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December 2, 2003

Via Electronic Mail

Robert W. Kehres
Director, Regulatory Affairs Division
and Acting Executive Secretary
Michigan Public Service Commission
6545 Mercantile Way
P.O. Box 30221
Lansing, MI 48909

Re: ***MPSC Case Number U-12915***

Dear Mr. Kehres:

Enclosed are the comments of the Association of Businesses Advocating Tariff Equity on the "Michigan Renewable Energy Program: Annual Report to the Michigan Public Service Commission", dated November 18, 2003.

Very truly yours,

CLARK HILL PLC

Robert A. W. Strong

Enclosure
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STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission's own motion, to
establish the MICHIGAN RENEWABLES ENERGY PROGRAM

Case No. U-12915

**COMMENTS OF THE
ASSOCIATION OF BUSINESSES ADVOCATING TARIFF EQUITY**

The Association of Businesses Advocating Tariff Equity ("ABATE") by its attorneys, Clark Hill PLC, hereby comments on the "Michigan Renewable Energy Program: Annual Report to the Michigan Public Service Commission" dated November 18, 2003 ("Staff Report") prepared by the Staff of the Michigan Public Service Commission ("Commission").

In general, the Staff report is comprehensive, well written and thoroughly documented. The Staff report also points out that there were some fundamental differences over whether any renewable program should be mandatory and supported by customers, including non-participants, or voluntary and supported only by participants. ABATE supports renewable programs which are voluntary and supported only by participants and is opposed to any type of mandatory program, regardless of its scope, shape or size.

ABATE does support the availability of green power choices where customers are free to choose their power options. The state's role should be primarily to assist customers in knowing what those options are, such that a market can be created. The ultimate choice of any green power option must solely rest with the customer and not the government.

ABATE only has one substantive comment, which is that biomass should have been covered in more depth. This is particularly true in connection with landfill gas which, according to Section 5.4 at page 24, provides approximately one-half of the renewable kilowatt hours produced in Michigan. Landfills will remain a fact of life even though there may be some

changes regarding the importation of Canadian trash. A number of ABATE members depend on landfill gas for a portion of their fuel supplies in the boilers at their operating plants. One of the advantages of using landfill gas in boilers is that the gas does not need the same kind of treatment that it would need if it were used in a combustion turbine.

ABATE thanks the Commission for the opportunity to comment on the Staff's very thorough report.

Very truly yours,

CLARK HILL PLC

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Dated: December 2, 2003