

**STATE OF MICHIGAN**  
**BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

In the matter, on the Commission’s own motion,     )  
to commence a proceeding to implement filing     )  
guidelines for applications under Act 30 of 1995,     )  
as amended.     )  
\_\_\_\_\_ )

Case No. U-21930

**COMMENTS OF THE**  
**MICHIGAN ENERGY INNOVATION BUSINESS COUNCIL**  
**AND**  
**ADVANCED ENERGY UNITED**  
**AND**  
**CLEAN GRID ALLIANCE**

**Introduction**

The Michigan Energy Innovation Business Council (“Michigan EIBC”<sup>1</sup>), Advanced Energy United (“United”<sup>2</sup>), and Clean Grid Alliance (“CGA”<sup>3</sup>), collectively “Michigan

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<sup>1</sup> The Michigan Energy Innovation Business Council is a trade organization tasked with growing Michigan’s advanced energy economy by fostering opportunities for innovation and business growth and offering a unified voice in creating a business-friendly environment for the advanced energy industry in Michigan.

<sup>2</sup> Advanced Energy United is a national business association representing leading companies in the advanced energy industry. United supports a broad portfolio of technologies, products, and services that enhance U.S. competitiveness and economic growth through an efficient, high-performing energy system that is clean, secure, and affordable.

<sup>3</sup> Clean Grid Alliance is a nonprofit organization whose 70+ members include wind, solar and storage developers, manufacturers, nonprofit environmental, public interest and clean energy advocacy organizations, and other businesses that support renewable energy. CGA has a long history of success in expanding market opportunities for renewables through technical expertise in transmission and regulatory processes, policy work, and public education and outreach to build support.

EIBC/United/CGA” appreciate the opportunity to provide comments in the Michigan Public Service Commission’s (“Commission”) docketed Case No. U-21930 focused on establishing voluntary filing guidelines for future Public Act 30 of 1995 (“Act 30”) applications.

Under Act 30, applicants are required to, among other things, apply to the Commission for a certificate of public convenience and necessity prior to constructing a major transmission line.<sup>4</sup> Michigan EIBC/United/CGA recognize the urgent need for expanded transmission infrastructure in Michigan and appreciate the Commission’s efforts to improve clarity, efficiency, and landowner engagement in future Act 30 applications. With that in mind, Michigan EIBC/United/CGA offer several recommendations regarding the Commission Staff’s (“Staff”) Draft Voluntary Filing Guidelines for Applications for Certificates for Public Convenience and Necessity Pursuant to Public Act 30 of 1995 as filed on September 12, 2025 (“Staff Draft Guidelines”).

## **Background**

As part of its review of Act 30 applications submitted by Michigan Electric Transmission Company, LLC (“METC”), in Case Nos. U-21471 and U-21472,<sup>5</sup> Staff pointed to several concerns with METC’s application, including limited guidance on route alternatives and interactions with affected landowners. Staff recommended the development of filing guidelines to address these and other issues, with the goal of improving the process for future Act 30 applications. Staff also maintained that additional guidelines would help to reduce the burden of discovery seen in Case Nos. U-21471 and U-21472.

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<sup>4</sup> See MCL 460.567.

<sup>5</sup> Michigan EIBC and CGA jointly intervened in these cases, addressing the general need for the projects and several of the benefits associated with their construction, including those related to increasing deployment of renewable energy generation.

On July 10, 2025, the Commission issued an Order in Case Nos. U-21471 and U-21472 granting METC’s application while also directing Staff to work with interested parties to develop guidelines for future Act 30 applications.<sup>6</sup> Pursuant to this Order, on September 12, 2025, the Staff Draft Guidelines were filed. While the guidelines are currently proposed to be voluntary and will not supplant the statutory requirements in Act 30, the Commission has indicated its intent to initiate rulemaking under MCL 460.567 and MCL 640.574 to formalize these requirements as rules for future applications.<sup>7</sup>

### **Recommendations and Considerations**

Michigan EIBC/United/CGA greatly appreciate the Commission’s forward-thinking and thoughtful approach to improving the Act 30 application process. As Michigan’s energy landscape evolves, ensuring an efficient and transparent transmission siting process is critical to meeting the state’s energy goals. Upon reviewing the Staff Draft Guidelines, Michigan EIBC/United/CGA submit the following recommendations:

- Section 1, Guideline 1.1: Michigan EIBC/United/CGA recommend that (b) should be clarified to indicate whether this guideline seeks the construction start date, completion date, or some other relevant construction date. Additionally, Michigan EIBC/United/CGA recommend that the construction plan should also include specific dates and locations for

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<sup>6</sup> See [Order, Case No. U-21930](#).

