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April 21, 2026

Ms. Lisa Felice
Executive Secretary
Michigan Public Service Commission
7109 W. Saginaw Highway
Lansing, MI 48909

Re: MPSC Case No. U-22061

Dear Ms. Felice:

Enclosed herewith for filing in the above-referenced matter, please find the Petition of Gerdau MacSteel, Inc. for Leave to Intervene, my appearance form, and the proof of service regarding same.

Very truly yours,



Jennifer Utter Heston

Enclosures
Cc: All Parties of Record

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION

ENTRY OF APPEARANCE IN AN ADMINISTRATIVE HEARING

This form is issued as provided for by 1939 PA 3, as amended, and by 1933 PA 254, as amended. The filing of this form, or an acceptable alternative, is necessary to ensure subsequent service of any hearing notices, Commission orders, and related hearing documents.

General Instructions:

Type or print legibly in ink. For assistance or clarification, please contact the Public Service Commission at 517-284-8090.

***Please Note:** The Commission will provide electronic service of documents to all parties in this proceeding.*

THIS APPEARANCE TO BE ENTERED IN ASSOCIATION WITH THE ADMINISTRATIVE HEARING:

Case / Company Name: _____ Docket No. U-_____

Please enter my appearance in the above-entitled matter on behalf of:

1. (Name)
2. (Name)
3. (Name)
4. (Name)
5. (Name)
6. (Name)
7. (Name)

Name _____

Address _____

City _____ State _____

Zip _____ Phone _____

Email _____

Date _____

Signature: _____

☐ I am not an attorney

☐ I am an attorney whose:

Michigan Bar # is P-_____

_____ Bar # is: _____
(state)

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of)
DTE ELECTRIC COMPANY for)
approval of amendments to Rate D11)
and related relief.)

Case No. U-22061

PETITION OF GERDAU MACSTEEL, INC.
FOR LEAVE TO INTERVENE

NOW COMES Gerdau MacSteel, Inc. (“Gerdau”), by and through its attorneys, Potomac Law Group, PLLC, and hereby submits its petition seeking leave to intervene in the above-entitled action pursuant to Rule 410(1) of the Commission’s Rules of Practice and Procedure, R 792.10410(1). In support of this petition, Gerdau states as follows:

1. Gerdau is one of the largest producers of engineered steel bars in North America. Gerdau’s steel is used in the agricultural, automotive, construction, distribution, energy, industrial and mining markets. Gerdau’s Monroe steel manufacturing plant receives electric service from DTE Electric Company (“DTE”) under Rate D11, Rider No. 1.1, and Rider No. 10.

2. This docket involves an application by DTE for approval of proposed amendments to Rate D11 to include a new large load provision.

3. Gerdau has direct and vital interests in the issues raised in this docket, because Gerdau has direct interest in the rates, terms, and conditions proposed by DTE. Gerdau has a direct financial interest in the Rate D11 rates, terms and conditions of service.

4. There are several legal bases for standing to intervene in a proceeding before the MPSC. The first is standing as of right. This Commission has repeatedly applied the two-prong

test for standing as of right set forth in *Association of Data Processing Service Organizations, Inc. v Camp*, 397 US 150; 90 S. Ct. 827; 250 L.Ed. 184 (1970), which has been applied to utility matters in *Drake v The Detroit Edison Co*, 453 F Supp 1123 (WD Mich, 1978). As set forth in *Association of Data Processing*, the two-prong test consists of a showing that: (1) the petitioner would likely suffer injury in fact (i.e., its interests are endangered or at issue); and (2) the petitioner's interests that are allegedly endangered are within the zone of interests to be protected or regulated by the statute under consideration. See, e.g., *In re Michigan Consolidated Gas Co*, MPSC Case No. U-10150 (December 8, 1992).

5. Gerdaud satisfies the "injury in fact" test, because the proposed changes to DTE's Rate D11 will impose costs on Gerdaud. Gerdaud will incur a direct financial impact because of changes in DTE's Rate D11 rates.

6. The second prong of the two-pronged test for standing as a matter of right is a showing that the prospective intervenor's interest falls within the "zone of interests" to be protected or regulated in the context of the case. The rates, terms, and conditions of DTE's Rate D11 are of interest to Gerdaud and have been placed in issue by DTE in this case. The rates, terms, and conditions of DTE's primary supply service rate fall within the zone of interests to be regulated by the MPSC in this case, and Gerdaud's interest in fair and reasonable rates, terms, and conditions falls within the zone of interests to be protected in this case.

7. Having demonstrated that its interests satisfy the two-pronged test for standing as a matter of right, Gerdaud respectfully submits that it is entitled to intervene in this case as a matter of right.

