

A CMS Energy Company

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P Leni Staley
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Michael G Wilson
Attorney

May 11, 2000

Ms. Dorothy Wideman
Executive Secretary
Michigan Public Service Commission
6545 Mercantile Way
P.O. Box 30221
Lansing, MI 48909

Re: **Case No. U-12430; In the Matter of the Application of Consumers Energy Company
for a Certificate of Public Convenience and Necessity to Render Natural Gas Service in
Martin Township, Allegan County, Michigan**

Dear Ms. Wideman:

Please find enclosed for filing an original and 15 copies of **Application** and **Verification** of
Consumers Energy Company in the above entitled case. Thank you for your attention to this matter.

Sincerely



Raymond E. McQuillan

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the Matter of the Application of	)	
Consumers Energy Company for a	)	
Certificate of Public Convenience	)	Case No. U-12430
and Necessity to Render Natural Gas	)	
Service in Martin Township,	)	
Allegan County, Michigan	)	
_____	)	

APPLICATION

Consumers Energy Company ("Applicant") files this Application for a Certificate of Public Convenience and Necessity, pursuant to the requirements of 1929 PA 69, as amended; MCL §460.501 et seq.; MSA 22.141 et seq., ("Act 69") and states:

1. Applicant is a public utility engaged, among other things, in the distribution and sale of natural gas to more than 1,322,000 residential, commercial and industrial customers in the lower peninsula of the State of Michigan.
2. Applicant's gas business is subject to the jurisdiction of the Michigan Public Service Commission ("Commission") pursuant to certain provisions of 1909 PA 300, as amended (MCL 462.2 et seq.; MSA 22.21 et seq.), 1919 PA 419, as amended (MCL 460.51 et seq.; MSA 22.1 et seq.); 1939 PA 3 (MCL 460.1 et seq.; MSA 22.13(1) et seq.), and 1929 PA 69, as amended, (MCL 460.501 et seq.; MSA 22.141 et seq.). Pursuant to said statutory provisions, the Commission has power and jurisdiction to regulate various aspects of Applicant's gas utility business.

3. Applicant was granted an Act 69 certificate of public convenience and necessity to render gas service in Section 1 of Martin Township, Allegan County, Michigan in MPSC Case No. U-2893. Applicant has extended natural gas service on 118th Avenue between Sections 13 and 24. Applicant proposes to extend its facilities from the intersection of 118th Avenue and 2nd Street west along 118th Avenue into Sections 14 and 15, south along 5th Street in Sections 22 and 27; east along 116th Avenue into Sections 23 and 26, and north along 3rd street in Section 23. A drawing showing Applicant's existing facilities and proposed extension is attached as Exhibit A.

4. Michigan Gas Utilities (MGU) is currently selling gas in Martin Township. MGU's facilities are also shown on Exhibit A.

5. Applicant has received a franchise and consent from Martin Township (Ordinance No. 67) on August 13, 1997 to serve Martin Township, which is attached as Exhibit B.

6. Applicant has sufficient supplies of gas and adequate facilities to enable it to render the proposed service in Martin Township, Allegan County without impairing its ability to continue to meet service obligations to its existing service territory.

7. Construction and operation of natural gas facilities in Martin Township, Allegan County, Michigan will be in accordance with applicable standards and regulations, including the Michigan Gas Safety Code.

8. Applicant represents that the proposed extension of its natural gas distribution facilities and the rendering of public utility service as described in this Application, are required by the public convenience and necessity.

WHEREFORE, Applicant respectfully requests that the Commission grant the following relief:

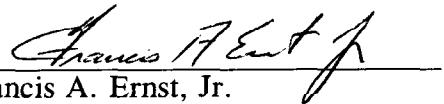
1. Accept this Application for filing;
2. Promptly issue a Notice of Hearing pursuant to Act 69 and the Commission's requirements, scheduling an early hearing date for this Application;
3. Determine that the public convenience and necessity requires the construction, operation and maintenance of a natural gas service line and the provision of gas service by Applicant as described in this Application;
4. Issue to Applicant an appropriate Act 69 Certificate of Public Convenience and Necessity; and
5. Grant Applicant such further relief as may be lawful and proper.

