial litigator before becoming Director and Senior Attorney in the North Carolina office of the Environmental Defense Fund, a national public interest advocacy organization. In 1993, North Carolina Governor Jim Hunt appointed me to serve as Deputy Secretary of the North Carolina Department of Environment, Health, and Natural Resources.

Following my four-year tenure in that position, I spent the next twenty years as a partner in two private law firms where my practice was focused on environmental and energy matters. During the last six of those years, a particular emphasis of my practice was representing renewable energy companies, including the owners of "Qualifying Facilities" or "QFs" under the federal Public Utility Regulatory Policies Act of 1978 ("PURPA"), 16 U.S.C. §§ 824a-3 et seq., in the negotiation of power purchase agreements ("PPAs") and renewable energy credit/certificate ("REC") purchase agreements with utilities, particularly with Duke Energy Carolinas ("DEC") and Duke Energy Progress ("DEP") (collectively, "Duke") in North and South Carolina. I was also frequently called upon to talk to investors and lenders about their requirements with respect to the terms and conditions of such agreements and to assist in resolving concerns about proposed agreements. In addition, I represented the North Carolina solar industry in connection with the North Carolina Utility Commission's ("NCUC") approval of standard offer PURPA PPA terms and conditions and represented a group of QFs in litigation against Dominion North Carolina Power before the NCUC concerning the formation of "legally enforceable obligations" or "LEOs" under PURPA.

I continue to be employed part-time by the law firm of Kilpatrick, Townsend & Stockton as Senior Counsel, and in that capacity I represent the North Carolina Clean Energy Business Alliance in the current biennial PURPA "avoided cost" proceeding, NCUC Docket No. E-100 sub 158.

In January of 2016, I became Vice President for Business Affairs and General Counsel for FLS Energy, Inc. ("FLS"), a North Carolina-based utility scale solar developer. In that capacity, I continued to be involved with PPA and REC agreement terms and conditions. In addition to ongoing negotiations with Duke about PURPA

PPA matters, I engaged in extensive PURPA PPA negotiations with attorneys for NorthWestern Energy in Montana and led FLS's successful challenge at the Federal Energy Regulatory Commission ("FERC") to the Montana Public Service Commission's unlawful implementation of PURPA.

In January of 2017, following the acquisition of FLS by Cypress Creek Renewables, I was appointed to the position of Senior Vice President for Regulatory Affairs and Strategy at Cypress Creek Renewables, a position I held until joining Pine Gate in February 2020. In that capacity, I was responsible for and managed all aspects of policy, regulatory, and government affairs activity at Cypress Creek, including our work on policy development relating to PURPA policy and PPA terms and conditions in several states and at the federal level.

I have also had extensive involvement with PURPA matters in Michigan, including submitting testimony in PURPA cases, negotiating PPAs with Michigan utilities, and participating in PURPA-related rulemakings and stakeholder processes. I recently provided testimony to the South Carolina Public Service Commission in several dockets concerning PURPA implementation. I was also heavily involved with the development and passage of H.B. 589 in North Carolina, which modified the state's implementation of PURPA and was one of the principal authors of the section of H.B. 3659 dealing with PURPA in South Carolina. Finally, I have been a frequent speaker and presenter on PURPA across the country.

Q ON WHOSE BEHALF ARE YOU TESTIFYING IN THIS PROCEEDING?

A I am testifying on behalf of Pine Gate Renewables, LLC ("Pine Gate"). Pine Gate is a solar energy company with experience developing and building solar sites throughout the United States.

Q IS PINE GATE A SIGNIFICANT DEVELOPER OF SOLAR ENERGY?

A Yes. Pine Gate is one of the country's leading solar companies.

Q IS PINE GATE DEVELOPING SOLAR RESOURCES IN MICHIGAN?

A Yes. Pine Gate is committed to growing Michigan's energy infrastructure and solar workforce by making significant planned investments in the state in low-cost, solar energy. Pine Gate, through its affiliates, has more than 1,200 MWac of solar capacity under development in Consumers Energy Company's service area, including 340 MWac with executed PPAs, and has more than 400 MWac of solar capacity under development in DTE Electric Company's ("DTE's") service area.

Q WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?

A I will discuss and comment on DTE's proposed amended renewable energy plan ("REP").

Q ARE YOU SPONSORING ANY EXHIBITS?

A Yes. I am sponsoring Exhibits PGR-1 (SJL-1) through PGR-2 (SJL-2).

Q PLEASE SUMMARIZE YOUR CONCLUSIONS AND RECOMMENDATIONS.

A My specific conclusions and recommendations are as follows:

1. DTE's proposed amended plan for complying with Michigan's renewable energy standard is unreasonable and imprudent.

2. DTE's proposed amended REP did not consider and does not include procurement of renewable energy from PURPA QFs.

3. DTE is unlawfully proposing to procure new capacity while claiming that it does not have a capacity need and refusing to procure capacity form QFs at DTE's avoided capacity cost.

4. The Commission recently determined that DTE unlawfully impeded the development of PURPA QFs in its service area.

5. DTE should not be permitted to procure new generation capacity without providing QFs with the opportunity to provide that capacity.

6. If DTE is going to use a competitive process to modify PURPA implementation, then DTE should submit that process for review and approval by the Commission.

7. DTE improperly excluded QFs from the competitive solicitation on which its amended REP is based.

8. The Commission should a) reject DTE's amended REP, b) open an investigation into DTE's generator interconnection procedures to ensure that DTE cannot continue to use its procedures to impede QF development in its service area; c) direct DTE to conduct an open, fair and transparent RFP process approved by the Commission for the procurement of renewable resources, including from QF sources and d) direct DTE to file a further amended REP that reflects new QF offers to sell capacity, energy and RECs over the plan timeline.

I. Background on PURPA

Q COULD YOU EXPLAIN THE BASIC PURPOSE AND REQUIREMENTS OF PURPA?

A PURPA was enacted by Congress in 1978 and was amended most recently in 2005. A major purpose of Section 210 of PURPA is to diversify the nation's electric energy supply by requiring electric utilities to purchase the output of small (i.e., less than 80 MW) independently owned alternative energy projects (referred to "Qualifying Facilities" or "QFs") at the cost the utility would otherwise incur to generate power itself or purchase it from other sources – referred to as the utility's "avoided cost." The utility is required to pay the QF for both the energy and capacity that it provides to the utility at separately determined avoided cost rates for each. Where the utility does not have an identified need for capacity during the term of the PPA, the price it

is required to pay for capacity can be as low as zero. Congress required FERC to establish broad guidance regarding the implementation of PURPA, which it has done through rulemaking and numerous orders, but left many of the details of PURPA implementation to the states, subject to compliance with FERC's directives. Determination of utility avoided cost rates is one such matter consigned to state commissions, as is the question whether the environmental attributes, including renewable energy certificates are transferred to the utility at no additional cost or are retained by the QF and must be purchased separately.

Q HAS THIS COMMISSION RULED ON THOSE ISSUES WITH RESPECT TO DTE?

A Yes. The Commission most recently ruled on DTE's avoided cost rates in its September 26, 2019 order on rehearing and remand in MPSC Case No. U-18091 (the "September 26 Order") in which it found that DTE's full avoided energy rate and it's full avoided capacity rate are to be based on DTE's capacity and variable energy costs for its Blue Water Energy Center. Where DTE has a capacity need, DTE's full avoided capacity rate was set at $14.02/MWh, and its full avoided energy rate was set at $25.25/MWh for 2018. DTE's full avoided energy rate escalates each year, and the rates are to be updated each year. September 26 Order, p. 42.

