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Saline Township Data Center/Contested Case Proceeding Request: Natural Resources Defense Council Submits Petition to Intervene Before the Michigan Public Service Commission Regarding Proposed Primary Supply Agreement

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The Natural Resources Defense Council and three other organizations filed a November 19th submission before the Michigan Public Service Commission ("Commission") styled:

MICHIGAN ENVIRONMENTAL COUNCIL, NATURAL RESOURCES DEFENSE COUNCIL, SIERRA CLUB, AND CITIZENS UTILITY BOARD OF MICHIGAN'S PETITION TO INTERVENE, OBJECTION TO EX PARTE APPROVAL, AND MOTION FOR A CONTESTED CASE PROCEEDING ("Petition").

The other organizations joining the Petition include:

- MICHIGAN ENVIRONMENTAL COUNCIL
- SIERRA CLUB
- CITIZENS UTILITY BOARD OF MICHIGAN

(Collectively, NRDC")

The organizations are petitioning the Commission for leave to intervene in the following proceeding:

In the Matter of the Application of DTE ELECTRIC COMPANY for Approval of Special Contracts.

See Case No. U-21990.

NRDC states that it is objecting to:

... *ex parte* approval of DTE Electric Company's ("DTE") proposed Primary Supply Agreement ("PSA") and Energy Storage Agreement ("ESA") (collectively, the "Special Contracts") with Green Chile Ventures LLC (the "Customer") and request a Contested Case Proceeding.

NRDC argues that a Contested Case Proceeding is appropriate because it alleges in part:

- Cost and energy supply implications of DTE's proposed Special Contracts likewise warrant the development of a robust record.

- The Special Contracts would govern electric service for a data center Customer with an anticipated peak load of 1.4 gigawatts (“GW”).
- This Customer alone would comprise over 10% of DTE’s existing peak load, which in 2023 was 10.85 GW, and in 2026 is expected to be 10.71 GW.
- DTE anticipates that the Customer will increase DTE’s coincident peak demand and Planning Reserve Margin Requirements (“PRMR”), and that DTE would not have sufficient existing resources in all seasons to meet the higher PRMR from the incremental Customer demand.
- DTE has announced that it is in “[a]dvanced discussions with multiple hyperscalers for ~3 GW of additional load,” and that there are “[m]ultiple other co-locator data center opportunities for an additional 3-4 GW of new load.”
- DTE claims that “data center load ramps [for these additional opportunities] will require investments in new baseload generation and/or related storage investment.”
- Because DTE has not established standardized tariff provisions for providing electric service to data centers and other large loads, Special Contract terms established in this proceeding have the potential to set precedent for future negotiations and agreements with data center customers.

NRDC requests that the Commission:

- Grant NRDC’s Petition for Leave to Intervene and treat them as a party to this proceeding; and,
- Grant NRDC’s Motion for a Contested Case Hearing, develop an evidentiary record and conduct contested proceedings pursuant to Chapter IV of the Administrative Procedures Act, and allow at least 180 days from the date of the Company’s application before a final order is issued by the Commission.

A copy of the Petition can be found [here](#).