

SENATE BILL NO. 272

April 19, 2023, Introduced by Senators SHINK, SINGH, MCMORROW, CAVANAGH, IRWIN, SANTANA, CHANG, CAMILLERI, GEISS, HERTEL, MOSS, BAYER, BRINKS and ANTHONY and referred to the Committee on Energy and Environment.

A bill to amend 1939 PA 3, entitled

"An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the powers and duties of certain state governmental officers and entities; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses;

to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,"

by amending section 6t (MCL 460.6t), as added by 2016 PA 341.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6t. (1) The commission shall, ~~within 120 days of the~~
2 ~~effective date of the amendatory act that added this section~~ **by**
3 **August 18, 2017** and every 5 years thereafter, commence a proceeding
4 and, in consultation with the ~~Michigan agency for energy, the~~
5 department of ~~environmental quality,~~ **environment, Great Lakes, and**
6 **energy** and other interested parties, do all of the following as
7 part of the proceeding:

8 (a) Conduct an assessment of the potential for energy waste
9 reduction in this state, based on what is economically and
10 technologically feasible, as well as what is reasonably achievable.

11 (b) Conduct an assessment for the use of demand response
12 programs in this state, based on what is economically and
13 technologically feasible, as well as what is reasonably achievable.
14 The assessment ~~shall~~ **must** expressly account for advanced metering
15 infrastructure that has already been installed in this state and
16 seek to fully maximize potential benefits to ratepayers in lowering
17 utility bills.

18 (c) Identify significant state or federal environmental
19 regulations, laws, or rules and how each regulation, law, or rule
20 would affect electric utilities in this state.

21 (d) Identify any formally proposed state or federal

1 environmental regulation, law, or rule that has been published in
2 the Michigan Register or the Federal Register and how the proposed
3 regulation, law, or rule would affect electric utilities in this
4 state.

5 (e) Identify any required planning reserve margins and local
6 clearing requirements in areas of this state.

7 (f) Establish the modeling scenarios and assumptions each
8 electric utility should include in addition to its own scenarios
9 and assumptions in developing its integrated resource plan filed
10 under subsection (3), including, but not limited to, all of the
11 following:

12 (i) Any required planning reserve margins and local clearing
13 requirements.

14 (ii) All applicable state and federal environmental
15 regulations, laws, and rules identified in this subsection.

16 (iii) Any supply-side and demand-side resources that reasonably
17 could address any need for additional generation capacity,
18 including, but not limited to, the type of generation technology
19 for any proposed generation facility, projected energy waste
20 reduction savings, and projected load management and demand
21 response savings.

22 (iv) Any regional infrastructure limitations in this state.

23 (v) The projected costs of different types of fuel used for
24 electric generation.

25 (g) Allow other state agencies to provide input regarding any
26 other regulatory requirements that should be included in modeling
27 scenarios or assumptions.

28 (h) Publish a copy of the proposed modeling scenarios and
29 assumptions to be used in integrated resource plans on the

1 commission's website.

2 (i) Before issuing the final modeling scenarios and
3 assumptions each electric utility should include in developing its
4 integrated resource plan, receive written comments and hold
5 hearings to solicit public input regarding the proposed modeling
6 scenarios and assumptions.

7 (2) A proceeding commenced under subsection (1) ~~shall~~**must** be
8 completed within 120 days, and ~~shall~~**is** not be a contested case
9 under chapter 4 of the administrative procedures act of 1969, 1969
10 PA 306, MCL 24.271 to ~~24.287.~~**24.288**. The determination of the
11 modeling assumptions for integrated resource plans made under
12 subsection (1) is not considered a final order for purposes of
13 judicial review. The determinations made under subsection (1) are
14 only subject to judicial review as part of the final commission
15 order approving an integrated resource plan under this section.