Where DTE does not have a capacity need, the Commission ruled that there is nonetheless some value to the capacity acquired because DTE participates in the MISO capacity market. In that circumstance, DTE is required to pay QFs for capacity at the annual MISO PRA clearing price for Zone 7. September 26 Order, pp. 43-44. With respect to the avoided energy rate, the QF may elect to receive avoided energy costs based on MISO's day-ahead LMP for the life of the PPA or it may receive avoided energy costs for a five-year fixed term based on the five-year forecast of on-

peak and off-peak MISO LMP followed by a variable rate based on actual MISO day-ahead LMP for the remainder of the contract term. September 26, Order, p. 44. The MISO LMP forecast shall be updated on an annual basis. *Id*.

Q HAS THIS COMMISSION DETERMINED WHETHER DTE HAS A CAPACITY NEED THAT WOULD REQUIRE IT TO PAY QFs FOR CAPACITY AT ITS FULL AVOIDED COST RATE?

A No. In the September 26 Order, the Commission determined, based on a deficient record of DTE's capacity need, that "at this time" DTE did not have a capacity need during the five-year planning horizon. September 26 Order, p. 47. The Commission, however, indicated that it would revisit the issue of DTE's capacity need on a holistic basis in DTE's integrated resource plan ("IRP") proceeding, MPSC Case No. U-20471. However, in the Commission's February 20, 2020 order in DTE's IRP proceeding it further deferred that determination to DTE's forthcoming PURPA review proceeding to be filed no later than November 13, 2020. February 20, 2020 Order, MPSC Case No. U-20147 et al., p. 94.

Q WHERE A UTILITY HAS A CAPACITY NEED, MAY IT AVOID PAYING QFs FOR CAPACITY BY CONDUCTING A COMPETITIVE SOLICITATION TO MEET THAT CAPACITY NEED?

A Yes, but only if expressly authorized to do so by the state commission and/or FERC and if QFs can participate in the solicitation. As part of efforts to update PURPA implementation at the state and federal level, I have been an active proponent of the use of competitive solicitations and market pricing as alternatives to traditional PURPA implementation based on administratively determined avoided costs. Here in

Michigan, I and other solar energy representatives worked with Consumers Energy to develop an innovative alternative approach to PURPA implementation consisting of the following components: (1) The utility is required to identify its capacity needs in a Commission-approved IRP. (2) The utility then conducts periodic competitive solicitations (that must be properly designed and administered) to meet the identified capacity need. (3) If the utility can meet the identified capacity need through the competitive solicitation, it is not obligated to pay new QFs for capacity at its avoided capacity rate. Rather, it would pay them at the annual MISO PRA price. (4) If on the other hand, the utility fails to meet all its capacity needs through the competitive solicitation, it must pay QFs for capacity up to the shortfall amount at the competitive solicitation clearing price. (5) In addition, QFs are entitled to be paid for energy at a market-based energy price. In addition, through the solar industry's national trade association, SEIA, I have been heavily involved in the development of comments on the Federal Energy Regulatory Commission's Notice of Proposed Rulemaking on changes to its PURPA implementation rules. In those comments, SEIA has encouraged FERC to adopt a model very similar to the Consumers Energy approach I just described, as an alternative PURPA implementation option for all utilities.

Q HAS DTE PROPOSED, OR HAS THIS COMMISSION APPROVED, SUCH AN ALTERNATIVE PURPA IMPLEMENTATION REGIME FOR DTE?

A No.

II. DTE's Renewable Energy Plan

Q HAVE YOU REVIEWED DTE'S ORIGINAL REP APPLICATION?

A Yes. On March 29, 2018, DTE filed an application seeking Michigan Public Service Commission ("MPSC" or "Commission") review and approval of its updated REP. DTE sought approval for approximately 844 MW of additional wind capacity and 13 MW of additional solar capacity all of which would have been owned by DTE. DTE planned to install up to four new wind facilities commencing commercial operation in 2019, 2020, 2021, and 2022. DTE planned to develop two future solar pilot projects commencing commercial operation in 2019 and 2020. Thus, DTE planned to invest substantially in new, renewable capacity. This proposed investment was the primary driver of DTE's planned increase in renewable energy costs.

Q WHY WAS DTE PLANNING TO DEVELOP NEW FACILITIES?

A DTE filed is REP amendment claiming that new facilities are needed to meet Michigan's new renewable energy credit ("REC") standards. DTE stated,

> The purpose of this filing is to amend the Company's currently approved REP to meet the new renewable energy requirements of the Act, and to provide the Commission with the information necessary for the review notice in Section 23(3) of the Act.
>
> . . .
>
> In general, the Company is directed to meet a compliance requirement equal to that required under former section 27 in 2016-2018, 12.5% in 2019 and 2020 and 15% by 2021 and thereafter.

2 Tr. 118, ln. 5-13 (Schroeder's Revised Direct Testimony, p. 6, ln. 5-13).

Q WERE THERE CONCERNS RAISED ABOUT DTE'S ORIGINAL REP FILED IN THIS PROCEEDING?

A Yes, several parties filed testimony and exhibits explaining that DTE's original REP was unreasonable and imprudent. Parties testified that DTE's REP was unreasonable and imprudent because DTE failed to consider the purchase of RECs and failed to consider alternatives to the utility-owned resources included in the plan.

Q WAS DTE'S ORIGINAL REP FILED IN THIS PROCEEDING APPROVED?

A DTE's original REP was approved in part. The Commission agreed with the ALJ and various parties that DTE had not sufficiently supported its plan to rely exclusively on DTE-owned resources, and to limit participation in DTE's RFP to build-transfer contracts only. The Commission, however, found that certain near-term wind resources should be approved. The Commission approved those resources included in DTE's original REP that qualified for 100% of the federal production tax credit ("PTC").[1] Those resources included in the original plan which did not qualify for 100% of the federal PTC were not approved. The Commission stated that the unapproved resources would be addressed in DTE's IRP, MPSC Case No. U-20471. Order dated July 18, 2019, MPSC Case No. U-18232, pp. 21-22 & 31.

Q DID THE COMMISSION ADDRESS THE UNAPPROVED RESOURCES INCLUDED IN DTE'S ORIGINAL REP IN DTE'S IRP?

A No. DTE's IRP was subjected to considerable critique. Many parties made extensive filings raising numerous concerns with DTE's IRP proposals. The Commission found that due to "significant deficiencies in the record, including a starting point that included a range of non-approved and non-optimized resources and the failure to issue a request for proposals (RFP) for supply-side resource additions" the

[1] The approved wind resources were the 197 MW Isabella I project, the 186 MW Isabella II project, and the 72.45 MW Fairbanks Wind Park.

Commission did not approve any supply-side resource additions in the IRP. Instead, the Commission directed DTE to consider its recommendations and file proposals as part of an accelerated REP proceeding. The Commission also deferred a ruling on DTE's capacity need until a future PURPA proceeding. The Commission then expressed an intent to consider both demand-side and supply-side resources on an integrated basis in DTE's next IRP under an accelerated schedule. February 20, 2020 Order, MPSC Case No. U-20147 et al., pp. 13-14.

Q DID DTE FILE AN AMENDED REP IN THIS PROCEEDING?

A Yes. On March 31, 2020, DTE filed an application seeking Commission review and approval of its amended REP. DTE seeks approval of one 224.9 MW DTE-owned wind facility and two solar PPAs totaling 125 MW. The wind facility has an expected commercial operation date ("COD") in 2021. The 75 MW solar PPA has an expected COD in 2021 and the 50 MW solar PPA has an expected COD of 2022. Thus, DTE is still planning to invest substantially in new, renewable capacity to achieve compliance with Michigan's RPS standard.

