

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of The Detroit	)	
Edison Company for authority to recover retail	)	Case No. U-11956
access program implementation costs, for approval	)	
of a true-up mechanism in connection with the	)	
recovery of stranded costs.	)	
_____	)	

NATIONAL ENERGY MARKETERS ASSOCIATION'S
PETITION TO INTERVENE

The National Energy Marketers Association ("NEMA") petitions to intervene in this case pursuant to Rule 201(1) of the Commission's Rules of Practice and Procedure, 1992 ACS, R460.17201(1).¹ In support of its petition, NEMA states as follows:

1. On March 8, 1999, the Commission issued an Opinion and Order in Case No. U-11290 et. al. In this order, the Commission directed that Detroit Edison was to file its 1998 true-up proposal by March 31, 1999. A separate true-up proceeding was appropriate, the Commission noted, in order to "review the prudence of any implementation costs incurred by the utilities." (U-11290 et. al. Order, p. 28). On March 31, 1999, Detroit Edison filed the instant application.
2. Detroit Edison's application seeks the recovery of implementation costs and also proposed a true-up mechanism to address policy decisions regarding the recovery of stranded costs, among other relief.

¹ Rule 201(1) states that "[a] person who is not a complainant, respondent, protestant, applicant, or staff, as defined in these rules, and who claims an interest in a proceeding may petition for leave to intervene."

3. As the first true-up proceedings, significant policy issues will be addressed, such as "[h]ow quickly should billing and other direct access systems be phased in? Should metering functions be limited to utilities or should other providers have the option? How should implementation costs be allocated among and recovered from customers?" (U-11290 et. al. Order, p. 28).

4. NEMA is a national non-profit trade association representing producers, generators, transporters, and marketers of energy-related products, services, information, and technology throughout the United States. Members of NEMA are committed to working with regulatory commissions, consumer representatives, legislators, and utilities to devise fair and meaningful ways to implement the deregulation and competitive restructuring of U.S. markets for natural gas and electricity.

5. NEMA can lend an important and potentially unique perspective to this proceeding, because its membership represents a diverse cross-section of market participants. In addition to energy information, billing, and metering technology firms, NEMA includes a regionally diverse cross-section of small regional marketers, large international energy suppliers, wholesalers, retailers, and both affiliated and unaffiliated marketers of electricity and natural gas.

6. NEMA meets the Commission's criteria for grant of permissive intervention as well as intervention of right. Intervention in this proceeding is appropriate because NEMA, as a national trade organization, will be able to bring a wide range of experiences, as well as a broad perspective, to this proceeding. NEMA's participation in these proceedings will aid the Commission by enhancing the quality of the record developed here. Moreover, NEMA's membership is interested in entering the energy market in Michigan, and the outcome of this proceeding may help determine such entry. Thus, NEMA and its membership will be directly

and specifically affected by the outcome of these proceedings, and its interests in these proceedings cannot be adequately represented or protected by any other party.

7. NEMA has an interest in the Commission's efforts to ensure that the utilities' recovery of stranded costs and the true-ups thereof are fair and reasonable. In addition, as the Commission noted, significant policy issues will be addressed in this proceeding, which can have a major impact on whether meaningful competition in the energy marketplace will develop. As such, NEMA's membership will be affected significantly if the guidelines do not help create such a fair and open market.

8. The Commission has previously recognized NEMA's standing to intervene in proceedings such as this. Specifically, NEMA has been granted intervention in Case No. U-11915 and Case No. U-11916.

WHEREFORE, NEMA hereby respectfully requests that this Petition to Intervene in the above-entitled proceedings be granted and that NEMA be granted status as a full party of record.

Respectfully submitted,

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