16 (3) Not later than ~~2 years after the effective date of the~~
17 ~~amendatory act that added this section,~~ **April 20, 2019**, each
18 electric utility whose rates are regulated by the commission shall
19 file with the commission an integrated resource plan that provides
20 a 5-year, 10-year, and 15-year projection of the utility's load
21 obligations and a plan to meet those obligations, to meet the
22 utility's requirements to provide generation reliability, including
23 meeting planning reserve margin and local clearing requirements
24 determined by the commission or the appropriate independent system
25 operator, and to meet all applicable state and federal reliability
26 and environmental regulations over the ensuing term of the plan.
27 The commission shall issue an order establishing filing
28 requirements, including application forms and instructions, and
29 filing deadlines for an integrated resource plan filed by an

1 electric utility whose rates are regulated by the commission. The
2 electric utility's plan may include alternative modeling scenarios
3 and assumptions in addition to those identified under subsection
4 (1).

5 (4) For an electric utility with fewer than 1,000,000
6 customers in this state whose rates are regulated by the
7 commission, the commission may issue an order implementing separate
8 filing requirements, review criteria, and approval standards that
9 differ from those established under subsection (3). An electric
10 utility providing electric tariff service to customers both in this
11 state and in at least 1 other state may design its integrated
12 resource plan to cover all its customers on that multistate basis.
13 If an electric utility has filed a multistate integrated resource
14 plan that includes its service area in this state with the relevant
15 utility regulatory commission in another state in which it provides
16 tariff service to retail customers, the commission shall accept
17 that integrated resource plan filing for filing purposes in this
18 state. However, the commission may require supplemental information
19 if necessary as part of its evaluation and determination of whether
20 to approve the plan. Upon request of an electric utility, the
21 commission may adjust the filing dates for a multistate integrated
22 resource plan filing in this state to place its review on the same
23 timeline as other relevant state reviews.

24 (5) An integrated resource plan ~~shall~~**must** include all of the
25 following:

26 (a) A long-term forecast of the electric utility's sales and
27 peak demand under various reasonable scenarios.

28 (b) The type of generation technology proposed for a
29 generation facility contained in the plan and the proposed capacity

1 of the generation facility, including projected fuel costs under
2 various reasonable scenarios.

3 (c) Projected energy purchased or produced by the electric
4 utility from a renewable energy resource. If the level of renewable
5 energy purchased or produced is projected to drop over the planning
6 periods set forth in subsection (3), the electric utility must
7 demonstrate why the reduction is in the best interest of
8 ratepayers.

9 (d) Details regarding the utility's plan to eliminate energy
10 waste, including the total amount of energy waste reduction
11 expected to be achieved annually, the cost of the plan, and the
12 expected savings for its retail customers.

13 (e) An analysis of how the combined amounts of renewable
14 energy and energy waste reduction achieved under the plan compare
15 to the renewable energy resources and energy waste reduction goal
16 provided in section 1 of the clean and renewable energy and energy
17 waste reduction act, 2008 PA 295, MCL 460.1001. This analysis and
18 comparison may include renewable energy and capacity in any form,
19 including generating electricity from renewable energy systems for
20 sale to retail customers or purchasing or otherwise acquiring
21 renewable energy credits with or without associated renewable
22 energy, allowed under section 27 of the clean and renewable energy
23 and energy waste reduction act, 2008 PA 295, MCL 460.1027, as it
24 existed before ~~the effective date of the amendatory act that added~~
25 ~~this section.~~ **April 20, 2017.**

26 (f) Projected load management and demand response savings for
27 the electric utility and the projected costs for those programs.

28 (g) Projected energy and capacity purchased or produced by the
29 electric utility from a cogeneration resource.

1 (h) An analysis of potential new or upgraded electric
2 transmission options for the electric utility.

3 (i) Data regarding the utility's current generation portfolio,
4 including the age, capacity factor, licensing status, and remaining
5 estimated time of operation for each facility in the portfolio.

6 (j) Plans for meeting current and future capacity needs with
7 the cost estimates for all proposed construction and major
8 investments, including any transmission or distribution
9 infrastructure that would be required to support the proposed
10 construction or investment, and power purchase agreements.

11 (k) An analysis of the cost, capacity factor, and viability of
12 all reasonable options available to meet projected energy and
13 capacity needs, including, but not limited to, existing electric
14 generation facilities in this state.

15 (l) Projected rate impact for the periods covered by the plan.

16 (m) How the utility will comply with all applicable state and
17 federal environmental regulations, laws, and rules, and the
18 projected costs of complying with those regulations, laws, and
19 rules.