Q ARE THE THREE NEW RENEWABLE RESOURCES THE ONLY NEW RENEWABLE RESOURCES THAT DTE PLANS TO ACQUIRE?

A No. DTE is using the results of its 2019 renewable energy RFPs to also identify renewable resources for its voluntary green pricing ("VGP") program. DTE currently has under consideration 925 MW of additional renewable capacity for the VGP program. Of that amount, 150 MW is a potential build-transfer agreement for a wind resource with a COD in 2021, and 775 MW is for various solar PPAs with CODs in 2022 and 2023. See, proposed DTE Exhibits B-28, B-29, & B-30.

Q IS DTE SEEKING APPROVAL OF THE VGP PROGRAM RESOURCES IN THIS CASE?

A No. DTE states that it "expects to seek approval of the additional resources to supply its voluntary green pricing programs through separate filings in the future." Schroeder's March 31, 2020 Direct Testimony, p. 12, ln. 11-12. Nevertheless, the evidence demonstrates DTE's intent to continue acquiring new renewable capacity.

III. Michigan's Renewable Energy Requirements

Q PLEASE BRIEFLY DESCRIBE MICHIGAN'S RENEWABLE ENERGY REQUIREMENTS FOR ELECTRIC UTILITY PROVIDERS.

A All electric utility providers must develop a reasonable and prudent REP that achieves compliance with a 15% REC standard based on retail sales by the end of 2021. MCL 460.1028(1). To comply with the REC standard, electric providers can either: (1) self-build renewable generation resources and generate the RECs themselves, (2) purchase fully bundled RECs, or (3) acquire unbundled RECs[2] in the competitive market. Compliance with these standards must be done in a manner that does not exceed the retail rate impact limits specified in Section 45 of PA 295, MCL 460.1045.

Q MUST DTE SELF-BUILD RENEWABLE GENERATION RESOURCES TO COMPLY WITH MICHIGAN'S REC STANDARD?

A No. DTE can comply with Michigan's REC standard by purchasing bundled RECs, meaning RECs conveyed with the associated renewable energy, or unbundled RECs,

[2] A REC can be purchased either "bundled" with the underlying energy or "unbundled," separate from the energy.

meaning RECs conveyed separately from the associated renewable energy. MCL 460.1028(3).

IV. Deficiencies in DTE's Renewable Energy Plan

Q BASED ON YOUR REVIEW, DO YOU HAVE ANY CONCERNS WITH DTE'S PROPOSED REP?

A Yes. My primary concern is that DTE's proposed REP discriminates against QFs and violates PURPA in several ways. First, given that DTE has concluded that it cannot meet its RPS obligations through the purchase of unbundled RECs, it requires new renewable energy capacity to meet those obligations, whether built and owned by DTE or procured from third parties. (Theoretically, DTE could build a renewable facility and not seek cost recovery for its capital cost, but, as a practical matter, would never do so. Similarly, a third party could offer to sell only the energy and RECs from a new renewable facility to DTE, but that would require those commodities to be priced far above their market value.) Given that capacity need, DTE cannot lawfully procure that capacity in the manner proposed without having offered to pay QFs for the capacity required. While a competitive solicitation process of the sort utilized by DTE (leaving aside its procedural flaws) might be an acceptable alternative to traditional PURPA implementation if approved in advance by this Commission, as in the case of Consumers Energy, DTE has not proposed, let alone received Commission approval for such a program. Moreover, DTE expressly excluded all non-exempt wind and solar QFs (20 MW and less) from participation in the competitive solicitations. Finally, DTE's failure to consider QF purchases as an option for meeting its RPS obligations is imprudent and inconsistent with Michigan law. I have concerns with DTE's proposed REP.

Q DOES DTE'S AMENDED REP CONSIDER ALL AVAILABLE RENEWABLE ENERGY ALTERNATIVES IN ORDER TO COMPLY WITH THE 15% REC STANDARD?

A No. DTE's plan for complying with Michigan's renewable energy standard includes three new renewable energy resources, one utility-owned wind facility and two solar PPAs that submitted responses to DTE's 2019 renewable energy RFPs. DTE, however, excluded from its 2019 RFP processes any proposed wind projects below 100 MW or more than 200 MW, and excluded any proposed solar projects below 25 MW or more than 200 MW in size. See, Exhibit B-31, p. 5 and Exhibit B-32, p. 5. Because DTE's PURPA 'must purchase' obligation is limited to renewable energy QFs 20 MW or smaller, solar QFs were prohibited from submitting bids.

Additionally, DTE limited bids to either: 1) build-transfer proposals or 2) PPAs and build-transfer proposals. See, Exhibit B-31, p. 6 and Exhibit B-32, p. 6. DTE would not consider standalone PPAs. Thus, a developer had to be willing to transfer its resource to DTE to participate in DTE's 2019 RFP processes.

Q DO YOU HAVE ANY OTHER CONCERNS WITH DTE'S 2019 RFP PROCESSES?

A Yes. DTE did not use an independent administrator, among many other deficiencies. Instead, DTE conducted the RFP process itself. DTE submitted its own project into the process, evaluated the various bids using criteria that DTE self-determined, and then scored the various bids. Suspiciously, DTE's own wind energy facility achieved the highest bid score, but it is not the lowest cost bid based on DTE's own levelized cost of energy ("LCOE") analysis. See, Exhibits B-28, B-29 and B-30. The overly restrictive bid requirements for participation, the lack of transparency in the bid

evaluation criteria, the potential for self-dealing, and ultimately the results themselves leading to DTE's amended REP are all causes for concern.

Q DO YOU AGREE WITH DTE THAT THE PURCHASE OF UNBUNDLED RECs IS NOT A VIABLE OPTION FOR RPS COMPLIANCE?

A I do not have enough familiarity with the REC market in Michigan to form an opinion on that question and accept DTE's representation for the purposes of my testimony. As I have previously stated, in the absence of the ability to satisfy its RPS through the purchase of unbundled RECs, DTE has no choice but to procure new renewable capacity in order to comply with state law, as it proposes to do. But it may not procure new capacity to the exclusion of QF procurement without running afoul of PURPA.

Q WHAT IS DTE PAYING FOR THE ENERGY, CAPACITY AND RECS FROM THE RESOURCES INCLUDED IN DTE'S AMENDED REP?

A DTE did not separately identify what it is paying for the three product components being obtained from the new resources included in the amended REP. Using DTE's avoided costs, however, one can determine what DTE is effectively paying for each component. DTE's avoided capacity and energy costs were determined by the Commission in MPSC Case No. U-18091. Attached as Exhibit PGR-1 (SJL-1) is DTE's standard offer tariff that DTE filed in MPSC Case No. U-18091 as its compliance filing with the Commission's order issued in that case.

When DTE has a capacity need, then DTE's avoided cost of capacity is $14.02/MWh and its avoided energy price is $24.33/MWh in 2021. When DTE has a capacity need in 2021, its avoided energy and capacity cost combined is

$38.35/MWh. When DTE pays a resource $46-$50/MWh for capacity, energy and RECs in 2021, and DTE's avoided energy and capacity cost is $38.35/MWh, then DTE is effectively paying $7.65 - $11.65 per REC in 2021.

When DTE has a capacity need, then DTE's avoided cost of capacity is $14.02/MWh and its avoided energy price is $26.99/MWh in 2022. When DTE has a capacity need in 2022, its avoided energy and capacity cost combined is $41.01/MWh. When DTE pays a resource a LCOE range of $49-$52/MWh for capacity, energy and RECs in 2022, DTE is effectively paying $7.99 - $10.99 per REC in 2022.

