

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of
Consumers Energy Company for Approval
of an Integrated Resource Plan and
Certificates of Necessity under MCL
460.6s and 460.6t, certain accounting
approvals, and for other relief.

CASE NO. U-22127

Proceedings held via Microsoft Teams in the
above-entitled matter before Heather Durian,
Administrative Law Judge with MOAHR, for the Michigan
Public Service Commission, Lansing, Michigan, on
October 1, 2026 at 9:00 a.m.

APPEARANCES:

SPENCER SATTTLER P70524
BRET TOTRAITIS P72654
ANNE UITVLUGT P71641
GARY GENSCH P74535
EVAN KEIMACH P83418
MIKE RAMPE P58189

On behalf of Consumers Energy Company

AMIT SINGH P75492
DANIEL SONNEVELDT P58222
MONICA STEPHENS P73782
ANNA STIRLING P84919
ADAM COZORT P78363

On behalf of Michigan Public Service Commission Staff

CELESTE GILL P52484
LUCAS WOLLENZIEN P86928

On behalf of the Attorney General Dana Nessel

1 APPEARANCES CONTINUED:

2 JENNIFER HESTON P65202

3 On behalf of Solar Technology and Hemlock
4 Semiconductor

5 KATIE DUCKWORTH P86670
6 DANIEL ABRAMS P87696

7 On behalf of The Ecology Center, The Environmental
8 Law & Policy Center, Union of Concerned Scientists,
9 and Vote solar

10 JUSTIN OOMS P82065

11 On behalf of MIEUC

12 CHRISTOPHER BZDOK P53094

13 On behalf of MNSC

14 AMANDA URBAN P80915
15 MARK TEMPLETON
16 EMMA SPERRY

17 On behalf of Urban Core Collective

18 STEVE CAMPBELL P76684

19 On behalf of ABATE

20 HANNAH BUZOLITS P84702
21 RICK AARON P35605
22 COURTNEY KISSEL P74179
23 EMILY PETROVSKI P87813

24 On behalf of METC

25 JASON HANSELMAN P61813

On behalf of Wolverine Power Supply

1 APPEARANCES CONTINUED:

2 HAYLEE SKANK P88995

3 On behalf of Energy Michigan

4
5 DON KESKEY P23003
6 BRIAN COYER P40809

7 On behalf of GLREA

8 Reported by:

9 Kathy Savich, RPR, CSR-16818
10 TransPerfect Legal (8632)
212.400.8845
11 Job no: 13044

Lansing, Michigan

October 1, 2026

At 1:42 p.m.

ALJ DURIAN: Good morning, everyone. We're now on the record in case number U-22127 captioned In the matter of application of Consumers Energy Company for approval of an integrated resource plan and certificates of necessity under MCL 460.6s and 460.6t, certain accounting approvals, and for other relief.

This is the date and time scheduled for the prehearing conference in this case. My name is Heather Durian. I'm the administrative law judge with the Michigan Office of Administrative Hearings and Rules, otherwise known as MOAHR.

This prehearing conference is being conducted remotely using Microsoft Teams. Links to participate were provided to all those who filed in this case or requested a link. At this time I'd like to ask the attorneys in attendance to place appearances on the record, starting with counsel for the utility.

MR. SATTLER: Good morning, Your Honor, Spencer Sattler appearing on behalf of Consumers Energy Company. Along with me in the case, I'd like to enter the appearances of Bret Totoraitis, Anne Uitvlugt, Gary Gensch, Evan Keimach and Mike Rampe.

1 ALJ DURIAN: Thank you, Mr. Sattler.

2 Who is appearing for the MPSC staff?

3 MR. SINGH: I am, Your Honor. Good morning.
4 Amit Singh on behalf of Michigan Public Service
5 Commission staff. I would also like to enter the
6 appearances of my co-counsel, Daniel Sonneveldt, Monica
7 Stephens, Anna Stirling, and Adam Cozort.

8 ALJ DURIAN: Thank you, Mr. Singh.

9 Who is appearing for the attorney general?

10 MS. GILL: Good morning, Your Honor. Celeste
11 Gill on behalf of Attorney General Dana Nessel. Also
12 appearing in this case for the attorney general will be
13 Lucas Wollenzien.

14 ALJ DURIAN: Thank you, Ms. Gill.

15 Who is appearing for Solar Technology LLC and
16 Hemlock Semiconductor?

17 MS. HESTON: Good morning, Your Honor.
18 Jennifer Heston. I'm with Potomac Law Group appearing
19 for Solar Technology LLC and Hemlock Semiconductor
20 Operations LLC.