Respectfully submitted,

CONSUMERS ENERGY COMPANY

Dated: May 11, 2000

By:


Francis A. Ernst, Jr.
Director of Rates

By:


Raymond E. McQuillan (P-24100)
Attorney for Consumers Energy Company
Business Address:
212 West Michigan Avenue
Jackson, Michigan 49201
(517) 788-0677

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

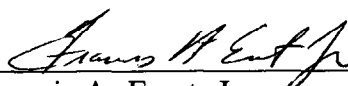
In the Matter of the Application of)
Consumers Energy Company for a)
 Certificate of Public Convenience)
 and Necessity to Render Natural Gas)
 Service in Martin Township,)
 Allegan County, Michigan)
 _____)

Case No. U- 12430

VERIFICATION

STATE OF MICHIGAN)
) S
 COUNTY OF JACKSON)

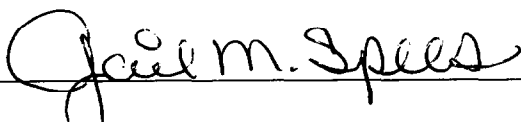
Francis A. Ernst, Jr., being first duly sworn, deposes and says that he is Director of Rates of Consumers Energy Company; that he has read the foregoing Application by him subscribed for and on behalf of said Applicant; that he knows the contents thereof to be true except to matters of information and belief which he believes to be true; and he is authorized to subscribe to said Application on behalf of Consumers Energy Company.



 Francis A. Ernst, Jr.
 Director of Rates

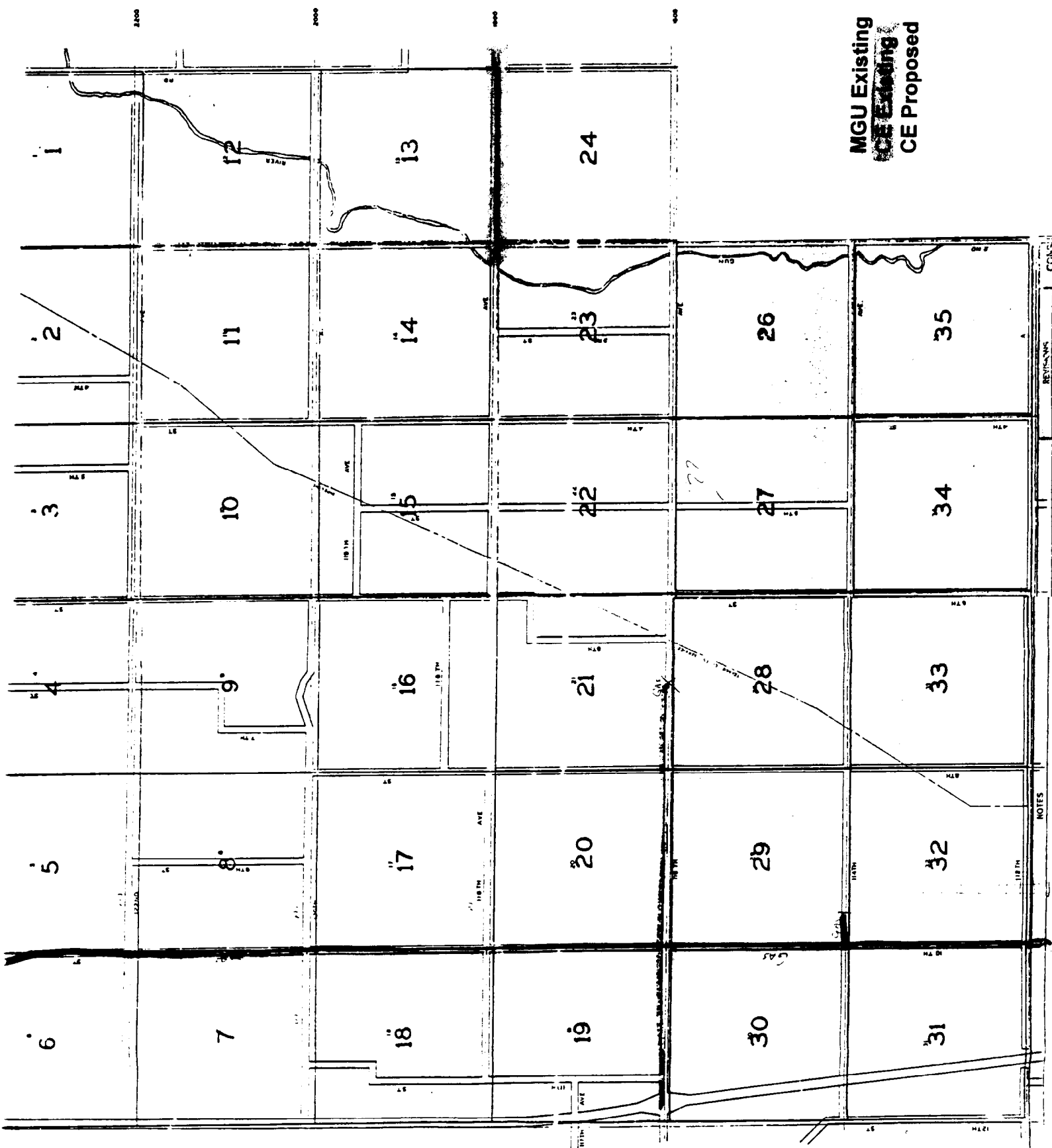
Subscribed and sworn to before me this 11th day of May, 2000.