Q IF DTE IS CORRECT THAT THERE ARE INSUFFICIENT UNBUNDLED RECS TO ACHIEVE COMPLIANCE WITH MICHIGAN'S RPS MANDATE, THEN WHAT ARE THE PURPA IMPLICATIONS OF THAT CONDITION FOR DTE?

A If, as Ms. Schroeder testifies, there are insufficient unbundled RECs available for DTE to meet Michigan's RPS mandate, then DTE has a capacity need under PURPA. Specifically, DTE has a capacity need for renewable capacity to meet the state mandate. A need for renewable capacity is still a capacity need.

Q IS IT REASONABLE FOR DTE TO PLAN TO BUILD ADDITIONAL RENEWABLE RESOURCES?

A No. DTE has received offers for significant quantities of solar generation under PURPA. Attached as Exhibit PGR-2 (SJL-2) is a copy of its generator interconnection queue.[3] Included in the queue are 189 solar energy projects representing over

[3] Pine Gate asked in discovery for DTE's current generator interconnection queue. DTE directed Pine Gate to its website. The generator interconnection queue available through DTE's generator interconnection website is dated July 9, 2019.

1,100 MW of renewable energy in queue. Purchases from these QFs would allow DTE to meet its RPS requirement. The Commission should direct DTE to pursue QF purchases consistent with state and federal mandates rather than constructing its own renewable energy projects or entering into PPAs with non-QF resources.

Q HOW MUCH RENEWABLE ENERGY COULD PINE GATE PROVIDE TO DTE?

A Pine Gate is seeking to develop 65 projects comprising more than 400 MWac in DTE's service area. These projects are projected to generate approximately 17 million RECs over 20 years.[4] Pine Gate has already made significant expenditures in connection with these projects and, in all cases, has secured site control and submitted requests for generator interconnection with DTE. However, in the absence of interconnection cost information, which DTE has been unwilling to provide on reasonable terms, it is impossible to say how many of these projects will prove to be financially viable.

Q WHAT PRICE WOULD DTE PAY FOR RENEWABLE ENERGY, CAPACITY AND RECs FROM PINE GATE PROJECTS?

A It is not possible to say without interconnection cost information, but with reasonable interconnection costs, the price could be expected to be in the range of the solar projects selected in the DTE competitive solicitation process.

Q DID DTE INCLUDE ANY NEW PURCHASES FROM QFS IN THE DEVELOPMENT OF ITS UPDATED REP?

A No.

[4] This projection is based on the capacity, the estimated capacity factor, and an assumed 0.5% degradation per year for Pine Gate's proposed projects. This projection does not include Michigan incentive RECs that may be awarded under MCL 460.1039(2).

Q DTE ASSERTS THAT THERE HAVE NOT BEEN ANY NEW QFS OPERATING ON ITS SYSTEM WITHIN THE PAST TWO YEARS. WHY HAS PINE GATE NOT MOVED FORWARD WITH ITS PROJECTS?

A Pine Gate has not proceeded with its DTE projects due to substantial uncertainty regarding engineering study costs, interconnection costs, and DTE's unwillingness to execute PPAs.

Q WHAT IS NECESSARY FOR PINE GATE TO MOVE FORWARD WITH ITS SOLAR QF PROJECTS IN DTE'S SERVICE AREA?

A Pine Gate needs clarity with respect to reasonable engineering study costs and interconnection costs, and an ability to obtain an executable PPA from DTE to move forward with its projects.

Q SHOULD THE COMMISSION REJECT DTE'S AMENDED REP THAT WOULD OTHERWISE ACHIEVE COMPLIANCE WITH MICHIGAN'S RPS MANDATE DUE TO DTE'S FAILURE TO COMPLY WITH PURPA?

A Yes. As the Commission has previously determined, DTE has impeded the development of solar QFs in its service area.[5] Had even a portion of the solar QFs pending in DTE's interconnection queue been permitted to interconnect, then there would be sufficient RECs available for DTE to achieve compliance with the RPS mandate. DTE should not be permitted to exacerbate the harm caused by its recalcitrance in meeting its obligations under PURPA and state law by moving forward with its proposed amended REP.

[5] See, *Greenwood Solar LLC v. DTE Electric* Company, Order dated September 26, 2019, MPSC Case No. U-20156.

Q WHAT DO YOU CONCLUDE ABOUT DTE'S AMENDED REP?

A DE's amended REP continues to be an unreasonable and imprudent REP.

Q DO YOU HAVE ANY OTHER CONCERNS WITH DTE'S REP?

A Yes. DTE is seeking to circumvent PURPA by using a competitive bidding process to procure new capacity and energy without regard to QF rights under PURPA. If DTE wants to implement an alternative form of PURPA compliance, it must first obtain the Commission's approval to do so,

Q DO YOU HAVE ANY FURTHER CONCERNS WITH DTE'S REP?

A Yes. DTE has asserted that it does not have a capacity need while it is unlawfully impeding the development of PURPA QFs and seeking Commission approval of new capacity acquisitions. It is imperative that the Commission not approve DTE's new capacity acquisitions while DTE thwarts its obligations under PURPA. If DTE moves forward with its proposed projects, then DTE will acquire additional capacity to the financial detriment of QFs. QFs should be given a fair, reasonable, and lawful opportunity to advance their own projects. Pine Gate will be irreparably harmed if DTE is able to fulfill its capacity need with resources identified through a suspect RFP process that Pine Gate's projects were excluded from while impeding QF projects.

Q WHAT DO YOU RECOMMEND?

A I recommend that the Commission: a) reject DTE's amended REP, b) open an investigation into DTE's generator interconnection procedures to ensure that DTE cannot continue to use its procedures to impede QF development in its service area; c) direct DTE to conduct an open, fair and transparent RFP process approved by the

Commission for the procurement of renewable resources, including from QF sources and d) file a further amended REP that reflects new QF offers to sell capacity, energy and RECs over the plan timeline.

Q DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?

A Yes, it does.

M.P.S.C. No. 1 - Electric _____ Revised Sheet No. D-xx.00
DTE Electric Company Cancels _____ Revised Sheet No. D-xx.00

STANDARD CONTRACT RIDER NO. 5

SMALL POWER PRODUCTION AND COGENERATION FACILITIES 20 MW AND SMALLER

AVAILABILITY: Full service customers, including station service customers, with on-site small power production or cogeneration facilities 20MW and smaller that seek to sell electric output from their facility to the Company may receive service under this tariff. This rate is available only to customers who obtain qualifying facility (QF) status from the Federal Energy Regulatory Commission. Prior to interconnection, the customer shall provide a copy of such notification to the Company. A Standard Offer under this tariff is applicable to QF's with less than or equal to 550 kW.

CHARACTER OF SERVICE:

A Sales to customers:

1. As specified under the applicable filed rate.

B Sales by the Customer to the Company:

1. As specified under the Standard Offer or negotiated contractual agreement.

C The customer shall install, at their expense, the necessary controlling, additional metering and protective equipment according to specifications of the Company. The Company shall not be liable for damage to customer-owned equipment caused by the interconnection.

D Billing for both sales to and sales from the customer will be calculated by the Company.

RATE:

A Sales to Customers:

1. Customer loads that are normally served by the customer's generator or prime mover must take standby service under Rider 3 unless otherwise exempted under the provisions of Rider 3 and must take supplemental service under an appropriate base tariff.

B Sales by the Customer to the Company:

1. **Energy Only Sales:** For customers electing to sell only energy to the Company as the customer determines such energy to be available. The rate will be based on the day-ahead MISO hourly locational marginal price for the DTE Electric appropriate load node.