21 ALJ DURIAN: Thank you, Ms. Heston.

22 Who is appearing for The Ecology Center, the
23 Environmental Law & Policy Center, the Union of
24 Concerned Scientists, and Vote Solar, which is
25 collectively known as the Clean Energy Organizations or

1 CEO?

2 MS. DUCKWORTH: Good morning, Your Honor.
3 Katie Duckworth on behalf of the Clean Energy
4 Organizations, or CEO. I would also like to enter an
5 appearance for my colleague Daniel Abrams.

6 ALJ DURIAN: Thank you, Ms. Duckworth.

7 Who is appearing for Energy Michigan?

8 MS. SKANK: Good morning, Your Honor. Haylee
9 Skank appearing on behalf of Energy Michigan.

10 ALJ DURIAN: Who is appearing for Michigan
11 Energy Innovation Business Council, Institute for Energy
12 Innovation, Advanced Energy United, and Clean Grid
13 Alliance, known collectively as MEIUC.

14 MR. OOMS: Good morning, Your Honor. Justin
15 Ooms appearing this morning on behalf of Michigan Energy
16 Innovation Business Council, the Institute for Energy
17 Innovation, Advanced Energy United, and Clean Grid
18 Alliance, known by the acronym, as you noted, MIEUC.

19 ALJ DURIAN: Good morning, Mr. Ooms.

20 Who is appearing for Michigan Environmental
21 Council, Natural Resources Defense Council, Sierra Club,
22 and the Citizens Utility Board of Michigan known
23 collectively as MNSC?

24 MR. BZDOK: Good morning, Your Honor.
25 Christopher Bzdok appearing for those parties.

1 ALJ DURIAN: Good morning, Mr. Bzdok.
2 Who is appearing for the Urban Core
3 Collective?

4 MS. URBAN: Good morning, Your Honor. Amanda
5 Urban appearing for Urban Core Collective, or UCC, with
6 pending Ph.D. motions for Mark Templeton and Emma
7 Sperry.

8 ALJ DURIAN: Good morning, Ms. Urban.
9 Who is appearing for the Association of
10 Businesses Advocating Tariff Equity known as ABATE?

11 MR. CAMPBELL: Good morning, Your Honor.
12 Steve Campell, Clark Hill PLC, on behalf of the
13 Association of Businesses Advocating Tariff Equity.

14 ALJ DURIAN: Who is appearing for METC?

15 MS. BUZOLITS: Good morning, Your Honor.
16 Hannah Buzolits appearing on behalf of Michigan Electric
17 Transmission Company, METC. I'd also like to enter the
18 appearance for Rick Aaron, Courtney Kissel, and Emily
19 Petrovski.

20 ALJ DURIAN: Good morning, Ms. Buzolits.
21 Who is appearing for Wolverine Power Supply?

22 MR. HANSELMAN: Good morning, Your Honor.
23 Jason Hanselman, appearing on behalf of Wolverine Power
24 Supply Cooperative.

25 ALJ DURIAN: Good morning, Mr. Hanselman.

1 Did I miss anyone?

2 MR. KESKEY: Your Honor, you missed the Great
3 Lakes Renewable Energy Association.

4 ALJ DURIAN: My apologies. You are on my list
5 for sure. I don't know how I did that. Who is
6 appearing for the Great Lakes Renewable Energy
7 Association known as GLREA?

8 MR. KESKEY: Don Keskey and also Brian Coyer.

9 ALJ DURIAN: Good morning, Mr. Keskey.

10 MR. KESKEY: Good morning.

11 ALJ DURIAN: Okay. There are two pending
12 motions for admission pro hac vice for Emma Sperry and
13 Mark Templeton filed pursuant to MCR8.126 and Rule 419.
14 Does anyone wish to object at this time to either of the
15 motions for pro hac vice? Seeing none, and given that
16 I've received the appropriate paperwork from the State
17 Bar of Michigan, I will grant those motions and issue a
18 ruling today.

19 At this time, I would like to address the
20 notice requirement. So Amit Singh -- I'm sorry. So
21 Spencer Sattler, counsel for the utility, if you could
22 please address whether the company was able to provide
23 notice of hearing in this matter as directed by the
24 commission's executive secretary, that would be
25 appreciated.

1 MR. SATTLER: Of course, Your Honor. The
2 company has complied with the Commission's notice of
3 publication requirements. Concerning notice, the
4 company mailed a notice of hearing to each city,
5 incorporated village, township, and county in its
6 electric service territory, as well as to all
7 federally-recognized tribes of Michigan with a land
8 claim or a reserved treaty right within its electric
9 service territory, and, finally, to interveners in case
10 number 21870 as directed by the Commission.

