

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of the	)	
ASSOCIATION OF BUSINESSES ADVOCATING	)	
TARIFF EQUITY for a cease and desist order or,	)	Case No. U-12579
in the alternative, a declaratory ruling.	)	
_____	)	

At the January 22, 2002 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Laura Chappelle, Chairman
Hon. David A. Svanda, Commissioner
Hon. Robert B. Nelson, Commissioner

ORDER

On August 21, 2000, the Association of Businesses Advocating Tariff Equity (ABATE) filed an application to address the consequences of a proposed transfer of transmission assets by The Detroit Edison Company (Detroit Edison) to its affiliate, International Transmission Company (ITC). The parties filed a stipulation for dismissal without prejudice on December 11, 2001.

The Commission FINDS that:

- a. Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.51 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1992 AACS, R 460.17101 et seq.
- b. The application should be dismissed without prejudice.

THEREFORE, IT IS ORDERED that the application of the Association of Businesses Advocating Tariff Equity is dismissed without prejudice.

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, pursuant to MCL 462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ Laura Chappelle
Chairman

(S E A L)

/s/ David A. Svanda
Commissioner

/s/ Robert B. Nelson
Commissioner

By its action of January 22, 2002.

/s/ Dorothy Wideman
Its Executive Secretary

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Suggested Minute:

“Adopt and issue order dated January 22, 2002 dismissing without prejudice the application of the Association of Businesses Advocating Tariff Equity, as set forth in the order.”