

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

In the matter of the application of)
WISCONSIN ELECTRIC POWER COMPANY)
for approval of a renewable energy plan, an energy)
optimization plan, a renewable energy surcharge,)
and an energy optimization surcharge to comply)
with the requirements of Public Act 295 of 2008.)
_____)

Case No. U-15812

At the May 26, 2009 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Orjiakor N. Isiogu, Chairman
Hon. Monica Martinez, Commissioner
Hon. Steven A. Transeth, Commissioner

ORDER APPROVING SETTLEMENT AGREEMENT

On February 2, 2009, Wisconsin Electric Power Company (WEPCo) filed its notice of intent to file an energy optimization (EO) plan and a renewable energy plan (REP) on or before March 4, 2009 in compliance with the Commission’s temporary order in Case No. U-15800. On March 4, 2009, WEPCo filed an application, with supporting testimony and exhibits, seeking approval of an EO plan, an EO surcharge, REP, and renewable energy surcharge in accordance with Public Act 295 of 2008, MCL 460.1001 *et seq.* (Act 295).

A prehearing conference was held on March 13, 2009 before Administrative Law Judge Mark D. Eyster. WEPCo, Tilden Mining Company L.C., Empire Iron Mining Partnership, Louisiana-Pacific Corporation (LPC), and the Commission Staff participated in the proceedings.

Subsequently, the parties, with the exception of LPC, submitted a settlement agreement resolving all the issues in the case. LPC filed a statement of non-objection to the settlement agreement.

According to the terms of the settlement agreement, the parties have recommended approval of WEPCo's REP and EO plan. The parties agree that WEPCo's EO plan, as modified by the settlement agreement, is reasonable, appropriate, in the public interest, and consistent with the requirements of Act 295. The parties also agree that WEPCo's proposed REP satisfies the requirements of Act 295 and the life-cycle cost of renewable energy under the plan does not exceed the expected life-cycle cost of electricity generated by a new conventional coal-fired facility.

The Commission finds that the settlement agreement is reasonable and in the public interest, and should be approved.

THEREFORE, IT IS ORDERED, that:

A. The settlement agreement is approved. Due to the length, the settlement agreement is contained within the docket on file with the Commission, but is not attached to the copy of this order.

B. Wisconsin Electric Power Company's renewable energy plan is approved.

C. Wisconsin Electric Power Company's energy optimization plan and surcharges, as modified by the settlement agreement, are approved.

D. Wisconsin Electric Power Company is authorized to implement its energy optimization surcharge as reflected in the tariff sheets attached to the settlement agreement for services rendered on and after July 1, 2009 and its renewable energy surcharge on and after January 1, 2010.

E. Within 30 days, Wisconsin Electric Power Company shall file with the Commission tariff sheets in conformity with the attachments to the settlement agreement.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, under MCL 462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

Orjiakor N. Isiogu, Chairman

Monica Martinez, Commissioner

Steven A. Transeth, Commissioner

By its action of May 26, 2009.

Mary Jo Kunkle, Executive Secretary

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * *

In the matter of the Commission's own motion,)
regarding the regulatory reviews, revisions,)
determinations, and/or approvals necessary for) Case No. U-15812
WISCONSIN ELECTRIC POWER COMPANY to)
fully comply with Public Acts 286 and 295 of 2008.)

SETTLEMENT AGREEMENT

Pursuant to MCL 24.278 and Rule 333 of the Rules of Practice and Procedure before the Michigan Public Service Commission (Commission), R 460.17333, Wisconsin Electric Power Company (WEPCO or the Company), Tilden Mining Company L.C. and Empire Iron Mining Partnership (Mines), Louisiana-Pacific Corporation (LP) and the Commission Staff (Staff) agree as follows:

1. On October 21, 2008, the Commission issued, among other orders, its Order Opening Docket in this matter as the proceeding in which the Company would establish its compliance with and obtain regulatory approvals required by Public Acts 286 and 295 of 2008.
2. On December 8, 2008, the Mines filed a petition to intervene. On February 27, 2009, LP filed a petition to intervene.
3. On December 17, 2008, the Company filed its notice of intent to meet the energy optimization requirements of Subpart B of Act 295 by opting to use the independent energy optimization program administrator (Administrator) as provided in MCL 460.1091(1).
4. Consistent with the provisions of the Commission's December 4, 2008 Order in Case No. U-15800, several of the Company's customers notified the Company on or before January 15, 2009 that the customer would be filing with the Company and implementing,

pursuant to MCL 460.1093, a self-directed energy optimization (self-directed) plan, and on or before January 30, 2009 submitted such self-directed plan to the Company.

5. On February 13, 2009, the Commission's Executive Secretary issued the Notice of Hearing in this proceeding directing the Company to mail a copy of the Notice of Hearing to all cities, incorporated villages, townships and counties in its Michigan service area. Further, the Company was directed to publish the Notice of Hearing in daily newspapers of general circulation throughout its Michigan service area. On March 5, 2009, the Company electronically filed its affidavit of mailing and proofs of publication.

6. On March 4, 2009, the Company filed its (i) application and (ii) supporting testimony and exhibits of Thomas P. Lorden and Eric A. Rogers.

7. On March 13, 2009, Administrative Law Judge Mark D. Eyster conducted a prehearing conference. The petitions to intervene of the Mines and LP were granted. The Company, Mines, LP and Staff participated in the proceedings.

8. The parties have participated in settlement discussions regarding the Company's energy optimization proposals and the signatories¹ to this settlement agreement agree as follows:

a. The Company's energy optimization proposal, as modified by this settlement agreement, meets the requirements of Act 295, is reasonable and in the public interest, and should be approved by the Commission.

b. The Company shall pay the Administrator the amounts as calculated on Attachment A hereto, provided, however, that the estimated payments for 2011 shall be adjusted to reflect actual revenues for calendar year 2009. As reflected in the calculations in Attachment

¹ LP is filing a Statement of Non-Objection to the settlement agreement.

A, the revenues upon which the total payments to the Administrator are calculated do not include revenues from customers with self-directed programs.

c. In accordance with MCL 460.1093(4)(c), the Commission is required to provide a mechanism to cover the costs of the low income energy optimization program. Such cost recovery mechanism is as follows:

(i) The payments made by the Company to the Administrator, pursuant MCL 460.1090(1), include amounts collected from customers, including customers with self-directed programs, for purposes of providing a low income energy optimization program to the Company's customers. It is the parties' understanding that 10% of the total amount of the payments made during the period July 1, 2009 through December 31, 2011 (Plan Period) shall be used by the Administrator to fund the low income program.

(ii) As set forth in Attachment A, for purposes of funding the low income program and determining: (a) the total amounts to be paid by the Company to the Administrator on account of customers with self directed programs; and (b) the cost to be used in reconciliation proceedings for customers with self directed programs, the amount to be collected for funding the program for low income customers is allocated each year between: (i) customers with self-directed programs; and (ii) all other customers, in proportion to the ratio of their contribution to the Company's Michigan retail sales revenue to the Company's total Michigan retail sales revenue.

(iii) Customers with self-directed programs shall pay an energy optimization surcharge in the amounts as calculated on Attachment A, page 4 of 6.

(iv) Effective for service rendered on and after July 1, 2009, through and including December 31, 2011, the Company shall charge energy optimization surcharges, including the

surcharges designated for customers with self directed programs, as set forth on the tariff sheets attached hereto as Attachment B. If the Commission has not issued an order by December 31, 2011 authorizing a new energy optimization surcharges, the Company shall continue to charge the then current surcharges until issuance of a Commission order revising or terminating same.

(v) All revenues collected pursuant to the energy optimization surcharges shall be paid to the Administrator, or credited to customers.

d. The Company shall not charge a fee for reviewing energy optimization plans for customers with self directed programs who had an annual peak demand in the preceding year of at least 2 MW at each site to be covered by the self-directed plan, or 10 MWs in the aggregate.

e. The amount of Company's payments to the Administrator and energy optimization surcharges, set forth in Attachment B, are based upon the customers who have elected to pursue self-directed plans continuing to implement such self-directed plans. If any such customer does not implement, or ceases to implement, a self-directed plan or as otherwise ordered by the Commission, the amounts payable to the Administrator and energy optimization surcharges are subject to revision by the Commission.

f. The Company's first energy optimization reconciliation shall be filed by March 31, 2010 for the July 2009 through December 2009 surcharge period. Subsequent reconciliations shall be filed by March 31 of each year for the preceding calendar year's revenues and costs.

The Company shall file with the Commission an application, including supporting testimony and exhibits: (1) reconciling for the period covered, the revenue billed; with (a) actual costs, i.e. payments made to the Administrator, for purposes of determining interest on any over-recoveries and under-recoveries; and (b) the levelized revenue requirements, for purposes of determining revised energy optimization surcharges; (2) calculating revenue over-recovery or under-recovery

in total and by each major customer class; (3) including interest at the Company's short-term borrowing rate on any over-recoveries and under-recoveries; and (4) if appropriate, proposing revised energy optimization surcharges, which shall include an amount designed to true-up such reconciliation amounts.

9. The parties have participated in settlement discussions regarding the Company's Renewable Energy Plan and agree as follows:

a. The Company's proposed Renewable Energy Plan as set forth in the testimony of Thomas P. Lorden satisfies the requirements of MCL 460.1021, is reasonable and prudent, and the life cycle cost of renewable energy under the plan does not exceed the expected life-cycle cost of electricity generated by a new conventional coal-fired facility.

b. The Company's proposed renewable energy surcharges as set forth in Attachment B are approved effective for service rendered on and after January 1, 2010.

c. The Company's first annual renewable energy reconciliation proceeding shall be filed by March 31, 2011 for the calendar year 2010. Subsequent reconciliations shall be filed by March 31 of each calendar year for the preceding year's revenues and costs.

d. To the extent that the costs of obtaining renewable energy are not subject to a Renewable Energy surcharge, such costs shall be reviewed and recovered by otherwise applicable regulatory proceedings.

10. The proposed tariff sheets attached hereto as Attachment B are reasonable and should be approved.

11. This settlement agreement is entered into for the sole and express purpose of reaching a compromise among the parties. All offers of settlement and discussions relating to this settlement are considered privileged under MRE 408. If the Commission approves this

settlement agreement without modification, neither the parties to the settlement nor the Commission shall make any reference to, or use this settlement agreement or the order approving it, as a reason, authority, rationale or example for taking any action or position or making any subsequent decision in any other case or proceeding; provided, however, such references may be made to enforce or implement the provisions of this settlement agreement and the order approving it.

12. Pursuant to Rule 333(6) of the Commission's Rules of Practice and Procedure, R 460.17333(6) the parties agree any order approving this settlement agreement shall not establish precedent for future proceedings and shall not be used as such. Without limiting the generality of the foregoing, this settlement agreement shall not constitute *res judicata* or collateral estoppel as to any issue nor shall it be construed to prevent any party from addressing any issue in any other proceeding. This settlement agreement is based on the facts and circumstances of this case and is intended as the final disposition of Case No. U-15812 only. If the Commission approves this settlement agreement, without modification, the undersigned parties agree not to appeal, challenge or otherwise contest the Commission order approving this settlement agreement only.