<sup>7</sup> See p. 4 of [Order, Case No. U-21930](#).

when and where staging or pre-construction activities are proposed to begin and details as to what these pre-construction activities will be.

- Section 2, Guideline 2.1: Michigan EIBC/United/CGA are concerned that the public notice requirements proposed here are not only unreasonably burdensome, but will also serve to unnecessarily raise concern among unaffected landowners. The requirement to notice public meetings to “all landowners and municipalities with property located within one mile of the centerline of the proposed right-of-way for all initial proposed and alternate route(s),” as well as those “in the geographic area between the proposed and alternate route(s),” will capture many landowners who will not be required to host the project on their properties and who may not even reasonably have the project in their property’s viewshed. This proposed requirement also significantly exceeds the notification standards typically seen in other jurisdictions. For example, Wisconsin requires notice to property owners within 300 feet of a proposed transmission centerline and associated facilities,<sup>8</sup> as does Missouri,<sup>9</sup> and Michigan’s Zoning Enabling Act has a similar 300-foot notice requirement.<sup>10</sup> Michigan EIBC/United/CGA recommend, given these examples, that the Commission modify the Guideline 2.1 as follows:

As part of the public meetings required to by MCL 460.566, Section 6(1) of Act 30, an applicant should provide notice to all **owners of land on which applicant may seek an easement for its primary and any alternate routes.** ~~affected landowners and municipalities through which the proposed major transmission line will pass, including all landowners with property located along any initial proposed and alternate route(s).~~ Additionally, an applicant should

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<sup>8</sup> See Section 1.11.3.1 of [Public Service Commission of Wisconsin’s Application Filing Requirements for Transmission Line Projects](#), p. 9.

<sup>9</sup> See [MO 20 CSR 4240-20.045](#).

<sup>10</sup> See Section 125.3103, [Michigan Zoning Enabling Act, Act 110 of 2006](#).

provide notice to all **owners of property as well as any municipality with a boundary** ~~landowners and municipalities with property located within one mile~~ **300 feet** of the centerline of the proposed right of way. ~~for all initial proposed and alternate route(s) identified for the proposed major transmission line as well as all landowners and municipalities with property located within the geographic area between all proposed and alternate route(s) identified for the proposed major transmission line.~~

This would still allow the flexibility to recommend additional alternate routes and ensure landowners have been sufficiently noticed while aligning with established standards in states with proven success with siting and routing. Notifying landowners between proposed routes is also arbitrary because there is no reason that additional alternative routes would necessarily be between the applicant's proposed and alternative routes. Instead, landowners affected by later-determined alternative routes will be notified as required under Guideline 3.1.

- Section 2, Guideline 2.2 (d): If the change recommended by Michigan EIBC/United/CGA is made to Guideline 2.1 (above), the highlighted map should show the area within a 300-foot radius of any proposed or alternate routes.
- Section 2, Guideline 2.2 (f): If the applicant is not seeking information from the noticed landowner or municipality, the applicant should clearly state this in the letter that is sent to the landowner or municipality.
- Section 2, Guideline 2.3: Michigan EIBC/United/CGA recommend that the Commission clarify the language that “applicants are encouraged to identify and review multiple alternate routes with landowners and municipalities.” It would be helpful to provide further

detail or examples of what is expected of applicants in meeting this guideline to ensure consistent interpretation and compliance.

- Section 2, Guideline 2.5: Michigan EIBC/United/CGA agree that the website would be maintained for as long as possible. However, it may not be practicable to maintain the website until 30 days prior to the Act 30 application being filed, as it may take more than 30 days to incorporate certain feedback received through the website into an application. Given this, we recommend incorporating some flexibility into this requirement and instead recommending that the website be maintained until “30 days prior to the anticipated Act 30 application date.” Alternatively, MPSC could tie this timeline to the public notice or public meetings required in this Section (e.g., the Commission could require the applicant to keep the website available for at least 120 days after the public meeting).
- Section 3, Guideline 3.1(a): Michigan EIBC/United/CGA recommend that the guidelines pertaining to notice of the application be modified to be consistent with Michigan EIBC/United/CGA’s revisions to Guideline 2.1 (i.e., notice should be provided to landowners from whom easements are sought and to landowners and municipalities within 300-feet of the centerline of a proposed or alternate route).
- Section 3, Guideline 3.2: The Commission should consider clarifying how alternate routes will be treated for notification purposes. Michigan EIBC/United/CGA assume that the intent is to allow flexibility in route selection while ensuring continued notice to affected landowners. However, the process for notifying landowners upon receipt of a proposed

alternate route may lead to confusion if the landowner has already received a notice. At some point it is incumbent upon landowners who receive notice of the application to monitor the proceeding and stay informed about how the arguments may affect their interest, thus only newly affected landowners should be notified of new or modified routes.

