

Order

Michigan Supreme Court
Lansing, Michigan

January 27, 2016

Robert P. Young, Jr.,
Chief Justice

152263

Stephen J. Markman

Brian K. Zahra

Bridget M. McCormack

David F. Viviano

Richard H. Bernstein

Joan L. Larsen,

Justices

In re Application of CONSUMERS ENERGY
to Increase Electric Rates

ATTORNEY GENERAL,
Appellant,

v

SC: 152263
COA: 317434
MPSC: 00-017087

MICHIGAN PUBLIC SERVICE
COMMISSION,
Appellee,

and

CONSUMERS ENERGY COMPANY,
Petitioner-Appellee.

On order of the Court, the application for leave to appeal the April 30, 2015 judgment of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we REVERSE that part of the Court of Appeals judgment that addressed the claim of appeal filed by the Attorney General, Docket No. 317434, and we REMAND this case to the Court of Appeals for consideration of the merits of that claim of appeal. The fact that the Attorney General stipulated to a settlement agreement that recognized a rate increase is not inconsistent with the Attorney General's appeal from the June 28, 2013 decision of the Michigan Public Service Commission. That decision resolved issues preserved by the Attorney General in the settlement agreement. Those preserved issues can be addressed independent of the \$89 million in rate relief approved pursuant to the settlement agreement. This order does not disturb the Court of Appeals disposition in the consolidated case, Docket No. 317456. We express no opinion regarding the merits of the Attorney General's appeal.

We do not retain jurisdiction.



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I, Larry S. Royster, 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.

January 27, 2016


Clerk