GAIL M. SPEES
 Notary Public, Jackson County, MI
 My Commission Expires March 13, 2001



 Notary Public, Jackson County, Michigan
 My Commission Expires: March 13, 2001

MGU Existing
~~CE Existing~~
CE Proposed



ORDINANCE NO. 67

CONSUMERS ENERGY COMPANY GAS FRANCHISE ORDINANCE

AN ORDINANCE, granting to CONSUMERS ENERGY COMPANY, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to do a local gas business in the TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, for a period of thirty years.

THE TOWNSHIP OF MARTIN ORDAINS:

SECTION 1. GRANT, TERM. The TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, hereby grants to CONSUMERS ENERGY COMPANY, a Michigan Corporation, its successors and assigns, hereinafter called the "Grantee," the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to do a local gas business in the TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, for a period of thirty years.

SECTION 2. CONSIDERATION. In consideration of the rights, power and authority hereby granted, said Grantee shall faithfully perform all things required by the terms hereof.

SECTION 3. CONDITIONS. No highway, street, alley, bridge, waterway or other public place used by said Grantee shall be obstructed longer than necessary during the work of construction or repair, and shall be restored to the same order and condition as when said work was commenced. All of Grantee's pipes and mains shall be so placed in the highways and other public places as not to unnecessarily interfere with the use thereof for highway purposes.

SECTION 4. HOLD HARMLESS. Said Grantee shall at all times keep and save the Township free and harmless from all loss, costs and expense to which it may be subject by reason of the negligent construction and maintenance of the structures and equipment hereby authorized. In case any action is commenced against the Township on account of the permission herein given, said Grantee shall, upon notice, defend the Township and save it free and harmless from all loss, cost and damage arising out of such negligent construction and maintenance.

SECTION 5. EXTENSIONS. Said Grantee shall construct and extend its gas distribution system within said Township, and shall furnish gas to applicants residing therein in accordance with applicable laws, rules and regulations.

SECTION 6. FRANCHISE NOT EXCLUSIVE. The rights, power and authority herein granted, are not exclusive. Either manufactured or natural gas may be furnished hereunder.

SECTION 7. RATES. Said Grantee shall be entitled to charge the inhabitants of said Township for gas furnished therein, the rates as approved by the Michigan Public Service Commission, to which Commission or its successors authority and jurisdiction to fix and regulate gas rates and rules

regulating such service in said Township, are hereby granted for the term of this franchise. Such rates and rules shall be subject to review and change at any time upon petition therefor being made by either said Township, acting by its Township Board, or by said Grantee.