20 (n) A forecast of the utility's peak demand and details
21 regarding the amount of peak demand reduction the utility expects
22 to achieve and the actions the utility proposes to take in order to
23 achieve that peak demand reduction.

24 (o) The projected long-term firm gas transportation contracts
25 or natural gas storage the electric utility will hold to provide an
26 adequate supply of natural gas to any new generation facility.

27 **(p) The impact of the plan on climate change, equity,**
28 **reliability, affordability, cumulative health effects, and**
29 **emissions in addition to carbon.**

1 (6) Before filing an integrated resource plan under this
2 section, each electric utility whose rates are regulated by the
3 commission shall issue a request for proposals to provide any new
4 supply-side generation capacity resources needed to serve the
5 utility's reasonably projected electric load, applicable planning
6 reserve margin, and local clearing requirement for its customers in
7 this state and customers the utility serves in other states during
8 the initial 3-year planning period to be considered in each
9 integrated resource plan to be filed under this section. An
10 electric utility shall define qualifying performance standards,
11 contract terms, technical competence, capability, reliability,
12 creditworthiness, past performance, and other criteria that
13 responses and respondents to the request for proposals must meet in
14 order to be considered by the utility in its integrated resource
15 plan to be filed under this section. Respondents to a request for
16 proposals may request that certain proprietary information be
17 exempt from public disclosure as allowed by the commission. A
18 utility that issues a request for proposals under this subsection
19 shall use the resulting proposals to inform its integrated resource
20 plan filed under this section and include all of the submitted
21 proposals as attachments to its integrated resource plan filing
22 regardless of whether the proposals met the qualifying performance
23 standards, contract terms, technical competence, capability,
24 reliability, creditworthiness, past performance, or other criteria
25 specified for the utility's request for proposals under this
26 section. An existing supplier of electric generation capacity
27 currently producing at least 200 megawatts of firm electric
28 generation capacity resources located in the independent system
29 operator's zone in which the utility's load is served that seeks to

1 provide electric generation capacity resources to the utility may
2 submit a written proposal directly to the commission as an
3 alternative to any supply-side generation capacity resource
4 included in the electric utility's integrated resource plan
5 submitted under this section, and has standing to intervene in the
6 contested case proceeding conducted under this section. This
7 subsection does not require an entity that submits an alternative
8 under this subsection to submit an integrated resource plan. This
9 subsection does not limit the ability of any other person to submit
10 to the commission an alternative proposal to any supply-side
11 generation capacity resource included in the electric utility's
12 integrated resource plan submitted under this section and to
13 petition for and be granted leave to intervene in the contested
14 case proceeding conducted under this section under the rules of
15 practice and procedure of the commission. The commission shall only
16 consider an alternative proposal submitted under this subsection as
17 part of its approval process under subsection (8). The electric
18 utility submitting an integrated resource plan under this section
19 is not required to adopt any proposals submitted under this
20 subsection. To the extent practicable, each electric utility is
21 encouraged, but not required, to partner with other electric
22 providers in the same local resource zone as the utility's load is
23 served in the development of any new supply-side generation
24 capacity resources included as part of its integrated resource
25 plan.

26 (7) Not later than 300 days after an electric utility files an
27 integrated resource plan under this section, the commission shall
28 state if the commission has any recommended changes, and if so,
29 describe them in sufficient detail to allow their incorporation in

1 the integrated resource plan. If the commission does not recommend
2 changes, it shall issue a final, appealable order approving or
3 denying the plan filed by the electric utility. If the commission
4 recommends changes, the commission shall set a schedule allowing
5 parties at least 15 days after that recommendation to file comments
6 regarding those recommendations, and allowing the electric utility
7 at least 30 days to consider the recommended changes and submit a
8 revised integrated resource plan that incorporates 1 or more of the
9 recommended changes. If the electric utility submits a revised
10 integrated resource plan under this section, the commission shall
11 issue a final, appealable order approving the plan as revised by
12 the electric utility or denying the plan. The commission shall
13 issue a final, appealable order no later than 360 days after an
14 electric utility files an integrated resource plan under this
15 section. Up to 150 days after an electric utility makes its initial
16 filing, the electric utility may file to update its cost estimates
17 if those cost estimates have materially changed. A utility shall
18 not modify any other aspect of the initial filing unless the
19 utility withdraws and refiles the application. A utility's filing
20 updating its cost estimates does not extend the period for the
21 commission to issue an order approving or denying the integrated
22 resource plan. The commission shall review the integrated resource
23 plan in a contested case proceeding conducted ~~pursuant to~~ **in**
24 **accordance with** chapter 4 of the administrative procedures act of
25 1969, 1969 PA 306, MCL 24.271 to ~~24.287.~~ **24.288.** The commission
26 shall allow intervention by interested persons including electric
27 customers of the utility, respondents to the utility's request for
28 proposals under this section, or other parties approved by the
29 commission. The commission shall request an advisory opinion from