M.P.S.C. No. 1 - Electric
DTE Electric Company

_____ Revised Sheet No. D-xx.00
Cancels _____ Revised Sheet No. D-xx.00

STANDARD CONTRACT RIDER NO. 5 (Contd.)

SMALL POWER PRODUCTION AND COGENERATION FACILITIES 20 MW AND SMALLER

2. Capacity and Energy Sales:

The Company does not have a capacity need at this time. The provisions under Short Term, Intermittent or No Capacity Need as set forth below are in effect for new projects.

Capacity Need:
When the Company has a capacity need during its 5-year planning horizon, the capacity and energy rate shall be based on the Blue Water Energy Center and paid as set forth below. A Standard Offer Rate will apply to facilities with a capacity of 550 kW or less. The rate for facilities having a capacity over 550kW up to 20MW will be made under negotiated agreement. For existing facilities, no recognition will be made for capacity unless substantial proof is shown that the generator and protective equipment is new or equivalent to new. Customers who have previously obtained and maintained qualifying status from Federal Energy Regulatory Commission (FERC) for facilities with capacity over 550 kW with active long-term capacity contracts with DTE Electric under former Rider Nos. 5 or 6 on October 14, 2019 shall be eligible for the pricing provision applicable to when the Company has a capacity need.

Standard Offer Rate - Capacity Need:
The rate will be based on the combined capacity and energy costs of Blue Water Energy Center and will consist of a fixed capacity component of $14.02 per MWh and variable energy component for variable O&M and fuel costs. The variable energy component during the first five (5) years of operation will be set based on the BWEC Variable Cost table below. Thereafter, the variable energy component will be determined annually based on the prior year actual variable O&M and fuel costs for the Blue Water Energy Center.

Operating Year	BWEC Variable Cost $/MWh
2019	22.38
2020	22.90
2021	24.33
2022	26.99
2023	29.91
2024	31.26
2025	33.01
2026	34.02
2027	33.75
2028	34.06
2029	34.18

Issued _____, 2019
D. M. Stanczak
Vice President
Regulatory Affairs

Detroit, Michigan

Effective for service rendered on and after _____, 2017

Issued under authority of the Michigan Public Service Commission dated_____, 201_ in Case No. U-18091

STANDARD CONTRACT RIDER NO. 5 (Contd.)

SMALL POWER PRODUCTION AND COGENERATION FACILITIES 20 MW AND SMALLER

Standard Offer Rate - Capacity Need (contd):

Renewable Energy Credits: Renewable Energy Credits (RECS) are owned by the Customer. The Company may, but need not, purchase RECs from Customers at a mutually agreeable price. Any agreement for the purchase of RECs shall be under separate agreement.

Contract Term: All customers must select a contract term of 5, 10, 15 or 20 years.

Early Termination:
Sellers shall be required, based on the options made available by the Company, to select a form of security to cover the financial risk associated with the Company's cost for replacement capacity in the event the QF ceases operation prior to the end of the term of the Power Purchase Agreement.

Security shall be provided through a letter of credit, one-time escrow payment, or monthly escrow payments. The amount of security required will be based on the estimated amount of capacity the seller will deliver and the term of the contract.

The early termination security amount will be calculated using the following table:

Contract Term (Years)	Early Termination Security Amount
5	$20,000 x Expected Annual ZRCs
10	$60,000 x Expected Annual ZRCs
15	$105,000 x Expected Annual ZRCs
20	$125,000 x Expected Annual ZRCs

Customer's will be required to execute a Standard Offer Contract with the Company.

3. **Short Term, Intermittent or No Capacity Need**
During periods when the Company does not need capacity or when only a short term or intermittent capacity need exists during its 5-year planning cycle, the Company will contract to purchase capacity and energy with capacity rates based on MISO's annual one-year Planning Resource Auction ("PRA") for short-term capacity needs in MISO Zone 7 corresponding to each year capacity is provided and energy rates will be based on the day-ahead MISO hourly locational marginal price for the DTE Electric appropriate load node. A Standard Offer Rate will apply to facilities with a capacity of 550 kW or less. The rate for facilities having a capacity over 550kW up to 20MW will be made under negotiated agreement.

M.P.S.C. No. 1 - Electric
DTE Electric Company

_____ Revised Sheet No. D-xx.00
Cancels _____ Revised Sheet No. D-xx.00

STANDARD CONTRACT RIDER NO. 5 (Contd.)

SMALL POWER PRODUCTION AND COGENERATION FACILITIES 20 MW AND SMALLER

Standard Offer Rate – Short Term, Intermittent or No Capacity Need:
The capacity rate will be based on MISO's annual one-year Planning Resource Auction ("PRA") for short-term capacity needs in MISO Zone 7 corresponding to each year capacity is provided and the energy rate will be based on the day-ahead MISO hourly locational marginal price for the DTE Electric appropriate load node. The QF shall have the option to receive avoided energy costs based on actual MISO day-ahead LMP for the life of the contract or the QF may opt to receive avoided energy costs for a five-year fixed term based on the five-year forecast of on-peak and off-peak MISO LMP as provided in the table below followed by a variable rate based on actual MISO day-ahead LMP for the remainder of the contract term.

Average Annual LMP Forecast ($/MWh)		
Year	On-Peak	Off-Peak
2019		
2020		
2021		
2022		
2023		
2024		
2025		

Renewable Energy Credits: Renewable Energy Credits (RECS) are owned by the Customer. The Company may, but need not, purchase RECs from Customers at a mutually agreeable price. Any agreement for the purchase of RECs shall be under separate agreement.

Contract Term: All customers must select a contract term of 5, 10, 15 or 20 years.

Early Termination:
Sellers shall be required, based on the options made available by the Company, to select a form of security to cover the financial risk associated with the Company's cost for replacement capacity in the event the QF ceases operation prior to the end of the term of the Power Purchase Agreement.

Security shall be provided through a letter of credit, one-time escrow payment, or monthly escrow payments. The amount of security required will be based on the estimated amount of capacity the seller will deliver and the term of the contract.

STANDARD CONTRACT RIDER NO. 5 (Contd.)

SMALL POWER PRODUCTION AND COGENERATION FACILITIES 20 MW AND SMALLER

The early termination security amount will be calculated using the following table:

Contract Term (Years)	Early Termination Security Amount
5	$20,000 x Expected Annual ZRCs
10	$60,000 x Expected Annual ZRCs
15	$105,000 x Expected Annual ZRCs
20	$125,000 x Expected Annual ZRCs

Customers will be required to execute a Standard Offer Contract with the Company.

4. **Administrative Expense:** A one mill per kilowatthour charge shall be assessed to all customers on this rate to offset the Company's additional administrative expenses associated with these transactions.

