

**STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

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In the matter of the application of  
**OTISVILLE PV I, LLC**  
for a Renewable Energy or Storage  
Siting Certificate to construct a solar  
energy facility pursuant to Public Act  
233 of 2023.

Case No. U-21956

STATE OF MICHIGAN    )  
  )  
COUNTY OF GENESEE    )

**INTERVENOR BROUET’S RESPONSE TO APPLICANT’S EMERGENCY MOTION  
FOR ADJOURNMENT OF REMAINING SCHEDULING MEMO DATES**

In Response to Applicant’s Emergency Motion for Adjournment of Remaining Scheduling Memo Dates (“Motion”), Intervenor Stephanie Brouet states as follows:

**INTRODUCTION**

Intervenor Brouet does not object to a reasonable adjournment of the remaining dates in the January 20, 2026 Corrected Scheduling Memo. However, Intervenor respectfully requests that any 60-day adjournment of rebuttal testimony be calculated from the correct rebuttal testimony deadline of May 22, 2026, and that discovery return to an 8-business-day turnaround during the adjourned period.

**FACTS AND PROCEDURAL POSTURE**

Intervenor Stephanie Brouet does not object to a reasonable adjournment of the remaining schedule. However, Intervenor respectfully requests that any adjournment be calculated from the correct dates in the January 20, 2026 Corrected Scheduling Memo.

Applicant requested concurrence for “a 60-day adjournment of all remaining dates in this matter.” Applicant’s Brief likewise states that it seeks a “60-day Adjournment of all remaining dates” in the Corrected Scheduling Memo. Intervenor Brouet understood and agreed to a 60-day adjournment of all remaining dates. Intervenor Brouet did not agree to a 30-day adjournment of the rebuttal testimony deadline.

However, Applicant’s proposed schedule appears to calculate the rebuttal testimony extension from April 21, 2026. April 21, 2026 was the deadline for Staff and Intervenor direct testimony. It

was not the rebuttal testimony deadline. The Corrected Scheduling Memo identifies May 22, 2026 as the deadline for rebuttal testimony.

As a result, Applicant's proposed June 20, 2026 rebuttal deadline does not represent a 60-day adjournment of the rebuttal testimony deadline. It represents an approximately 30-day adjournment from the correct May 22, 2026 rebuttal deadline. A true 60-day adjournment from May 22, 2026 would place the rebuttal deadline on or about July 21, 2026.

If uncorrected, the June 20, 2026 rebuttal deadline would materially prejudice Intervenor Brouet. Intervenor Brouet will be out of the country on previously scheduled university study abroad travel from June 9 through June 24, 2026, and will not have access to her computer during that period. A June 20 rebuttal deadline would therefore fall during a period when Intervenor Brouet will be unable to meaningfully prepare, revise, finalize, or file rebuttal testimony, particularly testimony addressing issues raised through recent discovery, proposed conditions, or any new or revised project information.

Intervenor therefore respectfully requests that, if the Administrative Law Judge grants Applicant's requested 60-day adjournment, the rebuttal testimony deadline be calculated from the correct May 22, 2026 rebuttal deadline, not the April 21, 2026 direct-testimony deadline. Specifically, Intervenor respectfully requests that the new deadline for rebuttal testimony be set on or about July 21, 2026.

Intervenor also respectfully requests that discovery return to an 8-business-day turnaround during the adjourned period. The 5-business-day turnaround was tied to the compressed period after direct testimony and before rebuttal. If the schedule is adjourned, the urgency supporting that shortened turnaround no longer applies in the same way. Because Applicant identifies delayed discovery responses as one basis for its requested adjournment, Intervenor Brouet respectfully notes that she will be out of the country on previously disclosed university study abroad travel from June 9 through June 24, 2026, and will be unable to respond to discovery during that period. Intervenor therefore requests that any discovery served on her during that period be deemed due after her return, using the applicable discovery turnaround period.