13. This settlement agreement is not severable. Each provision of this settlement agreement is dependent upon all other provisions of this settlement agreement. Failure to comply with any provision of this settlement agreement constitutes failure to comply with the entire settlement agreement. If the Commission rejects or modifies this settlement agreement or any provision of this settlement agreement, this settlement agreement shall be deemed to be withdrawn, shall not constitute any part of the record in this proceeding or be used for any other purpose, and shall not operate to prejudice the pre-negotiation positions of any party.

14. The parties agree to waive Section 81 of the Administrative Procedures Act of 1969 (MCL 24.281), as it applies to the issues in this proceeding, if the Commission approves this settlement agreement without modification.

WISCONSIN ELECTRIC POWER COMPANY

Dated: May 15, 2009

By: _____
One of its Attorneys
Sherri A. Wellman (P38989)
Ronald W. Bloomberg (P30011)
MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.
One Michigan Avenue, Suite 900
Lansing, MI 48933

TILDEN MINING COMPANY L.C.
AND EMPIRE IRON MINING PARTNERSHIP

Dated: May 15, 2009

By: _____
One of their Attorneys
Jennifer U. Heston (P65202)
Fraser Trebilcock Davis & Dunlap, P.C.
124 W. Allegan, Ste 1000
Lansing, MI 48933

MICHIGAN PUBLIC SERVICE COMMISSION STAFF

Dated: May 15, 2009

By: _____
Anne M. Uitvlugt (P 71641)
Assistant Attorney General
Public Service Division
6545 Mercantile Way, Suite 15
Lansing, MI 48911

	A	B	C	D	E	F	G	H	I	J
1									Case No. U-15812	
2								Attachment A to Settlement Agreement		
3									Page 1 of 6	
4									Date: April 2009	
5	Wisconsin Electric Power Company									
6	Calculation of Total Payments to EO Administrator									
7	And Percentage of Total Payments Collected from Customers Not Opting Out with Self-Directed Programs									
8										
9		2007 Revenue / 2009 Payments	2008 Revenue / 2010 Payments	2009 Revenue / 2011 Payments	Total Over 2009 - 2011 Period					
10	Total Revenue in Base Year	\$143,427,733	\$118,715,781	\$115,592,855	\$377,736,369					
11										
12	Revenue in Base year from Customers Opting Out	\$108,183,936	\$86,532,320	\$76,543,208	\$271,259,464					
13										
14	Revenue in Base Year from Customers Not Opting Out	\$35,243,797	\$32,183,461	\$39,049,647						
15										
16	Payment in Current Year to Administrator	\$264,328	\$321,835	\$585,745	\$1,171,908					
17										
18	Collected in Current Year	\$238,227	\$467,112	\$467,112	\$1,172,451					
19										
20	Low Income Program Payments in Current Year (10% of Total Payments)	\$26,433	\$32,183	\$58,574	\$117,191	\$1,089,725				
21										
22	Low Income Program Payments from Customers Opting Out	\$19,938	\$23,459	\$38,787	\$82,183					
23										
24	Percent of Total Payment Collected from Customers Not Opting Out				92.99%					

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68									Case No. U-15812	
69								Attachment A to Settlement Agreement		
70								Page 3 of 6		
71								Date: April 2009		
72	Wisconsin Electric Power Company									
73	Derivation of Energy Optimization Surcharges for 2009 - 2011 Under Act 295 Section 91									
74	Assuming Implementation on July 1, 2009									
75	For Customers Not Opting Out With Self-Directed Programs									
76	Unmetered Lamp Size (Watts)	Assumed Monthly Consumption (kWh) (Filed in Case U-15220)		Total Lamps - G11	Total Lamps - Ms2	Total Lamps - Ms3		Imputed Monthly Energy		
77	50	21		0	0	0		0		
78	70	31		106	0	0		3,286		
79	100	48		754	2464	46		156,672		
80	150	68		1	18	0		1,292		
81	175	77		0	2	0		154		
82	200	90		212	44	19		24,750		
83	250	112		0	403	63		52,192		
84	400	173		182	8	21		36,503		
85	1000	403		0	0	0		0		
86										
87								274,849		
88										
89	Unmetered Lamp Size (Watts)			2009 - 2011 Monthly Surcharge G11 (\$/Lamp)	2009 - 2011 Monthly Surcharge Ms2 (\$/Lamp)	2009 - 2011 Monthly Surcharge Ms3 (\$/Lamp)				
90	50			NA	\$0.05	\$0.05				
91	70			\$0.07	\$0.07	\$0.07				
92	100			\$0.10	\$0.10	\$0.10				
93	150			\$0.15	\$0.15	\$0.15				
94	175			\$0.18	\$0.18	\$0.18				
95	200			\$0.20	\$0.20	\$0.20				
96	250			\$0.25	\$0.25	\$0.25				
97	400			\$0.40	\$0.40	\$0.40				
98	1000			NA	NA	\$1.00				
99										
100	Unmetered Lamp Size (Watts)			2009 - 2011 Total Surcharge Revenue - G11 (\$)	2009 - 2011 Total Surcharge Revenue - Ms2 (\$)	2009 - 2011 Total Surcharge Revenue - Ms3 (\$)				
101	50			\$0.00	\$0.00	\$0.00				
102	70			\$226.31	\$0.00	\$0.00				
103	100			\$2,299.70	\$7,515.20	\$140.30				
104	150			\$4.58	\$82.35	\$0.00				
105	175			\$0.00	\$10.98	\$0.00				
106	200			\$1,293.20	\$268.40	\$115.90				
107	250			\$0.00	\$3,072.88	\$480.38				
108	400			\$2,220.40	\$97.60	\$256.20				
109	1000					\$0.00				
110										
111	Total			\$6,044	\$11,047	\$993		\$18,084		
112	Total to Match			\$6,011	\$12,294	\$584		\$17,564		
113										
114	Unit Surcharge (\$/kWh)							0.00209523		
115										
116	Mg1 Annual kwh per Horsepower							20.7		
117										
118	Mg1 Annual surcharge per Horsepower							\$0.04		
119										
120	Note: Surcharges for Unmetered Lighting is calculated by Trial and Error such that Revenue Requirement is met									

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163									Case No. U-15812	
164								Attachment A to Settlement Agreement		
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166								Date: April 2009		
167	Wisconsin Electric Power Company									
168	Derivation of Energy Optimization Surcharges for 2009 - 2011 Under Act 295 Section 91									
169	Assuming Implementation on July 1, 2009									
170	For Customers Opting Out With Self-Directed Programs									
171	Unmetered Lamp Size (Watts)	Assumed Monthly Consumption (kWh) (Filed in Case U-15220)		Total Lamps - G11	Total Lamps - Ms2	Total Lamps - Ms3		Imputed Monthly Energy		
172	50	21		0	0	0		0		
173	70	31		106	0	0		3,286		
174	100	48		754	2464	46		156,672		
175	150	68		1	18	0		1,292		
176	175	77		0	2	0		154		
177	200	90		212	44	19		24,750		
178	250	112		0	403	63		52,192		
179	400	173		182	8	21		36,503		
180	1000	403		0	0	0		0		
181										
182								274,849		
183										
184	Unmetered Lamp Size (Watts)			2009 - 2011 Monthly Surcharge G11 (\$/Lamp)	2009 - 2011 Monthly Surcharge Ms2 (\$/Lamp)	2009 - 2011 Monthly Surcharge Ms3 (\$/Lamp)				
185	50			NA	\$0.01	\$0.01				
186	70			\$0.01	\$0.01	\$0.01				
187	100			\$0.01	\$0.01	\$0.01				
188	150			\$0.01	\$0.01	\$0.01				
189	175			\$0.01	\$0.01	\$0.01				
190	200			\$0.01	\$0.01	\$0.01				
191	250			\$0.01	\$0.01	\$0.01				
192	400			\$0.01	\$0.01	\$0.01				
193	1000			NA	NA	\$0.03				
194										
195	Unmetered Lamp Size (Watts)			2009 - 2011 Total Surcharge Revenue - G11 (\$)	2009 - 2011 Total Surcharge Revenue - Ms2 (\$)	2009 - 2011 Total Surcharge Revenue - Ms3 (\$)				
196	50			\$0.00	\$0.00	\$0.00				
197	70			\$32.33	\$0.00	\$0.00				
198	100			\$229.97	\$751.52	\$14.03				
199	150			\$0.31	\$5.49	\$0.00				
200	175			\$0.00	\$0.61	\$0.00				
201	200			\$64.66	\$13.42	\$5.80				
202	250			\$0.00	\$122.92	\$19.22				
203	400			\$69.25	\$3.04	\$7.99				
204	1000					\$0.00				
205										
206	Total			\$397	\$897	\$47		\$1,341		
207	Total to Match			\$6,011	\$12,294	\$584		\$1,325		
208										
209	Unit Surcharge (\$/kWh)							0.00015801		
210										
211	Mg1 Annual kwh per Horsepower							20.7		
212										
213	Mg1 Annual surcharge per Horsepower							\$0.01		

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M.P.S.C. No. 3 – Electric
 Wisconsin Electric Power Company
 (Administrative Change)

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Issued
 R.A. Draba
 Vice-President,
 Milwaukee, Wisconsin

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Second Revised Sheet No. A-4.00	July 1, 2009
Second Revised Sheet No. A-5.00	July 1, 2009
First Revised Sheet No. A-6.00	January 1, 2009
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Third Revised Sheet No. A-8.00	July 1, 2009
Second Revised Sheet No. A-9.00	July 1, 2009
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Original Sheet No. C-24.00	October 10, 2007
Original Sheet No. C-25.00	October 10, 2007
Original Sheet No. C-26.00	October 10, 2007
First Revised Sheet No. C-27.00	August 15, 2008
First Revised Sheet No. C-28.00	August 15, 2008

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Issued
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 Vice-President,
 Milwaukee, Wisconsin

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TECHNICAL TERMS AND ABBREVIATIONS (FOR ALL CUSTOMERS)

I. The definitions of the following technical terms and abbreviations are applicable to the Company's Electric Rate Book and are not contained in the other Sections thereof:

A. For All Utilities

- (1) "Commission" means the Michigan public service commission.
- (2) "Effective Date" means the date when the tariff sheet must be followed.
- (3) "Issue Date" means the date the Company files a tariff sheet with the Commission.
- (4) "Rate Book" means the complete set of Company filings submitted in accordance with the "Filing Procedures for Electric, Wastewater, Steam and Gas Utilities".
- (5) "Rate Schedule" or "Rider" means the rate or charge for a particular classification of service, including all special terms and conditions under which that service is furnished at the prescribed rate or charge.
- (6) "Rate Sheet" or "Tariff Sheet" means any of the documents filed in accordance with "Filing Procedures for Electric, Wastewater, Steam and Gas Utilities".
- (7) "Rules and Regulations" means the rules, regulations, practices, classifications, exceptions, and conditions that the Company must observe when providing service.
- (8) "Standard Customer Form" means a contract or other agreement that create or alter a customer's rights or responsibilities in dealings with the Company. Standard customer forms require a customer signature or are specifically referenced within the Rate Book for execution between the Company and customers.

B. Company

Advance – For the purposes of deposits and contributions, "in advance" means in advance of commencement of construction; however, under no circumstances will the meter(s) be set or the system energized until the required deposit or contribution has been made.

Ampere: Rate of flow of electricity.

Company – Wisconsin Electric Power Company.

Energy Optimization Surcharge: A delivery/distribution surcharge to allow recovery of the energy optimization alternative compliance payment made by the Company in compliance with Section 91(1) of 2008 PA 295. An annual energy optimization cost reconciliation shall be conducted. The approved Energy Optimization Surcharges are shown on Sheet No. D-5.01.