Project Number	Current Status	Application Received Date	Category Applied for	Capacity(KW)	Generation Type	Engineering Review Started?	Engineering Review Completed?	Distribution Started	Distribution Complete
DE-02161	Application On-Hold: Missing Information	2/9/2017	Category 5 (>2 MW)	6,003.7	Solar PV	No	No		
DE-02162	Application On-Hold: Missing Information	2/9/2017	Category 5 (>2 MW)	6,003.7	Solar PV	No	No		
DE-02163	Application On-Hold: Missing Information	2/9/2017	Category 5 (>2 MW)	6,003.7	Solar PV	No	No		
DE-02164	Engineering Review Complete	3/12/2018	Category 5 (>2 MW)	6,003.7	Solar PV	Yes	Yes		
DE-02165	Application On-Hold: Missing Information	3/15/2018	Category 5 (>2 MW)	6,003.7	Solar PV	No	No		
DE-02390	Application On-Hold: Missing Information	8/17/2017	Category 4 (550 kW - 2 MW)	7,700.0	Solar PV	No	No		
DE-02384	Application On-Hold: Missing Information	8/16/2017	Category 5 (>2 MW)	1,782.8	Other	No	No		
DE-02391	Engineering Review Complete	8/17/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	Yes	Yes		
DE-02392	Application On-Hold: Missing Information	8/17/2017	Category 4 (550 kW - 2 MW)	1,801.2	Solar PV	No	No		
DE-02393	Application On-Hold: Missing Information	8/17/2017	Category 4 (550 kW - 2 MW)	1,801.2	Solar PV	No	No		
DE-02394	Engineering Review Complete	8/17/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	Yes	Yes		
DE-02395	Application On-Hold: Missing Information	8/17/2017	Category 4 (550 kW - 2 MW)	1,801.2	Solar PV	No	No		
DE-02396	Application On-Hold: Missing Information	8/17/2017	Category 4 (550 kW - 2 MW)	1,801.2	Solar PV	No	No		
DE-02397	Application On-Hold: Missing Information	8/17/2017	Category 4 (550 kW - 2 MW)	1,801.2	Solar PV	No	No		
DE-02398	Application Review for Completion	8/17/2017	Category 4 (550 kW - 2 MW)	1,801.2	Solar PV	No	No		
DE-02399	Application On-Hold: Missing Information	8/17/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02400	Application On-Hold: Missing Information	8/17/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02401	Application On-Hold: Missing Information	8/17/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02402	Application On-Hold: Missing Information	8/17/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02403	Application On-Hold: Missing Information	8/17/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02404	Application On-Hold: Missing Information	8/17/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02405	Application On-Hold: Missing Information	8/17/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02406	Application On-Hold: Missing Information	8/17/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02425	Application On-Hold: Missing Information	8/23/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02426	Application On-Hold: Missing Information	8/23/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02427	Application On-Hold: Missing Information	8/23/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02428	Application On-Hold: Missing Information	8/23/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02429	Application On-Hold: Missing Information	8/23/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02430	Application On-Hold: Missing Information	8/23/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02431	Application On-Hold: Missing Information	8/23/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02432	Application On-Hold: Missing Information	8/23/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02433	Engineering Review Complete	8/23/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	Yes	Yes		
DE-02434	Application On-Hold: Missing Information	8/23/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02435	Application On-Hold: Missing Information	8/23/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02436	Application On-Hold: Missing Information	8/23/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02437	Application On-Hold: Missing Information	8/23/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02438	Application On-Hold: Missing Information	8/23/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02439	Engineering Review Complete	8/23/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	Yes	Yes		
DE-02447	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02448	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02449	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02450	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02451	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02452	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02453	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02454	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02455	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02456	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02457	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02458	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02459	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02460	Engineering Review Complete	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	Yes	Yes		
DE-02461	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02462	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02463	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02464	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02465	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02466	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02467	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		

DE-02468	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02469	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02470	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02471	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02472	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02473	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02474	Application On-Hold: Missing Information	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02475	Engineering Review Complete	8/28/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	Yes	Yes		
DE-02587	Application On-Hold: Missing Information	10/11/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02501	Application On-Hold: Missing Information	9/6/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02502	Application On-Hold: Missing Information	9/6/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02503	Application On-Hold: Missing Information	9/6/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02504	Application On-Hold: Missing Information	9/6/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02505	Application On-Hold: Missing Information	9/6/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02506	Distribution Study Complete	9/6/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	yes	yes	Yes	Yes
DE-02507	Engineering Review Complete	9/6/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	Yes	Yes		
DE-02508	Application On-Hold: Missing Information	9/6/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02509	Application On-Hold: Missing Information	9/6/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02529	Application Review for Completion	9/14/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02530	Application On-Hold: Missing Information	9/14/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02531	Application On-Hold: Missing Information	9/14/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02532	Application On-Hold: Missing Information	9/14/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02533	Engineering Review Complete	9/14/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	Yes	Yes		
DE-02534	Application On-Hold: Missing Information	9/14/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02569	Awaiting Documentation	10/2/2017	Category 3 (150 - 550 kW)	360.0	Other	No	No		
DE-02582	Application On-Hold: Missing Information	10/10/2017	Category 5 (>2 MW)	23,538.3	Other	No	No		
DE-02567	Application On-Hold: Missing Information	9/30/2017	Category 4 (550 kW - 2 MW)	23,538.3	Solar PV	No	No		
DE-02570	Engineering Review On-Hold: Input Required	10/3/2017	Category 5 (>2 MW)	23,538.3	Solar PV	No	No		
DE-02571	Engineering Review On-Hold: Input Required	10/3/2017	Category 5 (>2 MW)	4,600.0	Solar PV	No	No		
DE-02572	Engineering Review On-Hold: Input Required	10/3/2017	Category 5 (>2 MW)	2,689.7	Solar PV	No	No		
DE-02588	Application On-Hold: Missing Information	10/11/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02590	Application On-Hold: Missing Information	10/11/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02591	Application On-Hold: Missing Information	10/11/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02684	Application On-Hold: Missing Information	11/12/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02703	Application Review for Completion	11/17/2017	Category 5 (>2 MW)	25,124.1	Solar PV	No	No		
DE-02685	Application On-Hold: Missing Information	11/12/2017	Category 5 (>2 MW)	25,124.1	Solar PV	No	No		
DE-02686	Application On-Hold: Missing Information	11/12/2017	Category 5 (>2 MW)	25,124.1	Solar PV	No	No		
DE-02687	Application On-Hold: Missing Information	11/12/2017	Category 5 (>2 MW)	25,124.1	Solar PV	No	No		
DE-02688	Application On-Hold: Missing Information	11/12/2017	Category 5 (>2 MW)	25,124.1	Solar PV	No	No		
DE-02689	Application On-Hold: Missing Information	11/12/2017	Category 5 (>2 MW)	25,124.1	Solar PV	No	No		
DE-02690	Application On-Hold: Missing Information	11/12/2017	Category 5 (>2 MW)	17,640.0	Solar PV	No	No		
DE-02704	Application On-Hold: Missing Information	11/17/2017	Category 5 (>2 MW)	19,933.2	Solar PV	No	No		
DE-02706	Application On-Hold: Missing Information	11/17/2017	Category 5 (>2 MW)	1,993.3	Solar PV	No	No		
DE-02750	Application On-Hold: Missing Information	11/30/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02751	Application On-Hold: Missing Information	11/30/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02752	Application On-Hold: Missing Information	11/30/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02753	Application On-Hold: Missing Information	11/30/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02754	Application On-Hold: Missing Information	11/30/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02755	Application On-Hold: Missing Information	11/30/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02768	Engineering Review On-Hold: Input Required	12/5/2017	Category 5 (>2 MW)	3,464.0	Combination/Multiple	No	No		
DE-02779	Application On-Hold: Missing Information	6/22/2018	Category 4 (550 kW - 2 MW)	50,000.0	Solar PV	No	No		
DE-02778	Engineering Review Complete	12/8/2017	Category 5 (>2 MW)	2,511.7	Solar PV	Yes	Yes		
DE-02780	Application On-Hold: Missing Information	6/22/2018	Category 4 (550 kW - 2 MW)	2,511.0	Solar PV	No	No		
DE-02781	Application On-Hold: Missing Information	6/22/2018	Category 4 (550 kW - 2 MW)	2,511.0	Solar PV	No	No		
DE-02782	Engineering Review Complete	12/8/2017	Category 5 (>2 MW)	20,020.0	Solar PV	Yes	Yes		
DE-02810	Application On-Hold: Missing Information	12/22/2017	Category 5 (>2 MW)	25,124.1	Solar PV	No	No		
DE-02811	Application On-Hold: Missing Information	12/22/2017	Category 5 (>2 MW)	25,124.1	Solar PV	No	No		
DE-02812	Application On-Hold: Missing Information	12/22/2017	Category 5 (>2 MW)	25,124.1	Solar PV	No	No		
DE-02813	Application On-Hold: Missing Information	12/22/2017	Category 4 (550 kW - 2 MW)	2,689.7	Solar PV	No	No		
DE-02881	Application On-Hold: Missing Information	5/15/2018	Category 4 (550 kW - 2 MW)	2,025.0	Solar PV	No	No		