Intervenor does not object to reasonable scheduling adjustments within the Commission's lawful authority, but does not waive any argument regarding statutory deadlines or procedural fairness if new or materially revised application materials are later filed.

As a result, Intervenor respectfully proposes the following schedule memo, with the only differences between Intervenor's proposal and the Applicant's proposal bolded and italicized:

## **SCHEDULE FILING Dates & Proposed Extension**

Staff and Intervenor Testimony	April 21, 2026	(passed)
Rebuttal Testimony	May 22, 2026	to <b>July 21, 2026</b>
Motions to Strike	June 5, 2026	to August 4, 2026
Responses to Motions	June 12, 2026	to August 11, 2026
Initial Briefs	August 3, 2026	to October 2, 2026
Reply Briefs	August 24, 2026	to October 23, 2026
PFD Target Date	September 24, 2026	to November 23, 2026
Proposed Exceptions to PFD TBD	(~October 14, 2026)	to TBD (~Dec 13, 2026)
Proposed Replies to Exceptions TBD	(~October 28, 2026)	to TBD (~Jan 8, 2027)
Commission Order by	December 11, 2026	to February 9, 2027

## **SCHEDULE HEARING**

**Cross Exam** Scheduled June 24, 25 and 26, 2026 to August 23, 24, 25

(all parties, all testimony) (via Microsoft Teams)

**Filing Deadlines:** All filing due dates in this case shall be due by 5:00 p.m. on the day due.

**Discovery:** *Discovery shall have an 8 business-day turnaround, using best efforts, until July 21, 2026, and a 5 business-day turnaround, using best efforts, thereafter.* Any discovery served after 5:00 p.m. shall be deemed served the following day. If after 5:00 p.m. on a Friday, it will be deemed served on Monday.

\*\*All other provisions of the Corrected Scheduling Memo dated January 20, 2026 remain in effect and are unchanged

(End of Intervenor's proposed scheduling memo)

If Intervenor's request for an 8-business-day discovery turnaround is not granted, Intervenor respectfully requests that the rebuttal testimony deadline still be set on or about July 21, 2026, for the other reasons stated in this response.

Please see, in support of this response, Applicant's request for "a 60-day adjournment of all remaining dates in this matter." (Exhibit A). The Corrected Scheduling Memo identifies May 22, 2026 as the rebuttal testimony deadline (Exhibit B).

CONCLUSION

For the reasons stated above, Intervenor Brouet respectfully requests that any adjournment be calculated from the correct dates in the Corrected Scheduling Memo; that the rebuttal testimony deadline be calculated from May 22, 2026 and rescheduled to a 60-day adjournment on or about July 21, 2026; that discovery return to an 8-business-day turnaround during the adjourned period.

Respectfully submitted,

A handwritten signature in black ink that reads "Stephanie Brouet". The signature is written in a cursive style with a large initial 'S'.

Stephanie Brouet  
Intervenor  
6167 E. Vienna Rd  
Clio, MI 48420  
810-820-0657  
May 22, 2026

# EXHIBIT A



Outlook

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## U-21956: Otisville Solar Application before the MPSC - request for adjournment

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**From** Frances Belzer Wilson <fwilson@dawdalaw.com>

**Date** Thu 5/14/2026 2:26 PM

**To** Michael Gildner <mgildner@sfplaw.com>; Stephanie Brouet <sbrouet@SVSU.edu>; 'tilsonteam@aol.com' <tilsonteam@aol.com>; Stirling, Anna (AG) <stirlinga1@michigan.gov>; Cozort, Adam (AG) <cozorta1@michigan.gov>; Taylor, Nicholas (AG) <taylorn10@michigan.gov>

**Cc** Aidan Schurig <aschurig@dawdalaw.com>; Tyler D. Tennent <TTennent@dawdalaw.com>

Counsel and Parties,

The Applicant is seeking a 60-day adjournment of all remaining dates in this matter (including an extension of the statutory 1-year deadline set forth in PA 233).