Full Requirements Service: The provision of retail regulated electric service including generation, transmission, distribution and ancillary services all provided by the Company.

Hertz (Hz): The international unit of frequency equal to one cycle per second.

60 Hertz Service: Shortened form of described "60-cycle" (per second) alternating current service" in these rate schedules.

Horsepower (hp) - Unit of mechanical power equivalent to 746 watts of electrical power.

Kilowatt (kW): One thousand watts. Unit of electric power representing rate of consumption.

(Continued on Sheet No. A-13.00)

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 in Case No. ***U-15812***

TECHNICAL TERMS AND ABBREVIATIONS (FOR ALL CUSTOMERS)
 (Continued From Sheet No. A-12.00)

B. Company (Contd)

Kilovoltampere (kVA): Product of volts and amperes, divided by one thousand.

Kilowatthours (kWh): Consumption of energy equivalent to the use of one kilowatt for one hour.

Maximum Demand or Demand: Measured in kilowatts, is the highest power required as metered by a demand recorder.

Month: The term “month” shall refer to the period between two successive, scheduled meter readings.

Power Factor: The ratio of watts to the product of volts and amperes.

Power Supply Cost Recovery Factor: That element of the rates to be charged for electric service to reflect Power Supply Costs incurred and made pursuant to a Power Supply Cost Recovery Clause incorporated in the rates or Rate Schedules.

Power Supply Cost Recovery Plan: A filing made annually describing the expected sources of electric power supply and changes over a future 12 month period specified by the Commission and requesting for each of those 12 months a specific Power Supply Cost Recovery Factor.

Power Supply Costs: Those elements of the costs of fuel and purchased and net interchanged power as determined by the Commission to be included in the calculation of the Power Supply Cost Recovery Factor.

Renewable Energy Surcharge: A power supply surcharge to allow recovery of the incremental cost of compliance with the renewable energy standards included in 2008 PA 295. An annual renewable cost reconciliation shall be conducted pursuant to Section 49 of 2008 PA 295. The approved Renewable Energy Surcharges are shown on Sheet No. D-5.03.

Volt: Unit of electric force or pressure.

Retail Access Service: Service offered by the Company under applicable laws, regulations, tariffs and agreements, which allows the customer to purchase generation service and transmission service from a licensed AES (Alternative Electric Supplier), with power delivered through the Company’s distribution system.

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ENERGY OPTIMIZATION SURCHARGE

Residential Rate Schedules:

Customers on the Rg1 and Rg2 rate schedules shall receive a Delivery/distribution Energy Optimization Surcharge per kWh, as indicated below:

Customers without a self-directed plan	\$.00130
Customers with a self-directed plan	\$.00004

General Secondary, General Primary, and Lighting Rate Schedules:

Customers on the following rate schedules shall receive a Delivery/distribution Energy Optimization Surcharge per meter*, per day, as indicated below.

<u>RATE SCHEDULE</u>	Customers without a Self-Directed Plan	Customers with a Self-Directed Plan
	<u>RATE</u>	<u>RATE</u>
Cg 1	\$0.10113	\$0.00315
Cg 2	\$0.18515	\$0.00577
Cg 3	\$2.21664	\$0.06913
Cg3C	\$2.21664	\$0.06913
Cg 5	\$0.18413	\$0.00574
Cp 1	\$9.56129	\$0.29819
Cp 2	\$71.08290	\$2.21687
Cp 3	\$71.08290	\$2.21687
Cp 4	\$71.08290	\$2.21687
A	\$502.85126	\$15.68246
Ms 1	\$0.03692	\$0.00115
Cp LC	\$1,055.49909	\$32.91793

* Company assumes one meter per service point.

Customers on the following rate schedules shall receive a Delivery/distribution Energy Optimization Surcharge per lamp, per month, as indicated below.

<u>Lamp Size (Watts)</u>	Customers without a Self-Directed Plan			Customers with a Self-Directed Plan		
	<u>GL1</u>	<u>Ms2</u>	<u>Ms3</u>	<u>GL1</u>	<u>Ms2</u>	<u>Ms3</u>
50	*	\$0.05	\$0.05	*	\$0.01	\$0.01
70	\$0.07	\$0.07	\$0.07	\$0.01	\$0.01	\$0.01
100	\$0.10	\$0.10	\$0.10	\$0.01	\$0.01	\$0.01
150	\$0.15	\$0.15	\$0.15	\$0.01	\$0.01	\$0.01
175	\$0.18	\$0.18	\$0.18	\$0.01	\$0.01	\$0.01
200	\$0.20	\$0.20	\$0.20	\$0.01	\$0.01	\$0.01
250	\$0.25	\$0.25	\$0.25	\$0.01	\$0.01	\$0.01
400	\$0.40	\$0.40	\$0.40	\$0.01	\$0.01	\$0.01
1000	*	*	\$1.00	*	*	\$0.03

* Not available for this rate.

(Continued on Sheet No. D.5.02)

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ENERGY OPTIMIZATION SURCHARGE
 (Continued From Sheet No. D-5.01)

Municipal Defense Siren Rate Schedule:

The Mg1 rate schedule shall receive an Energy Optimization Surcharge per year or any part of a year for each 2 horsepower or fraction thereof for each siren installed, as shown below.

Customers without a self-directed plan	\$0.04
Customers with a self-directed plan	\$0.01

Other Rate Schedules:

The following rate schedules shall receive an Energy Optimization Surcharge as indicated above consistent with the rate schedule under which the customer is served. The Energy Optimization Surcharge is not prorated based on the level of participation selected under rate schedules ERER1, ERER2 or ERER3.

RATE SCHEDULE

ERER1

ERER2

ERER3

Ds1

Cgs2 (only when a net purchaser from the Company)

Customers contracting for Retail Access Service

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Effective for service rendered on and
 after July 1, 2009

Issued under authority of the
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 in Case No. U-15812

RENEWABLE ENERGY SURCHARGE

The following rate schedules shall receive a Power Supply Renewable Energy Surcharge per meter*, per day, as indicated below.

<u>RATE SCHEDULE</u>	<u>RATE</u>
Rg 1	\$0.00000
Rg 2	\$0. 00000
Cg 1	\$0. 00000
Cg 2	\$0. 00000
Cg 3	\$0. 00000
Cg3C	\$0. 00000
Cg 5	\$0. 00000
Cp 1	\$0. 00000
Cp 2	\$0. 00000
Cp 3	\$0. 00000
Cp 4	\$0. 00000
A	\$0. 00000
Ms 1	\$0. 00000
Cp LC	\$0. 00000

* Company assumes one meter per service.

The following rate schedules shall receive a Renewable Energy Surcharge as indicated above consistent with the rate schedule under which the customer is served. The Renewable Energy Surcharge is not prorated based on the level of participation selected under rate schedules ERER1, ERER2 or ERER3.

<u>RATE SCHEDULE</u>
ERER1
ERER2
ERER3
Ds1
Cgs2 (only when a net purchaser from the Company)

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Effective for service rendered on and
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Issued under authority of the
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 in Case No. U-15812

RESIDENTIAL FULL REQUIREMENTS OR RETAIL ACCESS SERVICE RATE Rg1

Availability:

To customers contracting for residential full requirements or retail access service for periods of one year or more for separately metered residential dwelling units including those in residences, summer cottages, and apartment buildings.

Hours of Service: Twenty-four

Character of Service: Alternating current, 60 hertz, single-phase, three-phase or combination single and three-phase service.

Rate:

Power Supply Charges: These charges are applicable to Full Requirements service.

Non-Space heating: \$0.06716 per kWh

For customers with permanently installed electric space heating equipment which is the primary source of space heating, the following rate shall apply during the billing months of November through June:

Space heating: \$0.06716 per kWh first 500 kWh per month
 \$0.06466 per kWh excess of 500 kWh per month

Renewable Energy Surcharge: Subject to the Renewable Energy Surcharge shown on Sheet No. D-5.03.

Subject to power supply cost recovery factor. Applies to all Power Supply Charges. See Sheet No. D-3.00.

Delivery Charges: These charges are applicable to Full Requirements and Retail Access service.

Facilities Charge: per day per standard meter or service connection

\$0.31582 single-phase

\$0.47373 three-phase

Distribution Charge: \$0.03890 per kWh

Excess Meter Charge: \$0.03288 per day per standard meter in excess of one

Energy Optimization Surcharge: Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01.

Minimum Charge: The monthly minimum charge shall be the Facilities Charge and the Excess Meter Charge, if applicable.

Payment: This rate is net.

Late Payment Charge:

The late payment charge is 1.5%, not compounded, of the portion of the bill, net of taxes, that is delinquent. The late payment charge shall not apply to customers whose payments are made by the Department of Human Services or who are participating in a shut off protection program as described in the Consumer Standards and Billing Practices for Electric Residential Service (R460.101-460.169).

Retail Access Option:

Customers who meet the availability requirements of the Rg1 rate schedule may contract for residential retail access service.

Retail access customers shall pay the above applicable Delivery Charges, Minimum Charge, and Late Payment Charge.

Additionally, there is a \$2.79452 per day charge for an interval demand meter or service connection if applicable.

Customers taking retail access service are also subject to the Terms and Conditions contained in the Retail Access Service tariff rate schedule RAS-1, Section E.

Conditions of Delivery: See Sheet Nos. D-8.00 – D-9.00. In addition to the Conditions of Delivery noted, retail access service customers are also subject to the Terms and Conditions contained in the Retail Access Service tariff, Section E.

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Effective for service rendered on and
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Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

M.P.S.C. No. 3 – Electric
 Wisconsin Electric Power Company
 (*Energy Optimization & Renewable Energy Surcharges*)

Second Revised Sheet No. D-7.00
 Replaces *First Revised Sheet No. D-7.00*

RESIDENTIAL FULL REQUIREMENTS SERVICE TIME-OF-USE RATE Rg2

Availability:

To residential customers contracting for full requirements service on a voluntary basis for electric service for domestic purposes for a period of one year or more. Customers are required to remain on the selected on-peak period for at least one year.

Hours of Service: Twenty-four

Character of Service: Alternating current, 60 Hertz, single-phase, three-phase, or combination single and three-phase service.

Rate:

Delivery and Power Supply Charges:

Facilities Charge:	per day per standard meter or service connection		
		\$0.31582	single-phase
		\$0.47373	three-phase
Distribution and Power Supply Charges:		\$0.22171	per kWh On-peak (a)
		\$0.04243	per kWh Off-peak (b)
Excess Meter Charge:	per day per standard meter in excess of one	\$0.03288	

Renewable Energy Surcharge: *Subject to the Renewable Energy Surcharge shown on Sheet No. D-5.03.*

Energy Optimization Surcharge: *Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01.*

Subject to power supply cost recovery factor. Applies to all Distribution and Power Supply Charges. See Sheet No. D-3.00.

(a) Residential on-peak usage is the energy in kilowatt-hours delivered during the on-peak period selected by the customer. The four on-peak periods available are: 7:00 a.m. to 7:00 p.m., 8:00 a.m. to 8:00 p.m., 9:00 a.m. to 9:00 p.m. and 10:00 a.m. to 10:00 p.m., prevailing time, Monday through Friday, excluding those days designated as legal holidays for New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

(b) Residential off-peak usage is the energy in kilowatt-hours delivered during all hours other than on-peak hours.

