STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter, on the Commission's own motion, to implement the provisions of 2013 PA 95.	)))	Case No. U-17377

At the July 27, 2021 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. Daniel C. Scripps, Chair
Hon. Tremaine L. Phillips, Commissioner
Hon. Katherine L. Peretick, Commissioner

ORDER

Public Act 95 of 2013 (Act 95), MCL 460.9t, created the Low-Income Energy Assistance Fund (LIEAF) within the State of Michigan Treasury. Section 9t(5) of Act 95 provides that money from the LIEAF shall be expended by the Michigan Department of Health and Human Services as provided in the Michigan Energy Assistance Act, 2012 PA 615, MCL 400.1231 *et seq*. The Michigan Energy Assistance Program (MEAP) provides oversight of the LIEAF. Section 9t(6) of Act 95 provides that the Commission, after an opportunity to comment, may annually approve a low-income energy assistance funding factor no later than July 31 of each year for the subsequent fiscal year. MCL 460.9t(6).

The funding factor is a nonbypassable surcharge to be added to each retail billing meter but no more than one residential meter per residential site. MCL 460.9t(10)(b). The funding factor is payable monthly by every customer receiving retail distribution service from an electric utility, municipally owned electric utility, or cooperative electric utility, regardless of the identity of the

customer's electric generation supplier. *Id*. The funding factor shall be the same across all customer classes, shall not exceed $1.00, and shall appear as a separate line item on each customer's bill. MCL 460.9t(6).

Electric utilities, including the municipally owned and cooperative electric utilities, may elect not to collect the funding factor by annually filing a notice with the Commission by July 1; however, utilities that do not collect the funding factor shall not shut off service to any residential customer from November 1 to April 15 for nonpayment of a delinquent account. MCL 460.9t(7). Utilities that do not opt out shall annually, by July 1, provide to the Commission the number of retail billing meters served by the utility in Michigan that are subject to the low-income energy assistance funding factor. MCL 460.9t(8). The Commission will thereafter determine the funding factor by July 31, after providing an opportunity to comment on a proposed factor.

Section 9t(6) of Act 95 provides that "[t]he amount used by the public service commission to calculate a low-income energy assistance funding factor during each fiscal year shall not exceed $50,000,000.00 minus both the amount appropriated from the general fund in that fiscal year for home energy assistance and the amount remaining in the fund from the prior fiscal year." MCL 460.9t(6).

Based on the information filed this year, the Commission issued an order on July 2, 2021, proposing a funding factor of $0.87 for September 2021 through August 2022 and providing for the filing of comments through July 9, 2021. The Commission did not receive any comments on the proposed funding factor.

Based upon the utilities' elections, the meter count information, and taking into account the funding target of $50,000,000, the Commission finds that the LIEAF funding factor shall be $0.87 per meter per month for the September 2021 through August 2022 billing months. An electric utility, municipally owned electric utility, or cooperative electric utility that collects money under

Act 95 shall remit that money to the State Treasurer for deposit in the fund on a monthly basis no later than 30 days after the last day of each calendar month. MCL 460.9t(6). Utilities that have elected to participate and need further assistance on how to arrange for remittances to the LIEAF may contact Cheryl Rojas in the Commission's MEAP Section at rojasc@michigan.gov or (517) 284-8225.

THEREFORE, IT IS ORDERED that:

A. The Low-Income Energy Assistance Fund funding factor is $0.87 per meter per month for the September 2021 through August 2022 billing months. Utilities that have elected to participate shall begin collecting the nonbypassable surcharge in the September 2021 billing month. Utilities that have opted out of collection of the surcharge shall not shut off service to any residential customer from November 1, 2021, to April 15, 2022, for nonpayment of a delinquent account.

B. Utilities whose rates are regulated by the Commission and who opted to collect the surcharge shall, within 30 days of the date of this order, file a tariff sheet with the Commission reflecting the surcharge.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, under MCL 462.26. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at mpscedockets@michigan.gov and to the Michigan Department of the Attorney General - Public Service Division at pungp1@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

Daniel C. Scripps, Chair

Tremaine L. Phillips, Commissioner

Katherine L. Peretick, Commissioner

By its action of July 27, 2021.

Lisa Felice, Executive Secretary

PROOF OF SERVICE

STATE OF MICHIGAN)

Case No. U-17377

County of Ingham)

Brianna Brown being duly sworn, deposes and says that on July 27, 2021 A.D. she electronically notified the attached list of this **Commission Order via e-mail transmission**, to the persons as shown on the attached service list (Listserv Distribution List).

Brianna Brown

Subscribed and sworn to before me
this 27th day of July 2021.

Angela P. Sanderson
Notary Public, Shiawassee County, Michigan
As acting in Eaton County
My Commission Expires: May 21, 2024

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