Various reasons for this request include the failure of some intervenors to timely respond to discovery requests (recognizing Dr. Brouet has been granted an extension to prepare and serve her responses) and the impending deadline for rebuttal testimony, the status and impact of the May 7, 2026 Court of Appeals order in COA Case No. 373259, and to continue discussions with the parties related to proposed conditions contained in their direct testimony.

**Please let us know if you will stipulate to such an adjournment by no later than noon on May 15, 2026.**

Please do not hesitate to reach out to Tyler Tennent (copied) or me if you would like to further discuss the request.

We appreciate your prompt attention to and consideration of this request.

Frances



**Frances Belzer Wilson | Dawda PLC | Member**

 [39533 Woodward Avenue, Suite 200, Dawda Building  
Bloomfield Hills, Michigan 48304-5103](#)

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 [www.dawdalaw.com](http://www.dawdalaw.com)  

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# **EXHIBIT B**

MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES  
**INTEROFFICE COMMUNICATION**  
TO THE MICHIGAN PUBLIC SERVICE COMMISSION

**CORRECTED**

**TO:** Case No. U-21956  
**FROM:** Theresa A.G. Staley  
**DATE:** January 20, 2026  
**SUBJECT:** Otisville PV I, LLC – Solar Siting Certificate

**SCHEDULE FILING**

**Dates**

Staff and Intervenor Testimony	April 21, 2026
Rebuttal Testimony	May 22, 2026
Motions to Strike	June 5, 2026
Responses to Motions	June 12, 2026
Initial Briefs	August 3, 2026
Reply Briefs	August 24, 2026
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## **SERVICE DIRECTIVE**

On or before January 23, 2026, the Applicant shall effectuate additional notice on those who were served with a Notice of Hearing by the Applicant on December 9, 2025, which will advise and give notice to those individuals that, if they wish to intervene in this matter, they have until February 10, 2026, at 5:00 p.m. to do so. The Applicant will obtain approval of the proposed notice from MPSC Staff Counsel and the ALJ prior to serving said notice. A proof of service shall be filed in the e-docket on or before February 10, 2026.

## **U-21956 Instructions**

### **General**

1. This case has been e-filed. All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: <https://mi-psc.my.site.com/s/>

Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in PDF format, as an attachment to an email sent to: [mpscedockets@michigan.gov](mailto:mpscedockets@michigan.gov). If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at: [mpscedockets@michigan.gov](mailto:mpscedockets@michigan.gov).

All communications between parties, all filings, and all service will be made via e-mail and electronic filing. The parties shall maintain an up-to-date service list and ensure that all persons or mailboxes on the list are served all documents. Please make sure that ALL documents (especially discovery) are served on the Staff case coordinator.

2. Please be aware that the ALJ does not forward any confidential information and therefore does not maintain a list of participants who have signed the NDA.
3. To avoid missing any key filings, each party should also sign up through the e-docket system to receive notification of anything filed in this docket.

### **Testimony**

1. All testimony must be in writing and prefiled according to the schedule established in this case. Each party or group of parties filing testimony should file an exhibit list with the exhibit number and title of each of their direct exhibits at the time they file their testimony or shortly thereafter. Exhibits should be marked using the traditional MPSC method, using the prefixes the parties have already indicated they intend to use followed by a number.
2. It is helpful to include a summary of each witness's testimony either at the beginning or the end of the testimony (or at the end of each section) for a witness covering a significant portion of the case).

3. Direct and rebuttal testimony and exhibits should be filed as PDFs that are searchable (including the exhibit number headings at the top) and copyable—i.e. can be cut and pasted from; and workpapers should be served on all parties along with the testimony.
4. Any revisions to direct or rebuttal testimony or exhibits filed after the due date should include a version showing the deletions and/or insertions, and an explanation for the changes.

