

Court of Appeals, State of Michigan

ORDER

Kenneth Boyer v Detroit Edison Co

Docket No. 313990

LC No. 00-017034

William B. Murphy, Chief Judge, acting under MCR 7.211(E)(2), orders:

On the Court's own motion, the claim of appeal is TRANSFERRED to the Ingham Circuit Court and this appeal shall proceed in that court as if it had been timely filed in that court on December 17, 2012, the date the claim of appeal was filed in this Court. MCL 462.26(3). This appeal is not in the jurisdiction of this Court because it is not an appeal of an order of the Michigan Public Service Commission "fixing any rate or rates, fares, charges, classifications, joint rate or rates" or "fixing any regulations, practices, or services." MCL 462.26(1). Rather, this appeal is properly in the jurisdiction of the Ingham Circuit Court as an appeal from "a commission order pertaining to the application of existing commission rules, tariffs, or rate schedules to an individual customer in a contested case". MCL 462.26(7).

Accordingly, appellant's motion to waive fees is also TRANSFERRED to the Ingham Circuit Court for consideration by that court.

The Clerk's Office of this Court shall provide a copy of this order and a photocopy of the Court of Appeals file for this appeal to the Ingham Circuit Court Clerk's Office. The parties are directed to contact the Ingham Circuit Court Clerk's Office regarding any additional filing requirements.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

JAN 09 2013

Date


Chief Clerk