1 the department of ~~environmental quality~~ **environment, Great Lakes,**
2 **and energy** regarding whether any potential decrease in emissions of
3 sulfur dioxide, oxides of nitrogen, mercury, and particulate matter
4 would reasonably be expected to result if the integrated resource
5 plan proposed by the electric utility under subsection (3) was
6 approved and whether the integrated resource plan can reasonably be
7 expected to achieve compliance with the regulations, laws, or rules
8 identified in subsection (1). The commission may take official
9 notice of the opinion issued by the department of ~~environmental~~
10 ~~quality~~ **environment, Great Lakes, and energy** under this subsection
11 pursuant to R 792.10428 of the Michigan Administrative Code.
12 Information submitted by the department of ~~environmental quality~~
13 **environment, Great Lakes, and energy** under this subsection is
14 advisory and is not binding on future determinations by the
15 department of ~~environmental quality~~ **environment, Great Lakes, and**
16 **energy** or the commission in any proceeding or permitting process.
17 This section does not prevent an electric utility from applying
18 for, or receiving, any necessary permits from the department of
19 ~~environmental quality.~~ **environment, Great Lakes, and energy.** The
20 commission may invite other state agencies to provide testimony
21 regarding other relevant regulatory requirements related to the
22 integrated resource plan. The commission shall permit reasonable
23 discovery after an integrated resource plan is filed and during the
24 hearing in order to assist parties and interested persons in
25 obtaining evidence concerning the integrated resource plan,
26 including, but not limited to, the reasonableness and prudence of
27 the plan and alternatives to the plan raised by intervening
28 parties.

29 (8) The commission shall approve the integrated resource plan

1 under subsection (7) if the commission determines all of the
2 following:

3 (a) The proposed integrated resource plan represents the most
4 reasonable and prudent means of meeting the electric utility's
5 energy and capacity needs. To determine whether the integrated
6 resource plan is the most reasonable and prudent means of meeting
7 energy and capacity needs, the commission shall consider whether
8 the plan appropriately balances all of the following factors:

9 (i) Resource adequacy and capacity to serve anticipated peak
10 electric load, applicable planning reserve margin, and local
11 clearing requirement.

12 (ii) Compliance with applicable state and federal environmental
13 regulations.

14 (iii) Competitive pricing.

15 (iv) Reliability.

16 (v) Commodity price risks.

17 (vi) Diversity of generation supply.

18 (vii) Whether the proposed levels of peak load reduction and
19 energy waste reduction are reasonable and cost effective. Exceeding
20 the renewable energy resources and energy waste reduction goal in
21 section 1 of the clean and renewable energy and energy waste
22 reduction act, 2008 PA 295, MCL 460.1001, by a utility shall not,
23 in and of itself, be grounds for determining that the proposed
24 levels of peak load reduction, renewable energy, and energy waste
25 reduction are not reasonable and cost effective.

26 (b) To the extent practicable, the construction or investment
27 in a new or existing capacity resource in this state is completed
28 using a workforce composed of residents of this state as determined
29 by the commission. This subdivision does not apply to a capacity

1 resource that is located in a county that lies on the border with
2 another state.

3 **(c) The plan makes progress toward the elimination of**
4 **greenhouse gas emissions from power generation in this state or for**
5 **import into this state by 2035.**

6 **(d) The plan makes progress toward the elimination of adverse**
7 **effects on human health due to power generation in this state.**

8 **(e) The plan reduces harms to the health, safety, and welfare**
9 **of individuals in environmental injustice communities.**

10 **(f) ~~(e)~~**The plan meets the requirements of subsection (5).

