STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of THE DETROIT EDISON COMPANY to Recover Implementation Costs for its Direct Access Program for the period ended December 31, 1999. _____/

Case No. U-12359

Proceedings had in the above-entitled matter before Barbara A. Stump, J.D., Administrative Law Judge, at the Michigan Public Service Commission, 6545 Mercantile Way, Lansing, Michigan.

SESSION OF TUESDAY, DECEMBER 5, 2000

VOLUME 3

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APPEARANCES:

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I N D E X

WITNESS	EXAMINER	TYPE	PAGE
Joseph A. McCormick	Testimony bound in		21
James T. Selecky	Testimony bound in (Revised)		31
Nancy G. Katsarelas	Testimony bound in		42

EXHIBIT NO.		MARKED	OFFERED	REC'D
A-1	(JAM-1) The Detroit Edison Company, 1999 Electric Choice Actual Expense	19	20	20
A-2	(JAM-2) 1999 ECIT Key Milestones	19	20	20
S-3	Exhibit of Nancy G. Katsarelas, Michigan Public Service Commission	41	41	41

Lansing, Michigan

Tuesday, December 5, 2000

9:10 A.M.

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(The hearing was resumed pursuant to the adjournment.)

(Documents were marked Exhibits A-1 and A-2 by the reporter.)

JUDGE STUMP: We're on the record in the matter of the application of The Detroit Edison Company to recover implementation costs for its Direct Access Program for the period ended December 31, 1999, Case No. U-12359.

Could I have the appearances, please.

MR. CHRISTINIDIS: Jon Christinidis on behalf of The Detroit Edison Company, your Honor.

MR. ERICKSON: Donald E. Erickson appearing on behalf of Attorney General Jennifer M. Granholm.

MR. HUGHEY: Steven Hughey on behalf of the Commission staff.

MR. LeFEVRE: Robert LeFevre on behalf of the Association of Businesses Advocating Tariff Equity.

JUDGE STUMP: All right, thank you.

This is the time scheduled for cross-examination. Are you ready to proceed?

MR. CHRISTINIDIS: Your Honor, it's my understanding that the parties have entered into a stipulation to bind in all of the testimony and exhibits in this proceeding and waive cross-examination.

The company has put forth the prefiled direct testimony and qualifications of Joseph A. McCormick, which consist of a cover sheet and eight pages of testimony and qualifications, as well as a cover sheet and two one-page exhibits, which I believe the court reporter has designated as A-1 and A-2, respectively. They were initially marked JAM-1 and JAM-2.

We would simply move for the testimony and qualifications as well as the exhibits being bound into the record and the exhibits being admitted as evidence in the proceeding.

JUDGE STUMP: O.K. And I assume there is no objection to the exhibits, either. All right. The testimony of Mr. McCormick will be bound into the record, and Exhibits A-1 and A-2 are admitted into evidence.

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JUDGE STUMP: O.K. Now, is it Mr. -- how do you pronounce your last name?

MR. LeFEVRE: LeFevre.

JUDGE STUMP: LeFevre, O.K.

MR. LeFEVRE: We also offer testimony of Mr. James T. Selecky and one exhibit, Exhibit A, the last two pages of his testimony containing his qualifications.

JUDGE STUMP: Not A.

MR. LeFEVRE: Originally A. I don't know what Evelyn has them marked as.

(There was a discussion off the record.)

MR. ERICKSON: Appendix A is just going to be bound in, then?

JUDGE STUMP: Yes.

MR. LeFEVRE: So at this time I offer the testimony to be bound into the record.

JUDGE STUMP: All right. Mr. Selecky's testimony will be bound into the record.

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(A document was marked Exhibit S-3 by the reporter.)

JUDGE STUMP: And Mr. Hughey?

MR. HUGHEY: Yes, your Honor. Staff offers the testimony of Nancy G. Katsarelas consisting of a cover page and six pages of testimony. Ms. Katsarelas also offered an exhibit which originally was marked NGK-1, which I believe will have been marked Staff Exhibit 3, and I would offer that testimony and that exhibit at this time.

JUDGE STUMP: All right. That testimony will be bound into the record, and Exhibit S-3 is admitted into evidence.

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MR. ERICKSON: Your Honor, for purposes of clarification, I understand that the testimony that we're binding in for Mr. Selecky is a cover plus 21 pages plus his appendix of some three pages. Am I right?

JUDGE STUMP: Yes.

MR. CHRISTINIDIS: I don't believe that's correct.

JUDGE STUMP: No?

MR. CHRISTINIDIS: I believe that he submitted a shorter version.

MR. ERICKSON: Oh, that's right.

MR. CHRISTINIDIS: I think it's six pages plus his two-page qualification.

MR. LeFEVRE: That is correct, your Honor. The revised testimony is six pages and three pages of qualifications.

JUDGE STUMP: O.K. Now, a briefing schedule.

MR. ERICKSON: Could we go off the record a minute and discuss that, your Honor?

JUDGE STUMP: Yes, off the record.

(There was a discussion off the record.)

JUDGE STUMP: All right, we'll go back on the record.

The parties have agreed to file their

initial briefs by January 12th and reply briefs by January 26th. And we earlier had a discussion off the record about the possibility of waiving Section 81 of the APA, and if you wish to do that, you should indicate that in your briefs. That was my understanding of our discussion. And then if I do have to write a PFD, I will set the time for exceptions in the PFD. All right?

MR. CHRISTINIDIS: Thank you, your Honor.

JUDGE STUMP: Is there anything further?

MR. HUGHEY: No, your Honor.

JUDGE STUMP: O.K., thank you.

(At 9:18 A.M., the hearing was concluded and the record was closed.)

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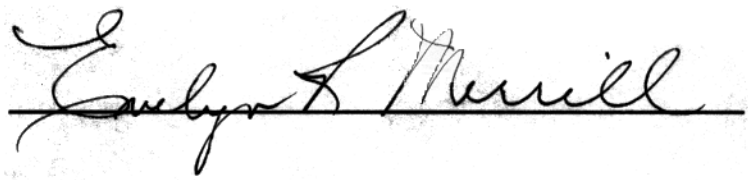
C E R T I F I C A T E

I, Evelyn R. Merrill, do hereby certify that I reported stenographically the foregoing proceedings had in the within-entitled matter, being Case No. U-12359, before Barbara A. Stump, J.D., Administrative Law Judge, at the Mercantile Building, Lansing, Michigan, on Tuesday, December 5, 2000; and that the foregoing transcript, exclusive of the prepared direct testimony, constitutes a full, true and correct transcript of my said stenographic notes.



Dated: December 5, 2000