The following proposed edits to Guideline 3.2 reflect these comments:

MCL 460.568, Section 8(4) of Act 30 permits a party to a contested case proceeding established for the proposed major transmission line to submit alternative routes or route segments. Any alternative route or route segment proposed by a party to the contested case proceeding should be ~~confined to the notice area from those noticed in Guideline 3.1 and should be~~ proposed **in a party's direct testimony before cross examination occurs** in the contested case proceeding. Upon receipt of a proposed alternative route or route segment **on land the owner of which did not receive notice under Guideline 3.1(a)**, the applicant should provide notice to all **such** landowners **leaving sufficient time in the schedule for newly notified landowners to intervene and submit rebuttal testimony.** ~~with property located on the newly proposed alternative route or route segment. The letter should include notice that the landowner is now located on a proposed alternative route and should include information on how the affected landowner can seek intervention in the contested case proceeding. The notice should inform the landowner that their property has been identified as property on which an electric transmission line may be constructed and include information on how the affected landowner can seek intervention in the contested case proceeding.~~

- Section 4: Michigan EIBC/United/CGA recommend that, within the information submitted by the applicant for the application, the dates of any staging or pre-construction work that is planned for the project be provided. Additionally, details on the staging and pre-construction work that is planned should be provided within the application. Furthermore, within the information required to be submitted by the applicant, Michigan EIBC/United/CGA recommend that the “estimated overall cost of the proposed major transmission line” be clarified to include the estimated capital cost and annual operating cost of the project.

- Section 4, Guideline 4.4: The Commission should consider clarifying what a “reasonable” number of alternate routes is for an applicant to consider. Michigan EIBC/United/CGA submit that an applicant proposed route and one alternate route are sufficient. It is additionally unclear whether the applicant is meant to combine all of the landowner proposed alternate routes and alternate route segments as one single alternate landowner route. It seems that doing so might be impossible as those routes might conflict with each other in certain areas but to do otherwise seems that it could create a requirement for a vast number of alternate routes, all leading to additional notice requirements.
  
- Section 4, Guideline 4.5: This appears to be a replication of Guideline 4.4. The Commission should consider consolidating or clearly distinguishing the intent of each.
  
- Section 4, Guideline 4.9: Michigan EIBC/United/CGA recommend including the following information amongst the route and scoring data:
  - The width, length, and total acreage of the right-of-way that is being utilized for the project;
  - The total number of circuits encompassing the project;
  - The number of circuits per structure;
  - Conductor configuration and size of conductor;
  - The number of total structures encompassing the transmission project as well as the type of structure and dimension of the structures;
  - Nominal length of span between structures; and

- Access roads for construction and maintenance that will be utilized and are either existing or will be constructed.
- Section 4, Guideline 4.15: It appears that (c) and (d) are overlapping requirements. It should be clarified what the “EMF of the proposed transmission line” is relative to a distance or location. If it is residences within 250 ft of the right of way, then (c) appears to be unnecessary.
- Definitions Section: Within the definition of “Alternative Routes,” it is stated that alternative routes should be submitted by “intervening parties.” Michigan EIBC/United/CGA recommend clarifying that any party to the case may file a proposed alternative route by stating: “submitted by intervening parties, **the applicant, or Staff** in the course of the case.”

## **Conclusion**

Michigan EIBC/United/CGA appreciate the opportunity to provide comments on this matter and request that the Commission take the above recommendations into consideration when finalizing the voluntary filing guidelines. Michigan EIBC/United/CGA acknowledge and respect the Commission’s efforts to improve the Act 30 application process, especially as it pertains to increasing the transparency of the process and engagement of affected landowners. Ultimately, Michigan EIBC/United/CGA remind the Commission that many Act 30 applications represent critical infrastructure to the State, that will not only allow for more low-cost, renewable energy to come online, but also improve the overall reliability and resiliency of the grid.