11 (9) If the commission denies a utility's integrated resource
12 plan, the utility, within 60 days after the date of the final order
13 denying the integrated resource plan, may submit revisions to the
14 integrated resource plan to the commission for approval. The
15 commission shall commence a new contested case hearing under
16 chapter 4 of the administrative procedures act of 1969, 1969 PA
17 306, MCL 24.271 to ~~24.287.~~ **24.288.** Not later than 90 days after the
18 date that the utility submits the revised integrated resource plan
19 to the commission under this subsection, the commission shall issue
20 an order approving or denying, with recommendations, the revised
21 integrated resource plan if the revisions are not substantial or
22 inconsistent with the original integrated resource plan filed under
23 this section. If the revisions are substantial or inconsistent with
24 the original integrated resource plan, the commission has up to 150
25 days to issue an order approving or denying, with recommendations,
26 the revised integrated resource plan.

27 (10) If the commission denies an electric utility's integrated
28 resource plan, the electric utility may proceed with a proposed
29 construction, purchase, investment, or power purchase agreement

1 contained in the integrated resource plan without the assurances
2 granted under this section.

3 (11) In approving an integrated resource plan under this
4 section, the commission shall specify the costs approved for the
5 construction of or significant investment in an electric generation
6 facility, the purchase of an existing electric generation facility,
7 the purchase of power under the terms of the power purchase
8 agreement, or other investments or resources used to meet energy
9 and capacity needs that are included in the approved integrated
10 resource plan. The costs for specifically identified investments,
11 including the costs for facilities under subsection (12), included
12 in an approved integrated resource plan that are commenced within 3
13 years after the commission's order approving the initial plan,
14 amended plan, or plan review are considered reasonable and prudent
15 for cost recovery purposes.

16 (12) Except as otherwise provided in subsection (13), for a
17 new electric generation facility approved in an integrated resource
18 plan that is to be owned by the electric utility and that is
19 commenced within 3 years after the commission's order approving the
20 plan, the commission shall finalize the approved costs for the
21 facility only after the utility has done all of the following and
22 filed the results, analysis, and recommendations with the
23 commission:

24 (a) Implemented a competitive bidding process for all major
25 engineering, procurement, and construction contracts associated
26 with the construction of the facility.

27 (b) Implemented a competitive bidding process that allows
28 third parties to submit firm and binding bids for the construction
29 of an electric generation facility on behalf of the utility that

1 would meet all of the technical, commercial, and other
2 specifications required by the utility for the generation facility,
3 such that ownership of the electric generation facility vests with
4 the utility no later than the date the electric generation facility
5 becomes commercially available.

6 (c) Demonstrated to the commission that the finalized costs
7 for the new electric generation facility are not significantly
8 higher than the initially approved costs under subsection (11). If
9 the finalized costs are found to be significantly higher than the
10 initially approved costs, the commission shall review and approve
11 the proposed costs if the commission determines those costs are
12 reasonable and prudent.

13 (13) If the capacity resource under subsection (12) is for the
14 construction of an electric generation facility of 225 megawatts or
15 more or for the construction of an additional generating unit or
16 units totaling 225 megawatts or more at an existing electric
17 generation facility, the utility shall submit an application to the
18 commission seeking a certificate of necessity under section 6s.

19 (14) An electric utility shall annually, or more frequently if
20 required by the commission, file reports to the commission
21 regarding the status of any projects included in the initial 3-year
22 period of an integrated resource plan approved under subsection
23 (7).

24 (15) For power purchase agreements that a utility enters into
25 after ~~the effective date of the amendatory act that added this~~
26 ~~section~~ **April 20, 2017** with an entity that is not affiliated with
27 that utility, the commission shall consider and may authorize a
28 financial incentive for that utility that does not exceed the
29 utility's weighted average cost of capital.

1 (16) Notwithstanding any other provision of law, an order by
2 the commission approving an integrated resource plan may be
3 reviewed by the court of appeals upon a filing by a party to the
4 commission proceeding within 30 days after the order is issued. All
5 appeals of the order ~~shall~~**must** be heard and determined as
6 expeditiously as possible with lawful precedence over other
7 matters. Review on appeal ~~shall be~~**is** based solely on the record
8 before the commission and briefs to the court and is limited to
9 whether the order conforms to the constitution and laws of this
10 state and the United States and is within the authority of the
11 commission under this act.

