

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the emergency application)
of the ASSOCIATION OF BUSINESSES)
ADVOCATING TARIFF EQUITY for a)
cease and desist order or, in the alternative,)
application for a declaratory ruling)
_____)

Case No. U-12579

**MOTION TO CONSOLIDATE
OF THE ASSOCIATION OF BUSINESSES ADVOCATING TARIFF EQUITY**

The Association of Businesses Advocating Tariff Equity (“ABATE”), by its attorneys, Clark Hill P.L.C., hereby moves the Michigan Public Service Commission (“Commission” or “PSC”) to consolidate this proceeding with the unbundling case that The Detroit Edison Company (“Edison”) and the International Transmission Company (“ITC”) must file on or before June 5, 2001, pursuant to 2000 PA 141 and in support thereof states as follows:

1. Section 10b(2) of 2000 PA 141 requires electric utilities, including Edison, to file an application with the PSC to unbundle their commercial and industrial rates.
2. Edison must make such a filing within one year after the effective date of 2000 PA 141 which was June 5, 2000. Consequently, Edison’s filing is due no later than June 5, 2001.
3. The issues raised in ABATE’s Application in this proceeding which led the PSC to issue an order commencing a contested case to review those issues, can and should be addressed in the unbundling case instead of on a stand alone basis in order to conserve precious resources and to promote administrative and judicial efficiency.

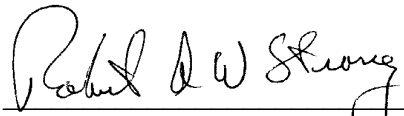
4. If this proceeding were consolidated with the upcoming case, no party would be prejudiced and, in fact, the notice for the unbundling case could easily provide notice of the ratemaking issues associated with the assets that were transferred from Edison to ITC, thus complying with all due process requirements.

5. Consolidation is logical and in the public interest because it would avoid addressing the issues on a piece meal fashion with what could be confusing records in two cases.

6. Consolidation would ensure that the parties addressing these issues whereas there could be different parties and arguments if there were two cases.

Respectfully submitted,

CLARK HILL P.L.C.

By: 

Robert A. W. Strong (P27724)
Attorneys for the Association of Businesses
Advocating Tariff Equity
255 South Old Woodward Avenue, Third Floor
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248/642-9692

Dated: February 28, 2001

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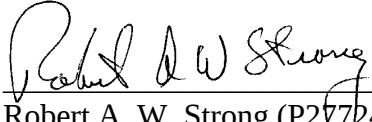
NOTICE OF HEARING

TO: PARTIES OF RECORD

PLEASE TAKE NOTICE that the Motion to Consolidate of the Association of Businesses Advocating Tariff Equity ("ABATE"), will be brought on for hearing before the Michigan Public Service Commission ("Commission") at a date, time and location to be established by the Commission.

Respectfully submitted,

CLARK HILL P.L.C.

By: 
Robert A. W. Strong (P27724)
Attorneys for the Association of Businesses
Advocating Tariff Equity
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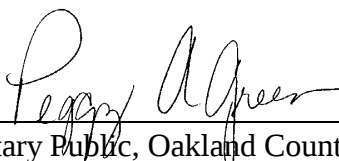
PROOF OF SERVICE

STATE OF MICHIGAN)
)
COUNTY OF OAKLAND)

Lisa Ann Teets, being first duly sworn, deposes and says that she filed electronically a copy of "Motion to Consolidate", and a "Notice of Hearing" on behalf of the Association of Businesses Advocating Tariff Equity in the above docket on the persons identified on the attached service list by depositing the same on February 28, 2001, in the United States mail in the City of Birmingham, Michigan with first-class postage thereon fully paid.



Lisa Ann Teets



Notary Public, Oakland County, Michigan
My Commission Expires 8/18/03

SERVICE LIST

MPSC Case No. U-12579

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