11 The proof of service was filed on the e-docket
12 on September 15th, 2026. As for publication, Your
13 Honor, the notice of hearing was published in newspapers
14 of general circulation in the company's electric service
15 area. The notice was published by -- rather, affidavits
16 were published by September 17th, 2026, as required.

17 Let me back up there. The notice was
18 published in the newspapers by September 17th. The
19 actual affidavits of the publication were filed with the
20 Commission on September 28th, 2026.

21 And finally, Your Honor, the company has also
22 served on each person who has filed a petition to
23 intervene in this case a copy of the company's prefiled
24 direct testimony and exhibits as filed with the
25 Commission. No party intervened in this case who wasn't

1 initially served with the application and supporting
2 testimony. The company will be filing a proof of
3 service of this today, Your Honor.

4 ALJ DURIAN: Does staff have any concerns with
5 notice?

6 MR. SINGH: No.

7 ALJ DURIAN: Thank you. The Michigan attorney
8 general has filed a notice of intervention in this case
9 and that intervention is recognized. Are there any
10 objections to the petitions to intervene filed in this
11 case?

12 MR. SATTLER: None from the company, Your
13 Honor.

14 ALJ DURIAN: Hearing none, intervention is
15 granted to Solar Technology LLC and Hemlock
16 Semiconductor, CEO Energy Michigan, MEIUC, MNSC, Urban
17 Core Collective, ABATE, GLREA, METC, and Wolverine Power
18 Supply.

19 Turning to the issue of working with some of
20 the counsel present in this case in the past, I sent a
21 notice to everyone stating that I worked with several
22 counselors when I represented the MPSC staff and I now
23 am an administrative law judge for MOAHR. In light of
24 my past representation, I requested by e-mail that you
25 file a motion if you had any concerns with me presiding

1 over this case. No motions have been filed. If you
2 agree to waiving the right to object to me as the
3 presiding officer in this case, please so state on
4 behalf of your client when I call the name of the party
5 you represent.

6 Does the utility agree to waive to object to
7 my presiding?

8 MR. SATTLER: The company agrees, Your Honor.

9 ALJ DURIAN: And staff counsel?

10 MR. SINGH: Staff waives any objection.

11 ALJ DURIAN: Counsel for the attorney general?

12 MS. GILL: The attorney general waives any
13 objection.

14 ALJ DURIAN: Solar Technology LLC and Hemlock
15 Semiconductor, do you agree to waive objection?

16 MS. HESTON: Yes, Your Honor, we agree to
17 waive objection.

18 ALJ DURIAN: And the CEOs?

19 MS. DUCKWORTH: Yes, we agree to waive
20 objections.

21 ALJ DURIAN: Energy Michigan?

22 MS. SKANK: Energy Michigan waives objection.

23 ALJ DURIAN: MEIUC?

24 MR. OOMS: MEIUC likewise waives objection,
25 Your Honor.

1 ALJ DURIAN: And MNSC?

2 MR. BZDOK: We waive, Your Honor.

3 ALJ DURIAN: Urban Core Collective?

4 MS. URBAN: UCC waives objection, Your Honor.

5 ALJ DURIAN: ABATE?

6 MR. CAMPBELL: ABATE waives objection, Your

7 Honor.

8 ALJ DURIAN: GLREA?

9 MR. KESKEY: GLREA waives any objection, Your

10 Honor.

11 ALJ DURIAN: METC?

12 MS. BUZOLITS: METC waives any objection.

13 ALJ DURIAN: And Wolverine Power Supply?

14 MR. HANSELMAN: Wolverine waives objection,

15 Your Honor. Thank you.

16 ALJ DURIAN: Thank you all. Turning to the
17 matter setting a schedule for this case, the parties
18 have proposed a schedule off the record. Would counsel
19 for the utility please read it into the record.

20 MR. SATTLER: Of course, Your Honor. I would
21 note that the company circulated the proposed schedule
22 to the petitioners earlier this week and it did make
23 some changes to the schedule initially proposed to
24 accommodate requests. I've heard no objection from any
25 of the petitioners to the schedule that I circulated

1 late yesterday. So that will be the schedule I'll be
2 reading into the record.

3 The staff and interveners will file testimony
4 under the consensus schedule on January 12th, 2027. The
5 company will file it's 150-day cost update, if it has
6 one, and supporting testimony earlier than statutorily
7 required on January 22nd, 2027. Statutorily, the
8 150-day cost update would be due on February 1st, 2027
9 but, again, we'll be filing it early, as agreed.