Minimum Charge: The monthly minimum charge shall be the Facilities Charge and the Excess Meter Charge, if applicable.

Payment: This rate is net.

Late Payment Charge:

The late payment charge is 1.5%, not compounded, of the portion of the bill, net of taxes, that is delinquent. The late payment charge shall not apply to customers whose payments are made by the Department of Human Services or who are participating in a shut off protection program as described in the Consumer Standards and Billing Practices for Electric Residential Service (R460.101-460.169).

Conditions of Delivery: See Sheet Nos. D-8.00 – D-9.00.

(Continued on Sheet No. D-8.00)

Issued
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Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
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 in Case No. **U-15812**

M.P.S.C. No. 3 – Electric
 Wisconsin Electric Power Company
 (*Energy Optimization & Renewable Energy Surcharges*)

Second Revised Sheet No. D-10.00
 Replaces *First Revised* Sheet No. D-10.00

GENERAL SECONDARY FULL REQUIREMENTS OR RETAIL ACCESS SERVICE RATE Cg1

Availability:

To customers contracting for secondary full requirements or retail access service for one year or more for general commercial, industrial, or governmental purposes.

Hours of Service: Twenty-four.

Character of Service: Alternating current, 60 hertz, single-phase, three-phase, or combination single and three-phase service.

Rate:

Power Supply Charges: These charges are applicable to Full Requirements service.

\$0.07296 per kWh

Renewable Energy Surcharge: Subject to the Renewable Energy Surcharge shown on Sheet No. D-5.03.

Subject to power supply cost recovery factor. Applies to all Power Supply Charges. See Sheet No. D-3.00

Delivery Charges: These charges are applicable to Full Requirements and Retail Access service.

Facilities Charge: per day per standard meter or service connection

\$0.49315 Single-phase

\$0.96986 Three-phase

Distribution Charge: \$0.0389 per kWh

Excess Meter Charge: \$0.03288 per day per standard meter in excess of one

Energy Optimization Surcharge: Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01.

Minimum Charge:

For regular service the monthly minimum charge shall be the Facilities Charge, and the Excess Meter Charge, if applicable.

For auxiliary service the monthly minimum charge shall be as provided in conditions of delivery. See paragraph 6, Conditions of Delivery.

Late Payment Charge:

A 1.5% per month late charge will be applied to outstanding charges past due.

Retail Access Option:

Customers who meet the availability requirements of the Cg1 rate schedule may contract for secondary retail access service.

Retail access customers shall pay the above applicable Delivery Charges, Minimum Charge, and Late Payment Charge.

Additionally, there is a \$2.79452 per day charge for an interval demand meter or service connection if applicable.

Customers taking retail access service are also subject to the Terms and Conditions contained in the Retail Access Service tariff rate schedule RAS-1, Section E.

Conditions of Delivery: See Sheet No. D-14.00. In addition to the Conditions of Delivery noted, retail access service customers are also subject to the Terms and Conditions contained in the Retail Access Service tariff, Section E.

Issued
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 Milwaukee, Wisconsin

Effective for service rendered on and
 after *July 1, 2009*

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. *U-15812*

M.P.S.C. No. 3 – Electric
 Wisconsin Electric Power Company
 (Energy Optimization & Renewable Energy Surcharges)

Second Revised Sheet No. D-11.00
 Replaces First Revised Sheet No. D-11.00

GENERAL SECONDARY TOTAL ELECTRIC FULL REQUIREMENTS SERVICE Cg2

Availability:

To customers contracting for secondary full requirements service for one year or more for general commercial, industrial, or governmental purposes where electricity is used as the sole source of energy for space heating, water heating and all other uses. Service under this schedule is not available to new installations. Premises being served on this schedule prior to February 5, 1985, may remain on this schedule.

Hours of Service: Twenty-four.

Character of Service: Alternating current, 60 hertz, single-phase, three-phase, or combination single and three-phase service.

Rate:

Power Supply Charges: \$0.06447 per kWh
Renewable Energy Surcharge: Subject to the Renewable Energy Surcharge shown on Sheet No. D-5.03.

Subject to power supply cost recovery factor. Applies to all Power Supply Charges. See Sheet No. D-3.00

Delivery Charges:

Facilities Charge: per day per standard meter or service connection
 \$0.49315 Single-phase
 \$0.96986 Three-phase
 Distribution Charge: \$0.0389 per kWh
 Excess Meter Charge: \$0.03288 per day per standard meter in excess of one
Energy Optimization Surcharge: Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01.

Minimum Charge: The monthly minimum charge shall be the Facilities Charge and the Excess Meter Charge, if applicable.

Late Payment Charge: A 1.5% per month late payment charge will be applied to outstanding charges past due.

Conditions of Delivery:

1. The Company will generally furnish single-phase, 60 hertz service at 120/240 volts. Three-phase or combination single-phase and three-phase service will be furnished in accordance with the Electric Service Rules and Regulations of the Company.
2. When lighting service is furnished through one meter and power service through another, the registrations of the two meters will be added for billing purposes if the meters are installed at the same location. Where separately metered service is furnished for emergency exit lighting, fire alarm system or fire pump purposes the energy used will be accumulated and billed with the regular service, provided that it is furnished from the service connection which supplies regular service.
3. Service under this rate is for general use in commercial, industrial, and governmental establishments, including any group of three or more dwelling units which are served through one meter and comply with the Electric Service Rules and Regulations governing resale. When farming and commercial or industrial operations are combined, the applicable rate shall be determined by the predominant use of service.
4. At the request of a customer, service will be furnished under this rate at the available primary voltage by special arrangement under which the customer will agree to furnish, own and maintain at his expense all apparatus and material necessary for proper utilization of service at such voltage. In such cases the service will be metered at the supply voltage and kilowatthours registered will be reduced by 3%.

(Continued on Sheet No. D-11.01)

Issued
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Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

M.P.S.C. No. 3 – Electric
Wisconsin Electric Power Company
(Administrative Change)

Original Sheet No. D-11.01

GENERAL SECONDARY TOTAL ELECTRIC FULL REQUIREMENTS SERVICE Cg2

(Continued From Sheet No. D-11.00)

Conditions of Delivery:

5. Energy furnished under this rate shall not be resold except as provided in the Electric Service Rules and Regulations of the Company.
6. Customers who wish to operate electric generation equipment in parallel with the Company's system shall abide by the conditions of purchase for rate schedules Cgs1 and Cgs2.

Issued
R.A. Draba
Vice-President,
Milwaukee, Wisconsin

Effective for service rendered on and
after July 1, 2009

Issued under authority of the
Michigan Public Service Commission
dated
in Case No. U-15812

GENERAL SECONDARY FULL REQUIREMENTS OR RETAIL ACCESS SERVICE TIME-OF-USE RATE Cg3

Availability:

For customers contracting for secondary full requirements or retail access electric service for one year or more for general commercial, industrial or governmental purposes, and whose energy consumption is equal to or greater than 30,000 kWh per month, for three consecutive months. The customer must remain on this rate classification for 12 months before becoming eligible to transfer to a different general secondary rate. If the customer transfers from the Cg3 rate to a different rate, the customer must wait 12 months before they can transfer back to the Cg3 rate. This rate is available to customers previously served under the Cg3 rate schedule only after they have taken service for at least a 12-month period under another of the Company's rate schedules.

Character of Service: Alternating current, 60 hertz, single-phase, three-phase, or combination single and three-phase service.

Rate:

Power Supply Charges: These charges are applicable to Full Requirements service.

Demand Charge:	\$9.513	per kW Measured On-peak Demand
Energy Charge:	\$0.06088	per kWh On-Peak (a)
	\$0.03713	per kWh Off-peak (b)

Renewable Energy Surcharge: Subject to the Renewable Energy Surcharge shown on Sheet No. D-5.03. Subject to power supply cost recovery factor. Applies to all Power Supply Charges. See Sheet No. D-3.00

Delivery Charges: These charges are applicable to Full Requirements and Retail Access service.

Facilities Charge:	\$2.79452	per day per standard meter or service connection
Demand Charge:	\$3.971	per kW of Customer Maximum Demand
Distribution Charge:	\$0.01000	per kWh On-peak (a)
	\$0.01000	per kWh Off-peak (b)
Excess Meter Charge:	\$0.13151	per day per standard meter in excess of one

Energy Optimization Surcharge: Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01.

- (a) General Secondary on-peak usage is the energy in kilowatthours delivered between 9:00 a.m. and 9:00 p.m., prevailing time, Monday through Friday, excluding those days designated as legal holidays for New Years' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- (b) General Secondary off-peak usage is the energy in kilowatthours delivered during all hours other than on-peak hours.

Minimum Charge:

The monthly minimum charge shall be the Facilities Charge, the Excess Meter Charge, and the Minimum Demand Charge. Auxiliary service shall be as provided in Paragraph 6, Conditions of Delivery, Sheet D-14.00.

Late Payment Charge: A 1.5% per month late payment charge will be applied to outstanding charges past due.

Retail Access Option:

Customers who meet the availability requirements of the Cg3 rate schedule may contract for secondary retail access service. Retail access customers shall pay the above applicable Delivery Charges, Minimum Charge, and Late Payment Charge. Customers taking retail access service are also subject to the Terms and Conditions contained in the Retail Access Service tariff rate schedule RAS-1, Section E.

Conditions of Delivery: See Sheet No. D-14.00. In addition to the Conditions of Delivery noted, retail access service customers are also subject to the Terms and Conditions contained in the Retail Access Service tariff, Section E.

(Continued on Sheet No. D-12.01)

Issued
 R.A. Draba
 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

**GENERAL SECONDARY FULL REQUIREMENTS SERVICE – EXPERIMENTAL
 CURTAILABLE RATE Cg3C**

Availability:

To customers who would otherwise qualify for General Secondary Service – Time-of-Use Rate Schedule Cg3, and contract for a minimum of 100 kilowatts of curtailable load. The Company reserves the right to limit participation to 10 customers.

Rate:**Power Supply Charges:**

Demand Charge:	\$9.513	per kW Measured On-peak Demand
Curtilable Demand Credit	\$0.02020	per kW per on-peak hour of use
Energy Charge:	\$0.06088	per kWh On-Peak (a)
	\$0.03713	per kWh Off-peak (b)

Renewable Energy Surcharge: Subject to the Renewable Energy Surcharge shown on Sheet No. D-5.03.

Subject to power supply cost recovery factor. Applies to all Power Supply Energy Charges. See Sheet No. D-3.00

The curtailable credit per kilowatt of curtailable demand for the billing period shall be determined by application of the following formula:

$$(A*B)*\frac{C}{D} \text{ where}$$

- A = credit per kW of curtailable demand per on-peak hour-of-use
 B = actual on-peak hours-of-use, determined by dividing the on-peak kWh for the billing period by the measured demand
 C = 255 hours
 D = on-peak hours in the billing period minus actual hours of capacity curtailment in the billing period

If the curtailable load is on isolated and separately metered circuits, it will be treated as a separate service to the customer.

Delivery Charge:

Facilities Charge:	\$2.79452	per day per standard meter or service connection
Demand Charge:	\$3.971	per kW of customer maximum demand
Distribution Charge:	\$0.01000	per kWh On-peak (a)
	\$0.01000	per kWh Off-peak (b)
Excess Meter Charge:	\$0.13151	per day per standard meter in excess of one

Energy Optimization Surcharge: Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01.