SECTION 8. REVOCATION. The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by the party desiring such revocation.

SECTION 9. MICHIGAN PUBLIC SERVICE COMMISSION, JURISDICTION. Said Grantee shall, as to all other conditions and elements of service not herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to gas service in said Township.

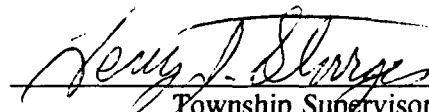
SECTION 10. REPEALER. This ordinance, when accepted and published as herein provided, shall repeal and supersede the provisions of a gas ordinance adopted by the township board on September 28, 1967 entitled:

AN ORDINANCE, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, and other public places, and to do a local gas business in the TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, for a period of thirty years.

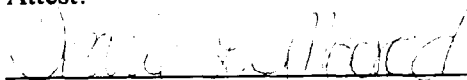
and amendments, if any, to such ordinance whereby a gas franchise was granted to Consumers Power Company.

SECTION 11. EFFECTIVE DATE. This ordinance shall take effect upon the day after the date of publication thereof; provided, however, it shall cease and be of no effect after thirty days from its adoption unless within said period the Grantee shall accept the same in writing filed with the Township Clerk. Upon acceptance and publication hereof, this ordinance shall constitute a contract between said Township and said Grantee.

We certify that the foregoing Franchise Ordinance was duly enacted by the Township Board of the TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, on the 13 day of August, 1997.


Township Supervisor
Terry J. Storgis

Attest:


Township Clerk

CLERK CERTIFICATION

STATE OF MICHIGAN)
 : ss.
COUNTY OF ALLEGAN)

I, Tracee McCard Township Clerk of the TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, DO HEREBY CERTIFY that the annexed is a true and correct copy of the ordinance granting CONSUMERS ENERGY COMPANY, a gas franchise, as adopted by the Township Board at a regular meeting on the 13 day of August, 1997.

I FURTHER CERTIFY that the acceptance, a copy of which is attached hereto, was filed with me as Township Clerk, on the 13 day of August, 1997; that I have compared the attached copies with the original records in my office, and that the same are true and correct transcripts therefrom.

I FURTHER CERTIFY that a copy of the foregoing ordinance was published, as appears by proof thereof on file in my office, in the Penasee/Globe a newspaper circulated in the TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, on the 25 day of August, 1997; and that all of said proceedings were regular and in accordance with all legal requirements.

Tracee McCard
Township Clerk

Dated: August 20, 1997

State of Michigan, County of Allegan

In the Matter of Martin Township - Ordinance No. 67

COUNTY OF
ALLEGAN—ss.

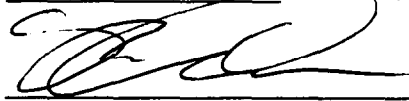
Consumers Energy Company Gas Franchise Ordinance

RONALD W. CARLSON, being duly sworn, says: I am the co-publisher of The Penasee Globe, a weekly newspaper printed and circulated in said county. The annexed is a printed copy of a notice which was published in said paper on the following dates, to wit:

August 25 A.D. 19 97 _____ A.D. 19 _____

_____ A.D. 19 _____ _____ A.D. 19 _____

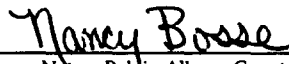
_____ A.D. 19 _____ _____ A.D. 19 _____



(Ron Carlson)

Subscribed and sworn before

me this twenty-fifth day of August A.D. 19 97 .



Notary Public, Allegan County, Michigan

(Nancy Bosse)

My Commission Expires November 15, A.D. 1998.

MARTIN TOWNSHIP ORDINANCE NO. 67

CONSUMERS ENERGY COMPANY GAS FRANCHISE ORDINANCE

AN ORDINANCE, granting to CONSUMERS ENERGY COMPANY, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to do a local gas business in the TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, for a period of thirty years.