DE-02882	Application On-Hold: Missing Information	4/16/2018	Category 4 (550 kW - 2 MW)	2,025.0	Solar PV	No	No
DE-02886	Application On-Hold: Missing Information	4/16/2018	Category 4 (550 kW - 2 MW)	2,025.0	Solar PV	No	No
DE-02885	Application On-Hold: Missing Information	4/16/2018	Category 4 (550 kW - 2 MW)	2,025.0	Solar PV	No	No
DE-02884	Application On-Hold: Missing Information	4/16/2018	Category 4 (550 kW - 2 MW)	2,025.0	Solar PV	No	No
DE-02883	Application On-Hold: Missing Information	4/16/2018	Category 4 (550 kW - 2 MW)	2,025.0	Solar PV	No	No
DE-03152	Application On-Hold: Missing Information	4/24/2018	Category 5 (>2 MW)	21,357.9	Solar PV	No	No
DE-02920	Application On-Hold: Missing Information	2/9/2018	Category 5 (>2 MW)	100,000.0	Solar PV	No	No
DE-03123	Application On-Hold: Missing Information	9/4/2018	Category 4 (550 kW - 2 MW)	2,511.0	Solar PV	No	No
DE-02945	Application On-Hold: Missing Information	2/21/2018	Category 5 (>2 MW)	2,511.0	Solar PV	No	No
DE-02952	Application On-Hold: Missing Information	6/22/2018	Category 4 (550 kW - 2 MW)	10,000.0	Solar PV	No	No
DE-02953	Application On-Hold: Missing Information	6/22/2018	Category 4 (550 kW - 2 MW)	16,500.0	Solar PV	No	No
DE-02970	Application On-Hold: Missing Information	3/1/2018	Category 4 (550 kW - 2 MW)	1,998.2	Solar PV	No	No
DE-03364	Application On-Hold: Missing Information	6/29/2018	Category 4 (550 kW - 2 MW)	13,457.6	Solar PV	No	No
DE-02968	Application Review for Completion	3/1/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02969	Application On-Hold: Missing Information	3/1/2018	Category 5 (>2 MW)	18,839.1	Solar PV	No	No
DE-02975	Application On-Hold: Missing Information	3/2/2018	Category 5 (>2 MW)	26,917.0	Solar PV	No	No
DE-02974	Application On-Hold: Missing Information	3/2/2018	Category 5 (>2 MW)	18,839.1	Solar PV	No	No
DE-02976	Application On-Hold: Missing Information	3/2/2018	Category 5 (>2 MW)	18,839.1	Solar PV	No	No
DE-02977	Application On-Hold: Missing Information	3/2/2018	Category 5 (>2 MW)	26,917.0	Solar PV	No	No
DE-02978	Application On-Hold: Missing Information	3/2/2018	Category 5 (>2 MW)	13,448.7	Solar PV	No	No
DE-02979	Application On-Hold: Missing Information	3/2/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02980	Application On-Hold: Missing Information	3/2/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02981	Application On-Hold: Missing Information	3/4/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02982	Application On-Hold: Missing Information	3/4/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02983	Application On-Hold: Missing Information	3/4/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02984	Application On-Hold: Missing Information	3/4/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02985	Application On-Hold: Missing Information	3/4/2018	Category 5 (>2 MW)	13,450.5	Solar PV	No	No
DE-02986	Application On-Hold: Missing Information	3/4/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02987	Application On-Hold: Missing Information	3/4/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02988	Application On-Hold: Missing Information	3/5/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02989	Application On-Hold: Missing Information	3/5/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02990	Application On-Hold: Missing Information	3/5/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02991	Application On-Hold: Missing Information	3/5/2018	Category 5 (>2 MW)	13,448.7	Solar PV	No	No
DE-02992	Application On-Hold: Missing Information	3/5/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02993	Application On-Hold: Missing Information	3/5/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02994	Application On-Hold: Missing Information	3/5/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-03008	Application On-Hold: Missing Information	3/5/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02995	Application On-Hold: Missing Information	3/5/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02996	Application On-Hold: Missing Information	3/5/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02997	Application On-Hold: Missing Information	3/6/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-02999	Application On-Hold: Missing Information	3/6/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-03000	Application On-Hold: Missing Information	3/6/2018	Category 5 (>2 MW)	1,972.7	Solar PV	No	No
DE-03003	Application On-Hold: Missing Information	3/6/2018	Category 5 (>2 MW)	13,410.8	Solar PV	No	No
DE-03009	Application On-Hold: Missing Information	3/6/2018	Category 5 (>2 MW)	1,972.7	Solar PV	No	No
DE-03010	Application On-Hold: Missing Information	3/7/2018	Category 4 (550 kW - 2 MW)	1,972.7	Solar PV	No	No
DE-03013	Construction (Pending Agreement)	3/7/2018	Category 5 (>2 MW)	1,972.7	Solar PV	No	No
DE-03017	Application On-Hold: Missing Information	3/8/2018	Category 4 (550 kW - 2 MW)	23,274.0	Solar PV	No	No
DE-03018	Application On-Hold: Missing Information	3/8/2018	Category 4 (550 kW - 2 MW)	23,274.0	Solar PV	No	No
DE-03021	Application On-Hold: Missing Information	3/9/2018	Category 4 (550 kW - 2 MW)	13,457.6	Solar PV	No	No
DE-03059	Application On-Hold: Missing Information	3/23/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-03058	Application On-Hold: Missing Information	3/23/2018	Category 5 (>2 MW)	13,457.6	Solar PV	No	No
DE-03073	Application On-Hold: Missing Information	3/26/2018	Category 4 (550 kW - 2 MW)	13,457.6	Solar PV	No	No
DE-03071	Application On-Hold: Missing Information	3/26/2018	Category 4 (550 kW - 2 MW)	1,985.4	Solar PV	No	No
DE-03064	Application On-Hold: Missing Information	3/25/2018	Category 5 (>2 MW)	1,985.4	Solar PV	No	No
DE-03065	Application On-Hold: Missing Information	3/25/2018	Category 5 (>2 MW)	2,025.0	Solar PV	No	No
DE-03066	Application On-Hold: Missing Information	3/25/2018	Category 5 (>2 MW)	13,186.4	Solar PV	No	No
DE-03067	Application On-Hold: Missing Information	3/25/2018	Category 5 (>2 MW)	2,000.0	Solar PV	No	No
DE-03195	Application Received (Pending Fee)	5/4/2018	Category 5 (>2 MW)	2,000.0	Combination/Multiple	No	No
DE-03169	Application On-Hold: Missing Information	4/30/2018	Category 5 (>2 MW)	20,000.0	Other	No	No
DE-03157	Application On-Hold: Missing Information	4/26/2018	Category 4 (550 kW - 2 MW)	15,500.0	Solar PV	No	No