- (a) General Secondary on-peak energy usage is the energy in kilowatthours delivered between 9:00 a.m. and 9:00 p.m., prevailing time, Monday through Friday, excluding those days designated as legal holidays for New Years' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
 (b) General Secondary off-peak energy usage is the energy in kilowatthours delivered during all hours other than on-peak hours.

Minimum Charge:

The monthly minimum charge shall be the Facilities Charge, the Excess Meter Charge, and the Minimum Demand Charge. Auxiliary service shall be as provided in Paragraph 6, Conditions of Delivery, Sheet D-14.00.

Late Payment Charge: A 1.5% per month late payment charge will be applied to outstanding charges past due.

(Continued on Sheet No. D-12.03)

Issued
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 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

M.P.S.C. No. 3 – Electric
 Wisconsin Electric Power Company
 (Energy Optimization & Renewable Energy Surcharges)

Second Revised Sheet No. D-13.00
 Replaces First Revised Sheet No. D-13.00

SMALL SECONDARY FULL REQUIREMENTS SERVICE TIME-OF-USE RATE Cg5

Availability:

Available, on a voluntary basis, for a period of one year or more, to customers contracting for secondary full requirements electric service for general commercial, industrial, governmental or farm purposes.

Hours of Service: Twenty-four.

Character of Service: Alternating current, 60 hertz, single-phase, three-phase, or combination single and three-phase service.

Rate:

Delivery and Power Supply Charges:

Facilities Charge:	per day per standard meter or service connection
	\$0.49315 Single-phase
	\$0.96986 Three-phase

Distribution and Power Supply Charges:

	\$0.22171 per kWh On-peak (a)
	\$0.04243 per kWh Off-peak (b)
Excess Meter Charge:	\$0.03288 per day per standard meter in excess of one

Renewable Energy Surcharge: Subject to the Renewable Energy Surcharge shown on Sheet No. D-5.03.

Energy Optimization Surcharge: Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01.

Subject to power supply cost recovery factor. Applies to all Distribution and Power Supply charges. See Sheet No. D-3.00.

- (a) Small secondary on-peak energy usage is the energy in kilowatthours delivered between 9:00 a.m. and 9:00 p.m., prevailing time, Monday through Friday, excluding those days designated as legal holidays for New Years' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- (b) Small Secondary off-peak energy usage is the energy in kilowatthours delivered during all hours other than on-peak hours.

Minimum Charge:

The monthly minimum charge shall be the Facilities Charge and the Excess Meter Charge. Auxiliary service shall be as provided in Paragraph 6, Conditions of Delivery.

Late Payment Charge: A 1.5% per month late payment charge will be applied to outstanding charges past due.

Conditions of Delivery: See Sheet No. D-14.00

(Continued on Sheet No. D-14.00)

Issued
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 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

M.P.S.C. No. 3 – Electric
Wisconsin Electric Power Company
(Administrative Change)

First Revised Sheet No. D-15.01
Replaces Original Sheet No. D-15.01

**GENERAL PRIMARY FULL REQUIREMENTS OR RETAIL ACCESS SERVICE
TIME-OF-USE RATE Cp1
(Continued from Sheet No. D-15.00)**

Minimum Charge:

The monthly minimum charge shall be the Facilities Charge plus either the charge for 300 kW of measured on-peak demand or the Minimum Demand Charge as stated in the contract, whichever is greater, plus the charge for 300 kW of customer maximum demand or the minimum demand charge as stated in the contract, whichever is greater. New customers shall contract for not less than 300 kW of measured on-peak demand and shall not contract for less than 300 kW of customer maximum demand. Auxiliary service shall be furnished as provided in paragraph 5, Conditions of Delivery, Sheet D-17.00.

Late Payment Charge: A 1.5% per month late payment charge will be applied to outstanding charges past due.

Retail Access Option:

Customers who meet the availability requirements of the Cp1 rate schedule may contract for retail access service. Retail access customers shall pay the above applicable Delivery Charges, Minimum Charge, and Late Payment Charge. Customers taking retail access service are also subject to the Terms and Conditions contained in the Retail Access Service tariff rate schedule RAS-1, Section E.

Conditions of Delivery: See Sheet No. D-17.00. In addition to the Conditions of Delivery noted, retail access service customers are also subject to the Terms and Conditions contained in the Retail Access Service tariff, Section E.

Issued
R.A. Draba
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Effective for service rendered on and
after *July 1, 2009*

Issued under authority of the
Michigan Public Service Commission
dated
in Case No. *U-15812*

GENERAL PRIMARY FULL REQUIREMENTS SERVICE INTERRUPTIBLE RATE Cp2

Availability:

To customers contracting for three-phase 60 hertz full requirements power service at approximately 2,400 volts or higher for periods of five years with a minimum 15 minute integrated demand of 1,000 kilowatts of interruptible load. Customers are required to remain on the selected on-peak period for at least one year.

Rates: (for service at primary voltages)	≤4,160	>4,160 to	≥69,000
Power Supply Charges:	<u>volts</u>	<u><69,000 volts</u>	<u>volts</u>
Demand Charge: per kW of Measured On-peak Demand	\$6.400	\$6.337	\$6.262
Energy Charge: per kWh			
On-peak (b)	\$0.05860	\$0.05765	\$0.05734
Off-peak (c)	\$0.03661	\$0.03601	\$0.03582

Renewable Energy Surcharge: Subject to the Renewable Energy Surcharge shown on Sheet No. D-5.03.

Subject to power supply cost recovery factor. Applies to all Power Supply Energy Charges. See Sheet No. D-3.00.

Delivery Charges:

Facilities Charge: per day	\$20.21918	\$20.21918	\$20.21918
Customer may be exempt from this facilities charge if taking service at the same location on rate schedule Cp-1			
Demand Charge: per kW of Customer Maximum Demand	\$2.140	\$2.105 OR \$0.511(a)	\$0
Distribution Charge: per kWh			
On-peak (b)	\$0.00760	\$0.00700 OR \$0.00153 (a)	\$0
Off-peak (c)	\$0.00600	\$0.00570 OR \$0.00153 (a)	\$0
Power Factor Demand Charge: per kW of Power Factor Demand	\$13.366	\$13.130	\$9.031

Energy Optimization Surcharge: Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01.

For Determination of Demand, see sheet No. D-16.00.

- (a) Charge for customer who takes service at 13,200 volts or greater, but less than 69,000 volts, directly from a company-owned substation transformer, and is served using no company-owned primary lines.
- (b) General primary on-peak usage is the energy in kilowatthours delivered during the on-peak period selected by the customer. The two on-peak periods available are: 8:00 a.m. to 8:00 p.m. and 10:00 a.m. to 10:00 p.m., prevailing time, Monday through Friday, excluding those days designated as legal holidays for New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- (c) General Primary off-peak usage is the energy in kilowatthours delivered during all hours other than on-peak hours.

Minimum Charge:

The monthly minimum charge shall be the applicable Facilities Charge, plus either the charge for 700 kilowatts of measured on-peak demand, or the Minimum Demand Charge as stated in the contract, whichever is greater, plus the charge for 700 kW of customer maximum demand or the minimum demand charge as stated in the contract, whichever is greater. New customers shall contract for not less than 700 kilowatts of on-peak measured demand and shall not contract for less than 700 kW of customer maximum demand.

(Continued on Sheet No. D-19.00)

Issued
 R.A. Draba
 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

M.P.S.C. No. 3 – Electric
Wisconsin Electric Power Company
(Administrative Change)

First Revised Sheet No. D-19.00
Replaces Original Sheet No. D-19.00

GENERAL PRIMARY FULL REQUIREMENTS SERVICE INTERRUPTIBLE RATE Cp2
(Continued from Sheet No. D-18.00)

Late Payment Charge: A one and one half percent (1.5%) per month late payment charge will be applied to outstanding charges past due.

Conditions of Delivery:

1. General Primary – Time-of-Use, Rate Schedule No. Cp1, Conditions of Delivery apply.
2. A customer taking service under this rate must execute a contract with a provision which, absent notice, will automatically extend the contract for five years from each anniversary date.
3. Interruptible service under this rate may be refused if the Company believes the load to be interrupted will not provide adequate load reduction when the Company desires interruption. The Company will notify the customer of the Company's refusal to provide service under this rate and the Company will inform the customer of the customer's right to ask for a commission review of the Company's refusal of service.
4. The customer shall, at his expense, install all apparatus and materials necessary for the proper utilization of the power furnished by the Company. All such apparatus shall conform to the Company's rules and regulations pertaining to primary substation installation and shall at all times be kept suitable for operation by the power furnished. The customer's circuits are to be arranged so that none of the interruptible load can be transferred to service furnished under any other rate.
5. Service under this rate shall be subject to interruption at the sole discretion of the Company, but interruptions will not be made for system energy economy reasons. There will be no more than 150 hours of interruption in a calendar year. Brief periods of interruption (periods that are less than four hours' duration) should be regarded as having lasted four hours, for purposes of limiting the total annual hours to 150. Interruptions due to lightning, wind, and other causes other than intentional interruptions by the Company shall not be considered in determining the hours of interruption or frequency.
6. The customer shall pay thirty-five dollars (\$35) per kilowatt for the 15-minute maximum measured demand recorded during each period of interruption of service ordered by the Company. The Company may suspend service under this rate if the customer uses service during periods of interruption and thereafter serve the customer under the appropriate rate.
7. The customer shall pay in advance of construction all costs estimated by the Company for facilities to serve the interruptible load.
8. The Company shall not be liable for any damages sustained by customer because of interruptions, deficiencies, or imperfections of electric service provided under this rate.
9. Interruptible service shall not be used as standby for any other forms of energy or fuel.

Issued
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Milwaukee, Wisconsin

Effective for service rendered on and
after *July 1, 2009*

Issued under authority of the
Michigan Public Service Commission
dated
in Case No. *U-15812*

GENERAL PRIMARY FULL REQUIREMENTS SERVICE CURTAILABLE RATE Cp3

Availability:

To customers contracting for three-phase 60 hertz full requirements power service at approximately 2,400 volts or higher with a minimum of 500 kilowatts of curtailable load. If the curtailable load is on isolated and separately metered circuits, it will be treated as a separate service to the customer. Customers are required to remain on the selected on-peak period for at least one year.

Rates: (for service at primary voltages)	≤4,160	>4,160 to	≥69,000
Power Supply Charges:	volts	<69,000 volts	volts
Demand Charge: per kW of Measured On-peak Demand	\$9.380	\$9.227	\$9.031
Curtailable Demand Credit: per kW per on-peak hr of use	\$0.0199	\$0.0195	\$0.0191
Energy Charge: per kWh			
On-peak (b)	\$0.05860	\$0.05765	\$0.05734
Off-peak (c)	\$0.03661	\$0.03601	\$0.03582

Renewable Energy Surcharge: Subject to the Renewable Energy Surcharge shown on Sheet No. D-5.03.

The curtailable credit per kilowatt of curtailable demand for the billing period shall be determined by application of the following formula:

$$(A * B) * \frac{C}{D} \quad \text{where}$$

- A = credit per kW of curtailable demand per on-peak hour of use
 B = actual on-peak hours-of-use, determined by dividing the on-peak kWh for the billing period by the sum of the measured on-peak demand and power factor demand.
 C = 255 hours
 D = on-peak hours in the billing period minus actual hours of curtailment in the billing period

Delivery Charges:

Facilities Charge: per day	\$20.21918	\$20.21918	\$20.21918
Demand Charge: per kW of Customer Maximum Demand	\$2.140	\$2.105 OR \$0.511(a)	\$0
Distribution Charge: per kWh			
On-peak (b)	\$0.00760	\$0.00700 OR \$0.00153 (a)	\$0
Off-peak (c)	\$0.00600	\$0.00570 OR \$0.00153 (a)	\$0
Power Factor Demand Charge: per kW of Power Factor Demand	\$13.366	\$13.130	\$9.031

Energy Optimization Surcharge: Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01.