12 (17) The commission shall include in an electric utility's
13 retail rates all reasonable and prudent costs specified under
14 subsections (11) and (12) that have been incurred to implement an
15 integrated resource plan approved by the commission. The commission
16 shall not disallow recovery of costs an electric utility incurs in
17 implementing an approved integrated resource plan, if the costs do
18 not exceed the costs approved by the commission under subsections
19 (11) and (12). If the actual costs incurred by the electric utility
20 exceed the costs approved by the commission, the electric utility
21 has the burden of proving by a preponderance of the evidence that
22 the costs are reasonable and prudent. The portion of the cost of a
23 plant, facility, power purchase agreement, or other investment in a
24 resource that meets a demonstrated need for capacity that exceeds
25 the cost approved by the commission is presumed to have been
26 incurred due to a lack of prudence. The commission may include any
27 or all of the portion of the cost in excess of the cost approved by
28 the commission if the commission finds by a preponderance of the
29 evidence that the costs are reasonable and prudent. The commission

1 shall disallow costs the commission finds have been incurred as the
2 result of fraud, concealment, gross mismanagement, or lack of
3 quality controls amounting to gross mismanagement. The commission
4 shall also require refunds with interest to ratepayers of any of
5 these costs already recovered through the electric utility's rates
6 and charges. If the assumptions underlying an approved integrated
7 resource plan materially change, or if the commission believes it
8 is unlikely that a project or program will become commercially
9 operational, an electric utility may request, or the commission on
10 its own motion may initiate, a proceeding to review whether it is
11 reasonable and prudent to complete an unfinished project or program
12 included in an approved integrated resource plan. If the commission
13 finds that completion of the project or program is no longer
14 reasonable and prudent, the commission may modify or cancel
15 approval of the project or program and unincurred costs in the
16 electric utility's integrated resource plan. Except for costs the
17 commission finds an electric utility has incurred as the result of
18 fraud, concealment, gross mismanagement, or lack of quality
19 controls amounting to gross mismanagement, if commission approval
20 is modified or canceled, the commission shall not disallow
21 reasonable and prudent costs already incurred or committed to by
22 contract by an electric utility. Once the commission finds that
23 completion of the project or program is no longer reasonable and
24 prudent, the commission may limit future cost recovery to those
25 costs that could not be reasonably avoided.

26 (18) The commission may allow financing interest cost recovery
27 in an electric utility's base rates on construction work in
28 progress for capital improvements approved under this section prior
29 to the assets' being considered used and useful. Regardless of

1 whether or not the commission authorizes base rate treatment for
2 construction work in progress financing interest expense, an
3 electric utility may recognize, accrue, and defer the allowance for
4 funds used during construction.

5 (19) An electric utility may seek to amend an approved
6 integrated resource plan. Except as otherwise provided under this
7 subsection, the commission shall consider the amendments under the
8 same process and standards that govern the review and approval of a
9 revised integrated resource plan under subsection (9). The
10 commission may order an electric utility that seeks to amend an
11 approved integrated resource plan under this subsection to file a
12 plan review under subsection (21).

13 (20) An electric utility shall file an application for review
14 of its integrated resource plan not later than 5 years after the
15 effective date of the most recent commission order approving a
16 plan, a plan amendment, or a plan review. The commission shall
17 consider a plan review under the same process and standards
18 established in this section for review and approval of an
19 integrated resource plan. A commission order approving a plan
20 review has the same effect as an order approving an integrated
21 resource plan.

22 (21) The commission may, on its own motion or at the request
23 of the electric utility, order an electric utility to file a plan
24 review. The department of ~~environmental quality~~ **environment, Great**
25 **Lakes, and energy** may request the commission to order a plan review
26 to address material changes in environmental regulations and
27 requirements that occur after the commission's approval of an
28 integrated resource plan. An electric utility must file a plan
29 review within 270 days after the commission orders the utility to

1 file a plan review.

2 (22) As used in this section, "long-term firm gas
3 transportation" means a binding agreement entered into between the
4 electric utility and a natural gas transmission provider for a set
5 period of time to provide firm delivery of natural gas to an
6 electric generation facility.