

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  CONSUMERS ENERGY COOPERATIVE	DOCKET NOS. TF-07-156 WRU-07-28-945
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**ORDER DOCKETING TARIFF, SETTING COMMENT PERIOD,  
AND REQUIRING ADDITIONAL INFORMATION**

(Issued September 28, 2007)

On September 5, 2007, Consumers Energy Cooperative (Consumers Energy) filed with the Utilities Board (Board) a proposed electric service extender program tariff, identified as TF-07-156, and a request for waiver, identified as Docket No. WRU-07-28-945, of any rules necessary to implement the proposed tariff.

Consumers Energy said it currently uses some disconnect/reconnect collars on its electric meters, allowing Consumers Energy to disconnect, reconnect, or commence service at a location after following all appropriate Board rules. Consumers Energy stated it wanted to use the disconnect/reconnect collars on certain residential customers' meters to also limit electric service in some instances so that disconnections and large unpaid balances can be reduced.

The Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed an objection on September 12, 2007. Consumer Advocate argued, among other things, that a service limiter should not be used on a residential customer until that customer has defaulted on a first payment agreement (and in some circumstances, a second payment agreement). Consumer Advocate cited 199

IAC 20.4(23). Consumer Advocate also said the standards for a waiver contained in 199 IAC 1.3 have not been satisfied by Consumers Energy.

To allow the Board and other interested persons time to fully consider the proposed tariff and waiver request, the tariff will be docketed and suspended. Consumers Energy will be allowed an opportunity to respond to Consumer Advocate's objection and Consumer Advocate and any other interested persons will have an opportunity to reply to Consumer Energy's response. After reviewing all the pleadings, the Board will determine what additional procedures, if any, are necessary prior to ruling on the proposed tariff and waiver.

To assist the Board in its evaluation, Consumers Energy will also be required to file the following additional information within 20 days of the date of this order:

1. Provide a listing of all the Board's rules for which a waiver is being requested and the reasons why each rule needs to be waived for the proposed service limiter program.
2. Are farm customers defined as residential customers under Consumers Energy's tariff?
3. The proposed tariff states that for an electric heating residential customer, the limit will be set high enough during the period between November 1 and April 1 to allow the customer to continue to utilize heating equipment. What steps is Consumers Energy taking to ensure that non-electric heating customers will have sufficient power to run their heating equipment (such as electric blowers on gas furnaces)?

4. Are the service limitation criteria variable by customer and, if so, how are they determined?

5. Will the information provided to customers include the 12-day notice contained in 199 IAC 20.4(23)?

The Board's review is continuing, and it may have additional questions for Consumers Energy as this matter develops.

**IT IS THEREFORE ORDERED:**

1. Tariff filing TF-07-156 is docketed for investigation and suspended, pursuant to Iowa Code chapter 476.

2. Consumers Energy shall file a response to Consumer Advocate's objection on or before October 19, 2007.

3. Consumer Advocate and any other interested persons may file a reply to Consumers Energy's response on or before November 2, 2007.

4. Consumers Energy shall file the information identified in this order within 20 days of the date of this order.

**UTILITIES BOARD**

/s/ John R. Norris

/s/ Krista K. Tanner

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

Dated at Des Moines, Iowa, this 28<sup>th</sup> day of September, 2007.