For Determinations of Demand, see Sheet Nos. D-21.00 – D-22.00.

Subject to power supply cost recovery factor. Applies to all Power Supply Energy Charges. See Sheet No. D-3.00.

- (a) Charge for customer who takes service at 13,200 volts or greater, but less than 69,000 volts, directly from a company-owned substation transformer, and is served using no company-owned primary lines.
- (b) General Primary on-peak usage is the energy in kilowatthours delivered during the on-peak period selected by the customer. The two on-peak periods available are: 8:00 a.m. to 8:00 p.m. and 10:00 a.m. to 10:00 p.m., prevailing time, Monday through Friday, excluding those days designated as legal holidays for New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

(Continued on Sheet No. D-21.00)

Issued
 R.A. Draba
 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

**GENERAL PRIMARY FULL REQUIREMENTS OR RETAIL ACCESS SERVICE MANDATORY
 STANDBY RATE Cp4
 (Continued from Sheet No. D-25.00)**

Power Supply Charges (Cont.):

- (b) Customers shall select one of two on-peak periods which shall be either from 8:00 a.m. to 8:00 p.m. or from 10:00 a.m. to 10:00 p.m., as selected by the customer, prevailing time, Monday through Friday, excluding those days designated as legal holidays for New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- (c) The off-peak period shall be those hours not designated as on-peak.

The customer's selection will remain in effect for at least one year and may be changed, at the customer's request, once a year, thereafter.

Minimum Charge:

The monthly minimum charge shall be the applicable Facilities Charge plus the charge for 300 kW of billed demand, plus the charge for 300 kW of customer maximum demand, plus the charge for Stand-by demand applied to the demand levels as set forth in the customer's contract for service.

Late Payment Charge: A 1.5% per month late payment charge will be applied to outstanding charges past due.

Retail Access Option:

Customers who meet the availability requirements of the Cp4 rate schedule may contract for retail access service. Retail access customers shall pay the above applicable Delivery Charges, Minimum Charge, and Late Payment Charge. Customers taking retail access service are also subject to the Terms and Conditions contained in the Retail Access Service tariff rate schedule RAS-1, Section E.

Conditions of Delivery: See Sheet No. D-27.01. In addition to the Conditions of Delivery noted, retail access service customers are also subject to the Terms and Conditions contained in the Retail Access Service tariff, Section E.

Definitions for Determining Billed Quantities:

The demand charges, set forth above, for billed demand, reserved demand, and unreserved energy, will apply to the demands as determined in accordance with the following definitions and terms.

Measured Demand shall be the average rate of energy flow for a period of 15 consecutive minutes as ascertained by a watt-hour meter and an associated electronic recorder or other standard measuring device.

Generator Supplied Demand is the Measured Demand for each 15-minute period from the metering on the customer's generating equipment for which the customer has contracted for standby service.

Company Supplied Demand is the sum of the Measured Demand for each 15-minute period of all the customer's interconnections with the Company at one site compensated for service voltage differences.

Total Demand is the sum of on peak Generator Supplied Demand and Company Supplied Demand for each 15-minute period.

Maximum Total Demand is the highest value of Total Demand occurring during the current or preceding 11 billing periods.

(Continued on Sheet No. D-27.00)

Issued
 R.A. Draba
 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

M.P.S.C. No. 3 – Electric
 Wisconsin Electric Power Company
 (Administrative Change)

Second Revised Sheet No. D-27.00
 Replaces First Revised Sheet No. D-27.00

**GENERAL PRIMARY FULL REQUIREMENTS OR RETAIL ACCESS SERVICE MANDATORY
 STANDBY RATE Cp4
 (Continued from Sheet No. D-26.00)**

Definitions for Determining Billed Quantities (Contd):

Maximum Total On-peak Demand is the highest value of Total Demand occurring during the on-peak period during the billing periods.

Reserved Demand is the amount of capacity contracted for replacement of the customer's generation during outages. Such Reserve Demand may be renominated by the customer once every 12 months upon two months written notice to the Company.

Standby Demand equals the Reserved Demand for the month and is the same for each 15-minute period.

Billed demand is the Maximum Total On-Peak Demand less Standby Demand.

Standby Energy for each 15-minute period equals [Company Supplied Demand in that 15-minute period less Billed Demand] divided by 4, but not less than zero. Standby Energy is zero during Company approved, prescheduled maintenance periods.

Power Factor Demand:

The distribution demand charges are based on a standard power factor of 85 percent. The customer's monthly Power Factor Demand for each 15-minute period is determined as follows:

- (a) For Power Factors at 85 %:
Power Factor Demand = 0
- (b) For Power Factors below 85%:
Power Factor Demand = [(Measured On-peak Demand) (.65) (0.85 - Peak Power Factor)]
- (c) For Power Factors above 85%:
Power Factor Demand = [(Measured On-peak Demand) (.50) (0.85 - Peak Power Factor)]

The power factor shall be calculated from the kilowatthours "A", as obtained from the watthour meter, and the lagging kilovoltampere reactive hours "B", as obtained from a ratcheted reactive component meter, which are used during the same 15 minute period by the following formula:

$$\text{Peak power factor} = A \text{ divided by square root of } (A^2 + B^2)$$

Peak Power Factor Demand is the Power Factor Demand at the time of the Maximum Total On-Peak Demand.

(Continued on Sheet No. D-27.01)

Issued
 R.A. Draba
 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

M.P.S.C. No. 3 – Electric
 Wisconsin Electric Power Company
 (*Energy Optimization & Renewable Energy Surcharges*)

Second Revised Sheet No. D-28.00
 Replaces *First Revised* Sheet No. D-28.00

GENERAL PRIMARY FULL REQUIREMENTS OR RETAIL ACCESS SERVICE SCHEDULE A

Availability: To CMP Holdings LLC d/b/a Verso Papers LLC at their 138/13.8 kilovolt substation in Quinnesec, Michigan.

Hours of Service: Twenty-four.

Character of Service: Alternating current, 60 hertz, three-phase at 138,000 volts.

Rate:

Power Supply Charges: These charges are applicable to Full Requirements service.

Demand Charge: \$9.031 per kW of billed demand
 Subject to a minimum monthly kW that is the greater of 10,000 kW or 240,000 kW less the sum of the preceding 11 months billed Demands.

Standby Demand Charge: \$0.908 per kW
 Energy Charge: \$0.05790 per kWh On-peak
 \$0.03595 per kWh Off-peak

Additional Charge for Standby Energy:

In addition to the charges above, Standby Energy will be billed at the following rates:

\$0.03000 per kWh On-peak
 \$0.01000 per kWh Off-peak

Curtailable Credit: per kW of Curtailable On-Peak Demand

Determined by application of the following formula where the credit per kW per on-peak hours of use equals \$0.01910:

$$(A*B)*\frac{C}{D} \text{ where}$$

- A = credit per kW per on-peak hour of use
 B = actual curtailable on-peak hours of use, determined by dividing the on-peak curtailable kWh for the billing period by the curtailable on-peak demand
 C = 255 hours
 D = on-peak hours in the billing period minus actual hours of curtailment in the billing period

Renewable Energy Surcharge: *Subject to the Renewable Energy Surcharge shown on Sheet No. D-5.03.*

Subject to power supply cost recovery factor. See Sheet No. D-3.00.

Delivery Charges: These charges are applicable to Full Requirements and Retail Access service.

Demand Charge: \$0.500 per kW of Maximum Total demand
 Subject to a minimum monthly kW that is the greater of 34,000 kW or 528,000 kW less the sum of the preceding 11 months Maximum Total Demands.

Power Factor Demand Charge: \$8.570 per kW of Peak Power Factor Demand
 Distribution Charge: \$0.00150 per kWh of on-peak and off-peak energy

Energy Optimization Surcharge: *Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01.*

For determination of demand, see Sheet No. D-28.00 – D-30.00

Minimum Charge:

The monthly minimum bill shall be the sum of the Standby Demand Charge, Curtailable Credit, monthly Demand Charges and Energy Charges.

Late Payment Charge:

A one and one-half percent (1.5%) per month Late Payment Charge will be applied to outstanding charges past due.

(Continued on Sheet No. D-29.00)

Issued
 R.A. Draba
 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after *July 1, 2009*

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. *U-15812*

**GENERAL PRIMARY FULL REQUIREMENTS AND RETAIL ACCESS SERVICE –
 LARGE CURTAILABLE CONTRACT RATE CpLC**

Availability:

To customers (Customer or Customers) contracting for three-phase 60 hertz full requirements power service at approximately 13.8 kilovolts or higher with a minimum of 50 megawatts of curtailable load. If the curtailable load is on isolated and separately metered circuits, it will be treated as a separate service to the Customer. Customers are required to remain on the selected on-peak period for at least one year.

Rates: (for service at primary voltages)	13.8 kV	≥69
Distribution Charges:	to <69 kV	kV _____
Facilities Charge: per day	\$20.21918	\$20.21918
Demand Charge: Per kW of Customer Maximum Demand	\$2.105 OR \$0.217(a)	\$0.00
Delivery Charge: Per On- and Off-Peak kWh	\$0.00700 OR \$0.00044(a)	\$0.00
Power Factor Demand Charge: Per kW of Power Factor Demand	\$3.592	\$3.471

Energy Optimization Surcharge: Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01.

Power Supply Charges:

Demand Charge: per kW of Measured On-peak Demand	\$9.227	\$9.031
Curtailement Demand Credit: Per kW of Maximum Measured On-Peak Customer Curtailable Demand	\$5.635	\$5.560
Energy Charge: per kWh		
On-Peak (b)	\$0.04859	\$0.04756
Off-Peak (c)	\$0.03673	\$0.03594

Renewable Energy Surcharge: Subject to the Renewable Energy Surcharge shown on Sheet No. D-5.03.

- (a) Charge for Customer that takes service at 13,800 volts or greater, but less than 69,000 volts, directly from a Company-owned substation transformer, and is served using no Company-owned primary lines.
- (b) General Primary on-peak usage is the energy in kilowatthours delivered during the on-peak period selected by the Customer. The two on-peak periods available are: 8:00 a.m. to 8:00 p.m. and 10:00 a.m. to 10:00 p.m., prevailing time, Monday through Friday, excluding those days designated as legal holidays for New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- (c) General Primary off-peak usage is the energy in kilowatthours delivered during all hours other than on-peak hours.

For Determination of Demand, see Sheet Nos. D-32.00 – D-33.00.

Subject to power supply cost recovery factor. Applies to all Power Supply Energy Charges. See Sheet Nos. D-3.00 and D-4.00.

Minimum Charge:

The monthly minimum charge shall be the Facilities Charge plus the Demand Charge for Contract Demand. Contract Demand shall be no less than 50 megawatts.

Late Payment Charge:

A one and one half percent (1.5%) per month Late Payment Charge will be applied to outstanding charges past due.

