

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

In the matter of the application of	)	
MICHIGAN CONSOLIDATED GAS COMPANY	)	
for an extension of a temporary waiver of the	)	
applicability of Priority Four of Tariff Rule B3,	)	Case No. U-12949
Controlled Service, to certain non-residential	)	
customers.	)	
_____	)	

At the July 11, 2001 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

OPINION AND ORDER

On May 18, 2001, Michigan Consolidated Gas Company filed an application requesting that the Commission extend the waiver granted in Case No. U-12521 of certain provisions of its controlled service rules unless the Commission approves the application filed the same day in Case No. U-12950 to amend its controlled service rules. Because the Commission has approved the application in Case No. U-12950, this application is moot.

The Commission FINDS that:

a. Jurisdiction is pursuant to 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, as

amended, MCL 460.1 et seq.; MSA 22.13(1) et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; MSA 3.560(101) et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1992 AACCS, R 460.17101 et seq.

b. The application should be dismissed without prejudice.

THEREFORE, IT IS ORDERED that the application filed by Michigan Consolidated Gas Company 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; MSA 22.45.

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 July 11, 2001.

/s/ Dorothy Wideman

Its Executive Secretary

amended, MCL 460.1 et seq.; MSA 22.13(1) et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; MSA 3.560(101) et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1992 AACCS, R 460.17101 et seq.

b. The application should be dismissed without prejudice.

THEREFORE, IT IS ORDERED that the application filed by Michigan Consolidated Gas Company 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; MSA 22.45.

MICHIGAN PUBLIC SERVICE COMMISSION

Chairman

Commissioner

Commissioner

By its action of July 11, 2001.

Its Executive Secretary

In the matter of the application of)
MICHIGAN CONSOLIDATED GAS COMPANY)
for an extension of a temporary waiver of the)
applicability of Priority Four of Tariff Rule B3,)
Controlled Service, to certain non-residential)
customers.)
_____)

Case No. U-12949

Suggested Minute:

“Adopt and issue order dated July 11, 2001 dismissing without prejudice the application filed by Michigan Consolidated Gas Company, as set forth in the order.”