8. Even if it were determined that Gerdaud does not have standing as a matter of right, it would be entitled to intervene under the MPSC's discretionary intervention standards. "[T]he

Commission's discretion to grant leave to intervene is broader than the two-prong test. As recognized in prior Commission orders, the requirements for standing before the Commission are not as strict as those applied by the courts. Unlike a court of law, an administrative agency can allow intervention whenever the resulting delay will likely be outweighed by the benefit of the intervenor's participation." *In re Michigan Consolidated Gas Co*, MPSC Case No. U-10150, p 5 (December 8, 1992) (finding that discretionary intervention was appropriate, and "a detailed discussion of the two-prong test is unnecessary").

9. Indeed, the two-pronged test does not apply when granting permissive intervention. "The granting of permissive intervention without satisfying the two-pronged test is a long-established Commission practice." *In re DTE Gas Co*, MPSC Case No. U-17332, p 4 (May 13, 2014).

10. Discretionary intervention is appropriate where public policy warrants a party's involvement because a prospective intervenor can provide useful information to the Commission or a unique perspective on the issues to be resolved. See, e.g., *In re Mascotech Forming Technologies, Inc.*, MPSC Case No. U-11057 (June 5, 1996); *In re MCI Metro Access Transmission, Inc.*, MPSC Case No. U-10610 (November 30, 1994); and *In the matter, on the Commission's own motion, to investigate the appropriateness of instituting a surcharge to assist in the funding of the Gas Technology Institute*, MPSC Case No. U-14561 (October 18, 2005). The Commission has held that a proper case for permissive intervention exists when a proposed intervenor "could be expected to bring helpful information to the Commission's attention that might not otherwise be available." *In re International Transmission Co*, MPSC Case No. U-16200, p 4 (October 14, 2010).

11. “Permissive intervention has also been granted where a proceeding ‘raises novel questions and important policy issues’ and the intervenor will ‘bring a unique perspective’ to the case.” *In re DTE Electric Co*, MPSC Case No. U-17319, p 10 (March 6, 2014), quoting, MPSC Case No. U-11057, pp 2-3 (June 5, 1996).

12. Gerdau is a very large consumer of electric energy operating steel mills in highly competitive markets across several states. Gerdau is one of a limited number of DTE customers receiving electric service pursuant to DTE’s Rider No. 10. Gerdau’s experiences make it particularly well-suited to bring new and helpful information to the MPSC that might not otherwise be available. Gerdau can offer important insights into the implications of various recommendations concerning DTE’s programs going forward. Gerdau has direct knowledge of the impact of the proposed tariff changes on large volume customers operating on DTE’s system.

13. Gerdau has a proven track record of successful participation in proceedings before the MPSC. Notice should be taken of the fact that this same Gerdau has previously participated as an intervenor in cases involving rates and tariffs, including DTE Electric Company’s electric rate cases, MPSC Case Nos. U-21860, U-21297 and U-20836, and Consumers Energy Company’s general rate cases in MPSC Case Nos. U-18322 and U-15645.

14. Thus, Gerdau has significant interests in this case, offers a unique perspective, and is capable of providing information useful to the Commission. Gerdau has demonstrated that it warrants intervention in this case both as of right and on a permissive basis.

15. It is the position of Gerdau that the Rate D11 proposals should be carefully examined and revised as necessary to assure that the rates, terms, and conditions are just and reasonable, as required by law.

16. Gerdau reserves the right to take different positions if, and when, this case proceeds to full hearings and following a full review of the testimony filed in this case and responses to discovery, as may be relevant and appropriate. Gerdau further reserves the right to take other positions and/or seek other relief based on any further proposals that may be submitted by other parties in this case.

17. The relief that Gerdau seeks in this proceeding is an order approving only those rates, terms and conditions of service that are just, reasonable and lawful. Gerdau reserves the right to seek other relief based on a review of the filings and/or discovery responses in this proceeding.

18. Gerdau's interests, as set forth above, are not adequately represented by the present parties and, therefore, it would be detrimental to the public interest to deny this Petition to Intervene.

19. Because the issues set forth above are of great significance to Gerdau and to the public, a denial of this Petition would result in a miscarriage of justice.

WHEREFORE, Gerdau hereby respectfully requests that this Honorable Commission grant it Leave to Intervene in the above-entitled proceedings as a full party of record.

Respectfully submitted,

POTOMAC LAW GROUP, PLLC
ATTORNEYS FOR GERDAU MACSTEEL, INC.

Date: April 21, 2026

By:  _____

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