(Continued on Sheet No. D-33.00)

Issued
 R.A. Draba
 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

**GENERAL PRIMARY FULL REQUIREMENTS AND RETAIL ACCESS SERVICE –
 LARGE CURTAILABLE CONTRACT RATE CpLC
 (Continued from Sheet No. D-32.00)**

Power Factor Demand:

Demand charges in this rate schedule are based on a standard power factor of 1.00. The power factor shall be calculated from the kilowatthours "A", as obtained from the watt-hour meter, and the kilovolt-ampere reactive hours "B", as obtained from a leading/ lagging reactive component meter, which are used during the same 60 minute period in which the maximum measured on-peak demand occurs by the following formula:

Peak Power Factor = A divided by square root of (A² + B²)

(a) For Power Factors between 98% leading and 90% lagging:

Power Factor Demand = 0

(b) For lagging Power Factors below 90%:

Power Factor Demand = (Contract Demand) x (0.65) (1 - Peak Power Factor)

(c) For leading Power Factors below 98%:

Power Factor Demand = (Contract Demand) x (1 - Peak Power Factor)

Other Determinations of Demand:

1. Measured Demands

- (a) Measured demand shall be the rate at which energy is used for a period of 60 consecutive minutes as ascertained by a watt-hour meter and an associated electronic recorder or other standard measuring device.
- (b) Measured on-peak demand shall be the maximum measured demand established during on-peak hours within the billing period.

2. Contract Demands

A Customer served under this rate schedule must enter into a contract that specifies a Contract Firm Demand level, and Contract Curtailable Demand level, each specified in kW. Seasonal variances between summer and non-summer demand nomination levels will be allowed for service under the CpLC tariff per terms and conditions in the service contract.

The Customer may, in its sole discretion, re-nominate its Contract Demand levels by providing written notice to the Company of its revised nominations at least 60 days prior to the contract anniversary date. Revised Contract Demand levels shall take effect on the contract anniversary date and shall remain in effect until the effective date of any subsequent Contract Demand re-nominations.

Within two hours of being notified to curtail by the Company, the Customer must curtail demand to the curtailment demand level specified by the Company, but no less than the Contract Firm Demand level, and remain at or below the curtailment demand level until the Customer is notified by the Company that the curtailment period has ended. The notice to curtail shall be confirmed in writing to the Customer's designee for receiving such notices and the Customer's designee shall acknowledge receipt of such notice, with the Customer's intent to comply with such notice, as soon as reasonably possible.

3. Curtailable Demand

Curtailable Demand is that portion of measured demand that exceeds the Contract Firm Demand. If Measured Demand is less than the contract Firm Demand level, Curtailable Demand = 0.

4. Customer Maximum Demand

Customer maximum demand shall be the maximum measured demand which occurs during either the on- or off-peak period, in the current or preceding 11 billing periods.

(Continued on Sheet No. D-34.00)

Issued
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 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

INCANDESCENT STREET LIGHTING FULL REQUIREMENTS OR RETAIL ACCESS RATE Ms1

Availability:

To governmental units contracting for incandescent street lighting full requirements or retail access service at primary voltage for the illumination of public thoroughfares, for park and playground purposes, and for pumping water and sewage. This rate is closed to new customers. Full requirements service means the provision of retail regulated electric service including generation, transmission, distribution and ancillary services all provided by the Company.

Rate:

Power Supply Charges: These charges are applicable to Full Requirements service.

\$0.07296 per kWh

Renewable Energy Surcharge: Subject to the Renewable Energy Surcharge shown on Sheet No. D-5.03.

Subject to power supply cost recovery factor. Applies to all Power Supply charges. See Sheet No. D-3.00.

Delivery Charges: These charges are applicable to Full Requirements and Retail Access service.

Facilities Charge: per day per standard meter or service connection

\$0.49315 single-phase

\$0.96986 three-phase

Distribution Charge: \$0.03890 per kWh

Excess Meter Charge: per day per standard meter in excess of one

\$0.03288

Energy Optimization Surcharge: Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01.

Minimum Charge: The annual minimum charge shall be \$150.00.

Late Payment Charge: A 1.5% per month late payment charge will be applied to outstanding charges past due.

Retail Access Option:

Customers who meet the availability requirements of the Ms1 rate schedule may contract for retail access service. Retail access customers shall pay the above applicable Delivery Charges, Minimum Charge, and Late Payment Charge. Additionally, there is a \$2.79452 per day charge for an interval demand meter or service connection if applicable. Customers taking retail access service are also subject to the Terms and Conditions contained in the Retail Access Service tariff rate schedule RAS-1, Section E.

Conditions of Delivery:

1. General
 - a. This rate is available only in those communities where the Company has a general distribution system installed for light and power service.
 - b. Energy sold under this rate shall not be used for purposes other than those specified hereunder and shall not be resold except as provided in the Electric Service Rules and Regulations of the Company.
 - c. Electric service will not be furnished hereunder for breakdown or standby purposes where another source of power is available to the customer.
 - d. Line extensions shall be in accordance with the extension rules in the Electric Service Rules and Regulations of the Company.
2. Customer-owned Street Lighting Systems
 - a. The Company will deliver single-phase or three-phase, 60 hertz service to customer-owned street lighting systems at a primary voltage level as specified by the Company but in no case less than approximately 2400 volts.
 - b. The Company will furnish energy hereunder at primary voltage for the operation of a standard street lighting system owned, operated and adequately maintained by the customer. Customer to provide all facilities necessary for utilizing service at primary voltage except metering.

(Continued on Sheet No. D-36.00)

Issued
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 Vice-President,
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Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

**INCANDESCENT STREET LIGHTING FULL REQUIREMENTS OR RETAIL ACCESS
 RATE Ms1
 (Continued from Sheet No. D-35.00)**

Conditions of Delivery (Contd): **These Conditions are valid for Rates Ms1 and Ms1-C**

2. Customer-owned Street Lighting Systems (Cont.)
 - c. Customer-owned systems shall be designed and operated to provide an average power factor of not less than 85% at the point where energy is delivered.
 - d. This rate contemplates lamps being lighted from approximately 30 minutes after sunset to 30 minutes before sunrise providing dusk-to-dawn operation of approximately 4,200 hours per year. The control of customer-owned lamps shall be the responsibility of the customer.
 - e. The amount of energy furnished shall generally be determined by means of meters installed on the primary side of constant-current transformers serving series street lighting circuits or on the secondary side of constant-current transformers serving series multiple circuits. In the latter case, meter registration shall be increased by 3% to compensate for transformer losses. Where more than one meter is used to measure energy, the monthly readings of all meters serving lighting units located in the same or contiguous areas may be added for billing purposes.

3. Public Park and Playground Purposes, Water and Sewage Pumping Systems
 - a. A customer using street lighting service hereunder may purchase energy at three-phase or single-phase primary voltage at the energy charge set forth for rate schedule Ms 1 for public park and playground purposes and for pumping water and sewage. This service for pumping water and sewage is not available to a successor customer or a new installation after June 29, 1983.
 - b. If changes in Company service facilities make it necessary to place Company facilities on private property, the customer shall furnish adequate written easements without expense to the Company.
 - c. Pumping service will be furnished at a primary voltage level as specified by the Company but in no case at a voltage lower than approximately 2,400 volts. The customer shall furnish the necessary substation, including all transformation, switching and protective equipment required to utilize this service. The construction of such substation shall be in accordance with the Electric Service Rules and Regulations of the Company.
 - d. Pumping operations are permitted because such pumping operations naturally fit into or may be made to coincide without inconvenience with the Company's off-peak hours. The Company may require the customer to install approved limiting devices to limit the use of service at any or all of its pumping stations to off-peak hours. These limiting devices shall be of a type which will permit the use of service during emergencies such as in the event of fire or broken mains.
 - e. Pumping service shall be available for periods of one year or longer, but only for periods during which the customer receives street lighting service.
 - f. The Company may provide for the measurement of energy on the secondary side of the customer's transformers and add 3% to the registration of the meters to compensate for transformer losses.
 - g. For billing purposes, the energy used for park and playground purposes and for pumping water and sewage shall be added to that delivered to the customer for street lighting purposes.

4. Company-owned Street Lighting Systems
 - a. The Company will only service existing incandescent lighting units supplied from overhead circuits, under existing contracts. Efficient street lighting units of a type in general use will be used. Such units will be supported by brackets attached to wood poles or other Company structures. Energy for Company-owned incandescent lighting units may be furnished at voltages selected by the Company by means of overhead series circuits or, at the option of the Company, multiple circuits may be used.
 - b. The customer shall grant the Company easements to place its street lighting equipment on highways, public streets or alleys. If special conditions make it necessary to place any street lighting facilities on private property, the customer shall furnish adequate written easements without expense to the Company.
 - c. Contracts for incandescent street lighting service are for a term of ten years. After the expiration of such term, contracts may continue in force until terminated by either party on one year's prior written notice to the other.

(Continued to Sheet No. D-36.01)

Issued
 R.A. Draba
 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

STANDARD STREET RATE Ms2

Availability:

To municipalities and other government units contracting for standard high pressure sodium or metal halide lighting for illumination of public streets roadways and alleys by means of Company-owned street lighting facilities.

Character of Service: Alternating current, 60 hertz, single-phase at 120/240 volts.

Rate:

Monthly Charge per Lighting Unit	Lamp Size	Amount
	50 watt	\$8.24 Sodium
	70 watt	9.09 Sodium
	100 watt	10.48 Sodium
	150 watt	12.08 Sodium
	175 watt	16.16 Metal Halide
	200 watt	14.10 Sodium
	250 watt	15.88 Sodium
	250 watt	18.05 Metal Halide
	400 watt	20.81 Sodium
	400 watt	22.23 Metal Halide

Energy Optimization Surcharge: Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01.

Subject to power supply cost recovery factor. See Sheet No. D-3.00.

Late Payment Charge: A 1.5% per month late payment charge will be applied to outstanding charges past due.

Conditions of Delivery:

1. The Company will furnish, install, own and operate a standard high pressure sodium or metal halide street lighting unit, and will supply all electrical energy and normal maintenance for the operation of the unit. The standard street lighting unit shall consist of a cobra head fixture on an arm mounted on an existing Company-owned wood pole, with a control device wired for operation. This rate requires use of existing Company-owned poles and available overhead 120 volt service where the Company has such facilities along streets, alleys and highways. Where additional primary and/or secondary facilities are required, the customer shall pay, in advance, material and installation cost of such additional facilities.
2. When necessary, the Customer shall grant or obtain permissions, easements, ordinance satisfaction, and/or permits to the Company to install / remove lighting facilities on public or private property without expense to the Company. The Customer is responsible for marking all privately owned underground facilities. If such facilities are not marked correctly and are subsequently damaged, the Customer is responsible for damages. All installations shall be in accordance with the construction standards of the Company and any other codes the Company determines to be applicable.
3. Underground service is available under this rate for new installations, where the customer pays the estimated cost of furnishing underground service.
4. Lamps will automatically be switched on approximately 30 minutes after sunset and off 30 minutes before sunrise providing dusk-to-dawn operation of approximately 4200 hours per year. Non standard, seasonal, temporary or part-night service is not available under this rate.
5. The Company will initiate a first response to replace inoperative lamps and otherwise maintain luminaires during regular daytime work hours within 72 hours after notification by the customer. Conditions may require repeat visits to complete repairs. No credit will be allowed for periods during which lamps were out of service.