### **Rebuttal**

1. Proper rebuttal evidence is the evidence given by one party to contradict, explain, or disprove evidence produced by the other party and tending to directly weaken or impeach that evidence. It should not be used for the purpose of rehabilitating or supplementing a party's direct case. Rebuttal should also be concise and to the point, presented for the purpose of rebutting specific facts or judgments of the other parties that could not have been reasonably done in a party's direct case.

Rebuttal testimony should explicitly identify the page and line numbers of the prefiled testimony being rebutted. A revised exhibit list should also be provided with the rebuttal filing.

### **Hearing Preparation**

1. At the time of the evidentiary hearing (cross-examination), testimony and all exhibits proposed for admission will be uploaded to a SharePoint site. The SharePoint invitations will be sent to those on the service near the date of cross examination. As the date for cross examination approaches, you will need to provide the ALJ with any additional names and email addresses for both hearing and SharePoint access invitations. Please note that "mailbox" email addresses cannot receive SharePoint invitations.
2. Once the SharePoint folder is created, check your access to the folder for this case. Please contact the ALJ asap if you have any difficulties accessing the folder and I will arrange for technical support.
3. Each party or group of parties will need to create a subfolder in the SharePoint folder for this case, labeled with the party or party group name. Then, for each witness that party/party group is sponsoring, create a subfolder within the party subfolder labeled with each witness's name and upload that witness's non-confidential testimony and exhibits to that witness's subfolder.
4. Hearing room exhibits—exhibits that you intend to use during cross examination or offer at the hearing but have not prefiled—should also be uploaded to the appropriate party subfolder so they can readily be identified by counsel and witnesses. This should be done before the hearing starts on the day the exhibits will be used or offered.

5. The parties shall provide a schedule for cross examination at least three days before the beginning of the evidentiary hearing (the dates for cross examination). Information on the schedule should include the order of the witnesses, the day(s) the witnesses are expected to appear, and who will be crossing the witness for approximately how long. Please also consider that we will be taking 10-minute breaks every hour or hour and 15 minutes (plus a lunch break) and build that into the schedule.
6. The evidentiary hearing will be held remotely using Microsoft Teams. Participation information in the form of a Microsoft Outlook calendar invitation will be sent, and you may forward it to anyone else you want to attend. If anyone participating in the hearing is not familiar with Teams, and anticipates difficulty joining the hearing, please let the ALJ know as soon as possible, and arrangements for technical assistance will be made.

### **Other Information**

1. Official exhibits—exhibits that have been admitted into evidence—should be filed in numerical order following the conclusion of the evidentiary hearing; the “filing type” Attachment A should indicate “official exhibits” and the filing description should contain the exhibit numbers included in the filing. While it may be necessary for a party’s official exhibits to be filed in multiple batches, the description for each part of the filing should indicate the exhibit numbers included in that part.
2. Each party will need to email the designated court reporter for the evidentiary hearing PDF copies of each witness’s testimony (searchable and copyable), separate PDF copies of any confidential versions of testimony appropriately labeled, and a separate exhibit list. Please do this by the close of the evidentiary hearing. The court reporter’s information will be disclosed as the evidentiary hearing approaches and a court reporter has been identified.
3. The ALJ will provide further guidance on briefing after the hearing. The parties should expect to include the following in your briefs: (1) a table of contents; (2) a summary of position on each issue; (3) a description of the entire record relating to each issue briefed (i.e., pinpoint transcript cites to each witness testifying on that issue and exhibit/schedule and line numbers pertinent to the issue). For each specific topic covered, the Applicant shall provide citations to the record for all witnesses testifying on that topic, as well as all relevant exhibits, at the beginning of the narrative on the topic.
4. Ideally, the parties will be able to create a table of disputed issues that will assist counsel in preparing briefs, facilitate potential settlement, assist the ALJ in preparing the PFD, and assist the Commission and its legal staff in preparing a final order. The Applicant (Otisville PV I, LLC) shall do the initial work creating the table, subject to further consultation with the ALJ and the parties to determine what this table will contain. The disputed issues table shall be completed and circulated by July 20, 2026.