THE TOWNSHIP OF MARTIN ORDAINS

SECTION 1. GRANT, TERM. The TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, hereby grants to CONSUMERS ENERGY COMPANY, a Michigan Corporation, its successors and assigns, hereinafter called the "Grantee," the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to do a local gas business in the TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, for a period of thirty years.

SECTION 2. CONSIDERATION. In consideration of the rights, power and authority hereby granted, said Grantee shall faithfully perform all things required by the terms hereof.

SECTION 3. CONDITIONS. No highway, street, alley, bridge, waterway or other public place used by said Grantee shall be obstructed longer than necessary during the work of construction or repair, and shall be restored to the same order and condition as when said work was commenced. All of Grantee's pipes and mains shall be so placed in the highways and other public places as not to unnecessarily interfere with the use thereof for highway purposes.

SECTION 4. HOLD HARMLESS. Said Grantee shall at all times keep and save the Township free and harmless from all loss, costs and expense to which it may be subject by reason of the negligent construction and maintenance of the structures and equipment hereby authorized. In case any action is commenced against the Township on account of the permission herein given, said Grantee shall, upon notice, defend the Township and save it free and harmless from all loss, cost and damage arising out of such negligent construction and maintenance.

SECTION 5. EXTENSIONS. Said Grantee shall construct and extend its gas distribution system within said Township, and shall furnish gas to applicants residing therein in accordance with applicable laws, rules and regulations.

SECTION 6. FRANCHISE NOT EXCLUSIVE. The rights, power and authority herein granted, are not exclusive. Either manufactured or natural gas may be furnished hereunder.

SECTION 7. RATES. Said Grantee shall be entitled to charge the inhabitants of said Township for gas furnished therein, the rates as approved by the Michigan Public Service Commission, to which Commission or its successors authority and jurisdiction to fix and regulate gas rates and rules regulating such service in said Township, are hereby granted for the term of this franchise. Such rates and rules shall be subject to review and change at any time upon petition therefor being made by either said Township, acting by its Township Board, or by said Grantee.

SECTION 8. REVOCATION. The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by the party desiring such revocation.

SECTION 9. MICHIGAN PUBLIC SERVICE COMMISSION JURISDICTION. Said Grantee shall, as to all other conditions and elements of service not herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to gas service in said Township.

SECTION 10. REPEALER. This ordinance, when accepted and published as herein provided, shall repeal and supersede the provisions of a gas ordinance adopted by the township board on September 28, 1967 entitled:

AN ORDINANCE, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, and other public places, and to do a local gas business in the TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, for a period of thirty years.

and amendments, if any, to such ordinance whereby a gas franchise was granted to Consumers Power Company.

SECTION 11. EFFECTIVE DATE. This ordinance shall take effect upon the day after the date of publication thereof; provided, however, it shall cease and be of no effect after thirty days from its adoption unless within said period the Grantee shall accept the same in writing filed with the Township Clerk. Upon acceptance and publication hereof, this ordinance shall constitute a contract between said Township and said Grantee.

We certify that the foregoing Franchise Ordinance was duly enacted by the Township Board of the TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, on the 13th day of August, 1997.

Terry J. Sturgis, Township Supervisor
Attest: Tracie L. Moored, Township Clerk

ACCEPTANCE

TO THE TOWNSHIP BOARD OF THE TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN:

That CONSUMERS ENERGY COMPANY, hereby accepts the franchise granted to it by your Township Board, on the 13th day of August, 1997, which said franchise is entitled as follows:

AN ORDINANCE, granting to CONSUMERS ENERGY COMPANY, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to do a local gas business in the TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, for a period of thirty years.