10 Rebuttal testimony and staff and intervenor
11 response to the January 22nd cost update would be filed
12 on February 5th, 2027. Cost update rebuttal, and this
13 would be rebuttal specifically in response to the cost
14 update, testimony only, would be filed on February 12th,
15 2027. Motions to strike for testimony in the direct
16 case would be filed the same day, February 12th, 2027.

17 Responses to the motions to strike for the
18 direct case and initial motions to strike for the cost
19 update testimony would both be filed on February 16th,
20 2027. Cross-examination and motion arguments, including
21 any live responses to motions to strike the cost update
22 testimony, would be held from February 18th through
23 February 24th, 2027 on all business days.

24 Initial briefs would be filed by March 24th,
25 2027. Reply briefs by April 9th, 2027. The PFD target

1 under the consensus schedule would be May 7th, 2027, and
2 exceptions and replies to exceptions are, of course, set
3 in any PFD that's issued, we would anticipate being
4 filed exceptions on May 21st, 2027, and replies to
5 exceptions by May 28th, 2027.

6 Finally, the commission's 300-day order, by my
7 calculation, would fall on June 30th, 2027 and the
8 commission's final 360-day order I believe would fall on
9 August 30th, 2027.

10 When it comes to discovery turnaround time,
11 that's not simple either, as perhaps isn't surprising,
12 given the schedule. For questions that staff and
13 interveners are answering, they would have an eight
14 business day best efforts turnaround time until staff
15 and intervenor filing date agree to be January 12th,
16 2027 and then a five-business-day best efforts
17 turnaround time afterward.

18 For questions the company is answering, it
19 would have an eight-business-day best efforts turnaround
20 on discovery until rebuttal which would fall on February
21 5th and a three-business-day best efforts turnaround
22 time afterward. I believe that summarizes the consensus
23 schedule, Your Honor.

24 ALJ DURIAN: Are there any objections or
25 concerns regarding the schedule that was read into the

1 record by Mr. Sattler? Hearing none, I will adopt those
2 dates as the schedule for this case.

3 With respect to the protective order, it has
4 been sent to staff counsel and I understand staff has no
5 objection. Is that correct, Mr. Singh, regarding the
6 protective order?

7 MR. SINGH: Staff has no objection.

8 ALJ DURIAN: Thank you.

9 If there are no other objections today, we
10 will enter that order after the hearing.

11 Finally, the notice of hearing did provide
12 directions for those who wish to make a statement
13 without a formal petition for me to intervene, also
14 known as a Rule 413 comment, or public comment. I'm
15 uncertain if any members of the public are present, but
16 if anyone would like to make a public comment, now would
17 be the time to do so.

18 Hearing none, I wanted to note that you can
19 subscribe to the docket in addition to being on the
20 proof of service. Also, please make certain to put the
21 case coordinator on your proof of service as well as
22 copy any other administrative assistant that requests to
23 be listed.

24 The company will be responsible for keeping an
25 updated list of those who have filed a nondisclosure

1 certificate. As well, please refer to additional
2 instructions I intend to put in the scheduling
3 memorandum for this case.

4 Is there anything else we need to take up
5 today? Well, it appears -- oh, I'm sorry. Mr. Sattler?

6 MR. SATTLER: Oh, I was just saying, I don't
7 believe so.

8 ALJ DURIAN: Thank you. It appears there are
9 no other matters to take up so in that case we will
10 conclude the prehearing conference and we are now off
11 the record.

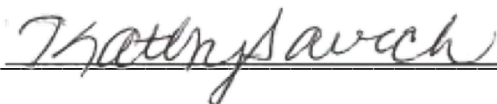
12 (Concluded at 9:18 a.m.)
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1 STATE OF MICHIGAN)

2) SS

3 COUNTY OF MACOMB)

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5 I hereby certify that I reported in stenotype
6 via Microsoft Teams the proceedings had in the
7 above-entitled matter, that being Case No. U-22127
8 before Heather Durian, Administrative Law Judge with
9 Michigan Office of Administrative Hearings and Rules,
10 for the Michigan Public Service Commission, Lansing,
11 Michigan, on Thursday, October 1, 2026; and do further
12 certify that the foregoing transcript, consisting of
13 pages 1-15, constitutes a true and correct transcript of
14 my stenotype notes.
15
16

17 

18 Kathy Savich, RPR, CSR-16818

19 Notary Public, Macomb County, Michigan

20 My Commission Expires: 11-25-2023
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