

Order

Michigan Supreme Court
Lansing, Michigan

March 29, 2013

Robert P. Young, Jr.,
Chief Justice

145750

Michael F. Cavanagh
Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

In re Application of The Detroit Edison Company
to Increase Rates

ASSOCIATION OF BUSINESSES ADVOCATING
TARIFF EQUITY,
Appellant,

v

SC: 145750
COA: 302110
MPSC No: 00-016384

MICHIGAN PUBLIC SERVICE COMMISSION,
Appellee,

and

THE DETROIT EDISON COMPANY,
Petitioner-Appellee.

On order of the Court, the application for leave to appeal the July 26, 2012 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address: (1) whether the Court of Appeals erred in concluding that MCL 460.6a(1) is subject to “reasonable but differing interpretations” and therefore ambiguous, see *Mayor of Lansing v Public Service Comm*, 470 Mich 154, 166 (2004) (ambiguity arises where a provision of the law “irreconcilably conflict[s]’ with another provision . . . or where it is equally susceptible to more than a single meaning”), citing *Klapp v United Ins Group Agency*, 468 Mich 459, 467 (2003); and (2) whether MCL 460.6a(1) requires that a refund to primary customers required after a utility implements increased rates or charges under that subsection be allocated to each primary customer that was over-charged on the basis of the amount paid by each primary customer.



d0326

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 29, 2013

Corbin R. Davis

Clerk