

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of
THE DETROIT EDISON COMPANY
to unbundle its retail electric rates.

Case No. U-12966 (e-file)

**MICHIGAN PUBLIC SERVICE COMMISSION STAFF'S
RESPONSE TO JOINT MOTION AND BRIEF TO REJECT APPLICATION AND
ORDER REFILING**

On June 27, 2001, Energy Michigan, Inc. ("Energy Michigan"), the Association of Businesses Advocating Tariff Equity ("ABATE") and Excelon Energy, Inc. ("Excelon") filed a joint motion to strike the application of the Detroit Edison Company ("Edison") to unbundle its retail electric rates. The Michigan Public Service Commission Staff ("Staff") concurs in the motion, and in support, states as follows:

1. Section 10b(2) of 2000 PA 141, MCL 460.10b(2); MSA 22.13(10b) ("Act 141"), requires Edison to file an application to unbundle existing commercial and industrial electric rate schedules to separately identify and charge for discrete services. Act 141 also permits the Michigan Public Service Commission to require the filing of an application to unbundle residential rate schedules.

2. On June 4, 2001, Edison filed an application to unbundle its electric retail rates, which Edison alleges complies with the mandates of Act 141.

3. Staff concurs in the argument presented by Energy Michigan, ABATE and Excelon that the application filed by Edison fails to comply with the requirements of Act 141.

4. Staff also believes the application submitted by Edison is incomplete. The Edison application is deficient in the following respects:

- a. As required in Act 141, the application fails to separately identify and unbundle service into discrete distribution and other services.
- b. The application fails to separately identify charges for the services so unbundled.
- c. In the application, Edison proposes to not apply the unbundled charges to the identified unbundled discrete services.

5. Staff concurs with the other parties that this motion be set for hearing on the date scheduled for prehearing conference in this matter or as soon thereafter as counsel may be heard.

Staff requests that the Administrative Law Judge order the following relief:

1. Find that the Application filed by Edison on June 4, 2001 does not comply with Act 141; and,
2. Require Edison to file a revised application which is complete and complies with the requirements of Act 141.

Respectfully submitted,

**MICHIGAN PUBLIC SERVICE COMMISSION
STAFF**



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DATED: July 2, 2001
12966/Response

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PROOF OF SERVICE

STATE OF MICHIGAN)
) ss
COUNTY OF INGHAM)

TINA L. BIBBS, being first duly sworn, deposes and says that on **July 2, 2001**, she served a true copy of **MICHIGAN PUBLIC SERVICE COMMISSION STAFF'S RESPONSE TO JOINT MOTION AND BRIEF TO REJECT APPLICATION AND ORDER REFILE** upon the following parties **via e-mail and** by depositing the same in a United States postal depository enclosed in an envelope bearing postage fully prepaid, plainly addressed as follows:

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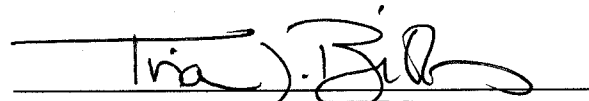
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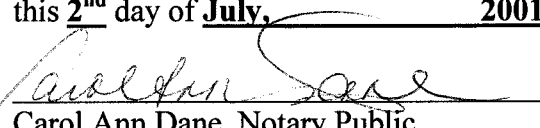
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TINA L. BIBBS

Subscribed and sworn to before me

this 2nd day of July, 2001.


Carol Ann Dane, Notary Public
Eaton County, Michigan
My Commission Expires: 7-23-2004