



State of Michigan
Jennifer M. Granholm, Governor

Michigan Public Service Commission
J. Peter Lark, Chairman
Laura Chappelle, Commissioner
Monica Martinez, Commissioner

MEMORANDUM

Date: 6/23/2006
To: Mary Jo Kunkle, Executive Secretary
From: Sheila Cornfield, Financial Analysis & Customer Choice
Regulated Energy Division
Subject: Code of Conduct Complaint Report for 2005

On December 4, 2000, Case No. U-12134, the Commission established a Code of Conduct to promote the development of competition, consistent with the Customer Choice and Electricity Reliability Act, Section 10a(4) of Act 141 of the Public Acts of 2000. In a second Code of Conduct order, Case No. U-12134, dated October 29, 2001, the Commission adopted the attached Section VII C, which requires that each electric utility or alternative electric supplier shall file an annual report with the Commission summarizing the number and types of complaints received and their resolution.

We have received a Code of Conduct Annual Complaint Report from all regulated investor owned electric utilities and electric cooperative utilities. For the year of 2005, no electric utility or electric cooperative utility reported any complaints concerning activities governed by the Code of Conduct. There were two ongoing cases in 2005:

1. Per the 2004 report, the Detroit Edison Company had one pending complaint, which was resolved on March 29, 2005 in Case No. U-14072.
2. An order was issued February 9, 2006 in the matter of Consumers Energy's billing system. A second order was issued on May 10, 2006 in Case No. U-14329, denying the petition for rehearing of the Commission's February 9, 2006 order in this proceeding. This hearing was initiated as a result of Mr. Phil Forner's efforts and the Commission finding in MPSC Case No. U-13098 and U-13948, against Consumers Energy for violation of the Code of Conduct, pursuant to Section 10a(4) of Public Act 3 of 1939 as amended, being MCL 460.10a(4).

We have received a Code of Conduct Annual Complaint Report from all alternative electric suppliers, except one who no longer serves customers. For the year of 2005, no alternative electric suppliers reported any complaints concerning activities governed by the Code of Conduct.

cc: Brian Ballinger
Sue Devon
Gary Kitts
Robert Kehres