

October 2, 2024

Lisa Felice  
Executive Secretary  
Michigan Public Service Commission  
7109 West Saginaw Highway  
Post Office Box 30221  
Lansing, MI 48909

**Re: Case No. U-21373 - In the matter, on the Commission's own motion, to amend the rules governing electrical supply and communication lines and associated equipment.**

Dear Ms. Felice:

Enclosed for electronic filing is **Consumers Energy Company's Comments on Proposed Amendments of the Rules Governing Electric Supply and Communication Lines and Associated Equipment and Appearance of Spencer A. Sattler** in the above-captioned case. This is a paperless filing and is therefore being filed only in a PDF format. I have also included a Proof of Service showing electronic service upon the parties to this case.

Sincerely,

Spencer A. Sattler  
Phone: 517-474-6638  
Email: [spencer.sattler@cmsenergy.com](mailto:spencer.sattler@cmsenergy.com)

CC: Parties per Attachment 1 to Proof of Service

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission’s own motion,)
to amend the rules governing electrical supply )
and communication lines and associated )
equipment. )
\_\_\_\_\_)

Case No. U-21373

**CONSUMERS ENERGY COMPANY’S COMMENTS ON PROPOSED AMENDMENTS
OF THE RULES GOVERNING ELECTRICAL SUPPLY AND COMMUNICATION
LINES AND ASSOCIATED EQUIPMENT**

**I. INTRODUCTION**

On September 20, 2023, the Michigan Public Service Commission (“MPSC” or the
“Commission”) sought permission from the Michigan Office of Administrative Hearings and
Rules (“MOAHR”) to amend Mich Admin Code, R 460.813, within the Commission’s rules
governing Electrical Supply and Communication Lines and Associated Equipment, to update the
rule to adopt by reference the most current version of the National Electrical Safety Code, being
the 2023 edition. The Commission’s request was approved by MOAHR on September 26, 2023.
The Commission thereafter submitted the draft rules to MOAHR and the Legislative Service
Bureau for informal approvals, which were granted on March 19 and 21, 2024, respectively.

On August 22, 2024, the Commission issued an Order in Case No. U-21373 announcing a
Public Hearing on September 18, 2024 where any person may present data, views, questions, and
arguments regarding proposed amendments to the Electrical Supply and Communication Lines
and Associated Equipment Rules. In this order, the Commission also invited interested parties to
file written comments, suggestions, data, views, questions, argument, and modifications
concerning the issue no later than 5:00 p.m. on October 2, 2024. Consumers Energy Company

(“Consumers Energy” or the “Company”) appreciates the opportunity to provide feedback and offers the following comments.

## **II. COMMENTS**

Consumers Energy is supportive of updating rules governing Electrical Supply and Communication Lines and Associated Equipment so they adopt by reference the most current version of the National Electrical Safety Code (“NESC”), being the 2023 edition. The Company would like to recommend that application of updated rules specifying the 2023 NESC be limited to new installations and extensions where both design and approval were started after the proposed rules take effect. This would save the Company, and ultimately customers, the time and money required to redesign projects that have already been approved and are awaiting construction. This specification is consistent with Rule 16 of the 2023 NESC which states, “Additionally, this edition shall become effective no later than the first day of the month after 180 days have elapsed following its publication date for application to new installations and extensions where both design and approval were started after the expiration of that period, unless otherwise stipulated by the administrative authority.”<sup>1</sup>

Respectfully submitted,

CONSUMERS ENERGY COMPANY

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<sup>1</sup> National Electric Safety Code, 2023 edition (IEEE C2-2023)

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: Consumers Energy Company Docket No. U-21373

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

1. (Name) Consumers Energy Company
2. (Name)
3. (Name)
4. (Name)
5. (Name)
6. (Name)
7. (Name)

Name Spencer A. Sattler  
Address One Energy Plaza  
  
City Jackson State MI  
Zip 49201 Phone ( 517 ) 474-6638  
Email spencer.sattler@cmsenergy.com  
and mpsc.filings@cmsenergy.com  
Date October 2, 2024

<input type="checkbox"/> I am not an attorney
<input checked="" type="checkbox"/> I am an attorney whose:
Michigan Bar # is P- <u>70524</u>
_____ Bar # is: _____
( state )

Signature:  Digitally signed by Spencer A. Sattler  
Date: 2024.10.02 08:58:02 -04'00'

Save Form

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\_\_\_\_\_ )

Case No. U-21373

PROOF OF SERVICE

STATE OF MICHIGAN )
) SS
COUNTY OF JACKSON )

Crystal L. Chacon, being first duly sworn, deposes and says that she is employed in the Legal Department of Consumers Energy Company; that on October 2, 2024, she served an electronic copy of **Consumers Energy Company’s Comments on Proposed Amendments of the Rules Governing Electric Supply and Communication Lines and Associated Equipment and Appearance of Spencer A. Sattler** upon the persons listed in Attachment 1 hereto, at the e-mail addresses listed therein.

*Crystal L. Chacon*

\_\_\_\_\_  
Crystal L. Chacon

Subscribed and sworn to before me this 2<sup>nd</sup> day of October, 2024.

*Melissa K. Harris*

\_\_\_\_\_  
Melissa K. Harris, Notary Public  
State of Michigan, County of Jackson  
My Commission Expires: 06/11/2027  
Acting in the County of Hillsdale

**ATTACHMENT 1 TO CASE NO. U-21373**

<b>Party</b>	<b>Mailing Address</b>	<b>Email Address</b>
<b>Administrative Law Judge</b>		
Hon. Sally L. Wallace	7109 West Saginaw Highway Post Office Box 30221 Lansing, MI 48909	Wallaces2@michigan.gov
<b>Counsel for Consumers Energy Company</b>		
Spencer A. Sattler, Esq.	One Energy Plaza Jackson, MI 49201	spencer.sattler@cmsenergy.com mpsc.filings@cmsenergy.com
<b>Counsel for the Michigan Public Service Commission Staff</b>		
Alena Clark, Esq.	7109 West Saginaw Highway Post Office Box 30221 Lansing, MI 48909	clarkA55@michigan.gov