DE-03158	Application On-Hold: Missing Information	4/26/2018	Category 4 (550 kW - 2 MW)	10,000.0	Solar PV	No	No
DE-03164	Application On-Hold: Missing Information	4/27/2018	Category 5 (>2 MW)	1,980.0	Solar PV	No	No
DE-03204	Application On-Hold: Missing Information	5/8/2018	Category 4 (550 kW - 2 MW)	1,980.0	Solar PV	No	No
DE-03205	Application On-Hold: Missing Information	5/8/2018	Category 4 (550 kW - 2 MW)	22,500.0	Solar PV	No	No
DE-03332	Engineering Review (Pending Agreement)	6/20/2018	Category 4 (550 kW - 2 MW)	2,500.0	Solar PV	No	No
DE-03252	Cancelled	5/23/2018	Category 4 (550 kW - 2 MW)	2,200.0	Solar PV	No	No
DE-04094	Application Received (Pending Fee)	3/29/2019	Category 4 (550 kW - 2 MW)	2,000.0	Solar PV	No	No
DE-03286	Application On-Hold: Missing Information	6/4/2018	Category 4 (550 kW - 2 MW)	2,000.0	Solar PV	No	No
DE-03284	Application On-Hold: Missing Information	6/4/2018	Category 5 (>2 MW)	750.0	Solar PV	No	No
DE-03285	Application On-Hold: Missing Information	6/4/2018	Category 5 (>2 MW)	700.0	Solar PV	No	No
DE-03382	Application On-Hold: Missing Information	7/6/2018	Category 3 (150 - 550 kW)	264.0	Solar PV	No	No
DE-03374	Application On-Hold: Missing Information	7/3/2018	Category 4 (550 kW - 2 MW)		Combination/Multiple	No	No
DE-03360	Application On-Hold: Missing Information	6/28/2018	Category 4 (550 kW - 2 MW)		Solar PV	No	No
DE-03421	Application On-Hold: Missing Information	10/1/2018	Category 5 (>2 MW)		Wind	No	No
DE-03424	Application On-Hold: Missing Information	7/20/2018	Category 5 (>2 MW)		Other	No	No
DE-03426	Application On-Hold: Missing Information	7/20/2018	Category 5 (>2 MW)		Solar PV	No	No
DE-03427	Application On-Hold: Missing Information	9/19/2018	Category 5 (>2 MW)	2000	Solar PV	No	No
DE-03428	Application On-Hold: Missing Information	9/19/2018	Category 5 (>2 MW)	300	Solar PV	No	No
DE-03617	Engineering Review On-Hold: Input Required	9/14/2018	Category 4 (550 kW - 2 MW)	50000	Solar PV	No	No
DE-03888	Engineering Review On-Hold: Input Required	11/14/2018	Category 4 (550 kW - 2 MW)	348	Solar PV	No	No
DE-03700	Application Technical Review	10/8/2018	Category 3 (150 - 550 kW)	240	Solar PV	No	No
DE-03709	Application Received (Pending Fee)	10/11/2018	Category 5 (>2 MW)	324	Biomass	No	No
DE-03710	Application Received (Pending Fee)	10/11/2018	Category 5 (>2 MW)	2800	Combination/Multiple	No	No
DE-03734	Application Technical Review	10/15/2018	Category 3 (150 - 550 kW)	2000	Solar PV	No	No
DE-04059	Application On-Hold: Missing Information	1/4/2019	Category 4 (550 kW - 2 MW)	2000	Solar PV	No	No
DE-03736	Application Technical Review	10/16/2018	Category 3 (150 - 550 kW)	2000	Solar PV	No	No
DE-03738	Application Technical Review	10/16/2018	Category 3 (150 - 550 kW)	324	Solar PV	No	No
DE-04225	Application On-Hold: Missing Information	2/22/2019	Category 3 (150 - 550 kW)	250	Solar PV	No	No
DE-03853	Application Received (Pending Fee)	11/8/2018	Category 5 (>2 MW)	2800	Other	No	No
DE-04302	Application On-Hold: Missing Information	6/19/2019	Category 4 (550 kW - 2 MW)	655	Combination/Multiple	No	No

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission's own motion regarding the regulatory reviews, revisions, determinations, and/or approvals necessary for DTE ELECTRIC COMPANY to fully comply with Public Acts 295 of 2008.	)))))))	Case No. U-18232

CERTIFICATE OF SERVICE

Angela R. Babbitt hereby certifies that on the 28th day of April, 2020, she served the ***Direct Testimony and Exhibits of Steven J. Levitas on behalf of Pine Gate Renewables, LLC*** and this Certificate of Service on the persons identified on the attached service list via electronic mail.

Angela R. Babbitt

Angela R. Babbitt

Digitally signed by Angela R. Babbitt
Date: 2020.04.28 17:41:11 -04'00'

Service List for U-18232

Administrative Law Judge
Hon. Sharon L. Feldman
Michigan Public Service Commission
7109 W. Saginaw Hwy.
Lansing, MI 48917
feldmans@michigan.gov

Counsel for DTE Electric Company
Lauren D. Donofrio
DTE Gas Company
One Detroit Plaza, 688 WCB
Detroit, MI 48826
Lauren.Donofrio@dteenergy.com
mpscfilings@dteenergy.com

Counsel for MPSC Staff
Spencer A. Sattler
Amit Singh
Michigan Public Service Commission
7109 W. Saginaw Hwy.
Lansing, MI 48917
sattlers@michigan.gov
singha9@michigan.gov

Counsel for Michigan Environmental Council (MEC)
Christopher M. Bzdok
Lydia Barbash-Riley
Olson, Bzdok & Howard
420 E. Front St.
Traverse City, MI 49686
chris@envlaw.com
lydia@envlaw.com
kimberly@envlaw.com

Counsel for Geronimo Energy
Timothy J. Lundgren
Laura A. Chappelle
Varnum Law Firm
201 N. Washington Sq., Ste. 910
Lansing, MI 48933
tjlundgren@varnumlaw.com
lachappelle@varnumlaw.com

Counsel for Ranger Power, LLC
Varnum Law Firm
333 Bridge St., NW
Grand Rapids, MI 49504
mkerffmeyer@varnumlaw.com

Counsel for Soulardarity
Nicholas Leonard
Great Lakes Environmental Law Center
4444 Second Avenue
Detroit, MI 48201
nicholas.leonard@glelc.org

Robert Weinstock
Mark Templeton
Rebecca Boyd
6020 S. University Ave.
Chicago, IL 60637
rweinstock@uchicago.edu
templeton@uchicago.edu
rebecca.j.boyd@gmail.com

Counsel for Attorney General
Joel B. King
Office of Attorney General
525 W. Ottawa
Lansing, MI 48908
KingJ38@michigan.gov
ag-enra-spec-lit@michigan.gov

Counsel for Environmental Law Policy Center (ELPC) Vote Solar, Ecology Center,
Solar Energy Industries Association
Margrethe Kearney
Environmental Law & Policy Center
1514 Wealthy St., SE, Ste. 256
Grand Rapids, MI 49506
mkearney@elpc.org

Counsel for Environmental Law Policy Center (ELPC)
Bradley Klein
Jeffrey Hammons
Environmental Law & Policy Center
35 E. Wacker Drive, Suite 1600
Chicago, IL 60601
BKlein@elpc.org
JHammons@elpc.org

Counsel for Great Lakes Energy Association (GLREA)
Don L. Keskey
Brian W. Coyer
Public Law Resource Center PLLC
University Office Place
333 Albert Ave., Ste. 425
East Lansing, MI 48823
donkeskey@publiclawresourcecenter.com
bwcoyer@publiclawresourcecenter.com