CONSUMERS ENERGY COMPANY
By: Carl L. English, Vice President
Dated: August 13, 1997

CLERK CERTIFICATION

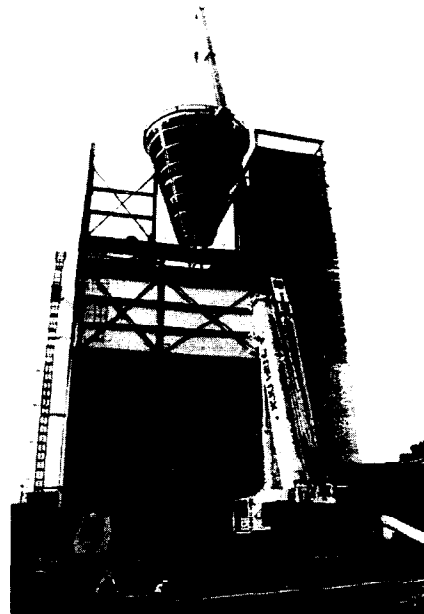
STATE OF MICHIGAN)
) ss.
COUNTY OF ALLEGAN)

I, Tracie Moored, Township Clerk of the TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, DO HEREBY CERTIFY that the annexed is a true and correct copy of the ordinance granting CONSUMERS ENERGY COMPANY, a gas franchise, as adopted by the Township Board at a regular meeting on the 13th day of August, 1997.

I FURTHER CERTIFY that the acceptance, a copy of which is attached hereto, was filed with me as Township Clerk, on the 13th day of August, 1997; that I have compared the attached copies with the original records in my office, and that the same are true and correct transcripts therefrom.

I FURTHER CERTIFY that a copy of the foregoing ordinance was published, as appears by proof thereof on file in my office, in the *Penasee/Globe* a newspaper circulated in the TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, on the 25th day of August, 1997; and that all of said proceedings were regular and in accordance with all legal requirements.

Tracie L. Moored, Township Clerk
Dated: August 20, 1997



SCI-FI? Grounds around Dean Foods in Wayland resembled a science fiction movie *Thursday*, with workers hoisting dryer cone equipment 70 feet high prior to placing it in the newly-expanded plant. Here, a mammoth crane lifts the 30-foot-high cone shell, one of three pieces that, assembled, will weigh close to 33 tons and condense roughly 6,640 pounds of liquid milk into 1,500 pounds of powder in an hour.

PENASEE GLOBE PHOTO BY TERRY STURGIS.

Caledonia school board buys three new buses

by Natalie Sasveld

The Caledonia school board approved a resolution for the financing of three 71-passenger busses, one 47-passenger lift bus, and three eight-passenger vans. They will also be purchasing four radios, financing them through the State Bank of Caledonia at an interest rate of five percent. The board stipulated the amount for the busses can not exceed \$266,634.

The board also approved that the high

school sell its Cabletron components to Big Rapids Public Schools for \$9,000. The board accepted a bid from Optimal Solutions for \$24480 for LAN electronics in the high school.

Five new coaches were hired for high school sports teams, as well as two new high school teachers.

The athletic handbook for the upcoming school year has been revised to help give the students "a positive athletic attitude," said Superintendent, Doug Busman.

New assistant superintendent named at Thornapple Kellogg

The Thornapple Kellogg school board approved the hiring of Midge Pippel as assistant superintendent for Curriculum and Instruction for district schools at its Monday meeting.

Pippel resigned from her current job as principal at

Kelloggsville Northwest Elementary, but will remain there through Sept 5.

"She is working part days already now, but she will be coming on full time on Sept 8," said Alice Jansma, Thornapple Kellogg business manager.

Tips for smart TV viewing

Smart TV, a new magazine for the new generation of TV technology, shows consumers how to use television to enhance their lives. It offers explanations and applications relevant to existing and emerging products of new TV technology.

Here are some tips for monitoring children's TV viewing:

- Watch TV with your children to see what they are watching and discuss what you see together.
- Make a weekly schedule of appropriate program-

ming by consulting a television guide and rating listings.

- Purchase a limiting device for your television like Super Vision or TV Allowance.

- Purchase a filtering device for your TV.

- Use your VCR to record programs that are appropriate for your children to watch.

- Set a good example yourself.

- Don't just let the TV be on without specific viewing.

- Encourage your children to develop other interests or hobbies.