(Continued on Sheet No. D-38.00)

Issued
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Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

NON-STANDARD STREET AND AREA LIGHTING, COMPANY-OWNED RATE Ms3

Availability:

To all customers contracting for non standard lighting service by means of Company-owned and maintained non-standard street lighting and related facilities. The availability of Option B – facilities charge is limited to customers who have paid, in full, the estimated installed cost of lighting and related facilities.

Character of Service: Alternating current, 60 hertz, single-phase at 120/240 volts.

Rate:

Facilities Charge:

- Option A: Monthly facilities charge of one point nine percent (1.9%) of the estimated installed cost of the lighting and related facilities.
- Option B: One time charge equal to the estimated installed cost of the lighting and related facilities, paid prior to installation of facilities, and monthly facilities charge of one-half of one percent (0.5%) of the estimated installed cost of the lighting and related facilities.

Monthly Charge per Non-Standard Lighting Unit:

Option A and B:	<u>Lamp Size</u>	<u>Amount</u>
	50 watt	\$1.65
	70 watt	\$2.43
	100 watt	\$3.76
	150 watt	\$5.33
	175 watt	\$6.04
	200 watt	\$7.06
	250 watt	\$8.78
	400 watt	\$13.57
	1000 watt	\$31.60

Energy Optimization Surcharge: *Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01.*

Subject to power supply cost recovery factor. See Sheet No. D-3.00.

Late Payment Charge: A 1.5% per month late payment charge will be applied to outstanding charges past due.

Conditions of Delivery:

- The Company will furnish, install, own and operate a complete non standard lighting unit and will supply all electric energy and normal maintenance for the operation of the unit. A lighting unit may consist of a pole and/or luminaire with a bracket, lamp and control device wired for operation. The unit may be fed overhead or underground. Where additional primary and/or secondary facilities are required, the customer shall pay the full cost of installation.
- When necessary, the Customer shall grant or obtain permissions, easements, ordinance satisfaction, and/or permits to the Company to install / remove lighting facilities on public or private property without expense to the Company. The Customer is responsible for marking all privately owned underground facilities. If such facilities are not marked correctly and are subsequently damaged, the Customer is responsible for damages. All installations shall be in accordance with the construction standards of the Company and any other codes the Company determines to be applicable.
- Lamps will automatically be switched on approximately 30 minutes after sunset and off 30 minutes before sunrise, providing dusk-to-dawn operation of approximately 4,200 hours per year. Part-night, temporary or seasonal service is not available under this rate.

(Continued on Sheet No. D-40.00)

Issued
 R.A. Draba
 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

NON-STANDARD STREET AND AREA LIGHTING, COMPANY-OWNED RATE Ms3
 (Continued From Sheet No. D-39.00)

Conditions of Delivery (Contd):

4. The Company will initiate a first response to replace inoperative lamps and otherwise maintain luminaires during regular daytime work hours within 72 hours after notification by the customer. Conditions may require repeat visits to complete repairs. No credit will be allowed for periods during which lamps are out of service.
5. The Company will, at customer's expense, modify, replace, relocate or change the position of any properly operating Company-owned poles or fixtures contracted for under this rate as requested in writing by the customer. Replacement of lighting units and their major components after 20 years of service is at the discretion of the Company. Replacement may require a new lighting contract/agreement between the Company and customer.
6. The lighting agreement shall become effective on the date service is connected, and shall continue in force until terminated upon 30 days' prior written notice given by either of the parties to the other. The Company may remove any and/or all lighting facilities upon termination.
7. If a customer served under Option A terminates service or requests the removal of any Company-owned non standard lighting facilities, it shall reimburse the Company for the unamortized balance of the estimated installed cost of facilities plus removal costs, less estimated salvage, of the facilities removed because of such termination or request for removal.
8. If a customer served under Option B terminates service or requests the removal of any Company-owned non standard lighting facilities, it shall reimburse the Company for the removal costs less estimated salvage, if greater than zero, of the facilities removed because of such termination or request for removal.
9. Customer shall indemnify and hold harmless the Company, its successors and assigns, from and against all claims, actions, liability, cost and expense by reason of injury to or death of persons or damage to property arising or resulting from (a) any interruption or modification of service requested or caused by the Customer; or (b) any lighting, requested by Customer or third party, which does not conform to the Illuminated Engineering Society (IES) Recommended Practices.
10. The Company will indemnify and hold harmless the Customer from and against all claims, actions, liability, cost and expense by reason of injury to or death of persons or damages to property arising or resulting from the construction alteration, maintenance, operation or presence of its facilities installed (except as provided in paragraph above), but such indemnity shall not be construed as conferring any right in favor of a third party and shall not include claims or actions arising from the character, quantity or continuity of lighting service furnished.
11. Subject to Company approval, the Company will allow municipal Customers to make temporary attachments of Christmas lighting and / or decorations on Company-owned light poles. The Customer must execute an annual agreement for such attachments and must meet all conditions thereof. Estimated energy consumption will be billed under the current Cg1 energy rate. Time and material charges for installation, removal or associated maintenance may also apply.
12. Electric service will not be furnished hereunder for breakdown or standby purposes where another source of power is available to the customer. Energy furnished under this rate shall not be used for purposes other than those specified hereunder and shall not be resold.
13. In the event of abnormal or excessive maintenance due to frequent vandalism or other causes, not related to the quality of material or workmanship, the customer shall reimburse the Company for all associated costs.

Issued
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 Milwaukee, Wisconsin

Effective for service rendered on and
 after *July 1, 2009*

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. *U-15812*

STANDARD AREA LIGHTING SERVICE RATE GL1

Availability:

To all classes of customers contracting for standard area lighting service whenever service can be provided from existing 120-volt, Company-owned facilities. Rate is not available for lighting public streets, alleys, or highways. The Company will no longer install mercury area lights for new customers. The Company will no longer install new or additional poles under this rate. Installations which require new poles shall be served under the Ms-3 rate.

Character of Service: Alternating current, 60 hertz, single-phase at 120 volts.

Rate:

Monthly Charge per Lighting Unit

<u>Lamp Size</u>	<u>Sodium</u>		<u>Metal Halide</u>	
	<u>Standard</u>	<u>Flood</u>	<u>Flood</u>	<u>Standard</u>
50 watt	*	*	*	*
70 watt	\$9.12	*	*	*
100 watt	\$10.52	\$11.96	*	*
150 watt	\$12.12	*	*	*
175 watt	*	*	*	\$16.22
200 watt	\$14.17	\$15.14	*	*
250 watt	\$15.96	*	\$18.94	\$18.12
400 watt	\$20.89	\$21.70	\$23.13	\$22.31

*Not available

Energy Optimization Surcharge: Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01. Subject to power supply cost recovery factor. See Sheet No. D-3.00

Late Payment Charge: A 1.5% per month late payment charge will be applied to outstanding charges past due.

Conditions of Delivery:

1. The Company will furnish, install, own and operate a standard sodium or metal halide area or flood lighting unit and will supply all electric energy and normal maintenance for the operation of the unit. The standard lighting unit will consist of an open bottom or cobra head area light fixture on a 2 to 6 foot arm or directional floodlight on a 2 foot arm, mounted on an existing Company-owned wood pole, with a control device wired for operation. This rate requires use of existing Company-owned wood poles and available overhead 120 volt service. Where additional primary and/or secondary facilities are required, the Customer shall pay the full cost of installation.
2. New poles required solely for the attachment of lighting fixtures are not available under this rate. Poles and circuit being provided by the Company prior to 9-16-02 will continue to be provided for monthly charge of \$2.54 for each pole and \$2.08 for each span of circuit installed.
3. When necessary, the Customer shall grant or obtain permissions, easements, ordinance satisfaction, and/or permits to the Company to install / remove lighting facilities on public or private property without expense to the Company. The Customer is responsible for marking all privately owned underground facilities. If such facilities are not marked correctly and are subsequently damaged, the Customer is responsible for damages. All installations shall be in accordance with the construction standards of the Company and any other codes the Company determines to be applicable.
4. Lamps will automatically be switched on approximately 30 minutes after sunset and off 30 minutes before sunrise providing dusk-to-dawn operation of approximately 4,200 hours per year. Non-standard, seasonal, temporary or part-night service is not available under this rate.

(Continued on Sheet No. D-42.00)

Issued
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 Milwaukee, Wisconsin

Effective for service rendered on and after **July 1, 2009**

Issued under authority of the Michigan Public Service Commission dated in Case No. **U-15812**

M.P.S.C. No. 3 – Electric
 Wisconsin Electric Power Company
 (*Energy Optimization & Renewable Energy Surcharges*)

Second Revised Sheet No. D-43.00
 Replaces *First Revised* Sheet No. D-43.00

SECONDARY SERVICE FOR MUNICIPAL DEFENSE SIREN SERVICE RATE Mg1

Availability: To incorporated municipalities for the periodic operation of defense sirens.

Rate:

\$2.31 per year or any part of a year for each 2 horsepower or fraction thereof for each siren installed.

Energy Optimization Surcharge: Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01.

Subject to power supply cost recovery factor. See Sheet No. D-3.00

Late Payment Charge: A 1.5% per month late payment charge will be applied to outstanding charges past due.

Conditions of Delivery:

1. Bills will be rendered in the fourth quarter of each year, for each municipality, for service rendered in the aggregate during the calendar year.
2. The municipality shall furnish and install all sirens, including the labor and materials required for approved service connections to the nearest Company distribution line.
3. Where additional equipment or extension of lines is necessary on the part of the Company, the municipality shall pay the Company its cost of making such extension.
4. The Company will make the connection and disconnection with its distribution lines.
5. Loads other than sirens shall not be connected to the siren circuit.
6. The municipality shall furnish the Company with a map indicating the location of sirens to be operated, and shall give adequate notice of the discontinuance or addition of any sirens.
7. Service may be terminated at any time by the municipality or on six months' notice by the Company.

Issued
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 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after *July 1, 2009*

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. *U-15812*

CUSTOMER GENERATING SYSTEMS 20kW OR LESS RATE Cgs2

Availability:

To customers taking service under one of the Company's full requirements rate schedules who own generating systems with an aggregate rating of 20 kW or less who desire to sell electrical energy to Wisconsin Electric Power Company. For the purposes of this schedule, Company is defined as Wisconsin Electric Power Company and customer is defined as the person or corporate entity who desires to sell electrical energy to the Company.

Net metering is an accounting mechanism whereby retail electric utility customers who generate a portion or all of their own retail electricity needs are billed for generation (or energy) by their electric utility for only their net energy consumption during each billing period.

Net energy consumption during a billing period is defined as the amount of energy delivered by the Utility and used by the customer, minus the amount of energy, if any, generated by the retail customer and delivered to the utility at the location of the eligible unit.

Hours of Service: Twenty-four.

Character of Service:

Alternating current, 60 Hertz, single-phase or three-phase at any Company standard voltage available at the customer-owned generating system site.

Rate:

Facilities Charge:

No additional facilities charge is assessed to customers taking service on this rate schedule. All customers must pay the monthly facilities charge applicable to their class of service even during those months when energy supplied to the Company exceeds the energy consumed.

Renewable Energy Surcharge: *Subject to the Renewable Energy Surcharge shown on Sheet No. D-5.03 only when a net purchaser from the Company.*

Energy Optimization Surcharge: *Subject to the Energy Optimization Surcharge shown on Sheet No. D-5.01 only when a net purchaser from the Company.*

Energy Rate:

- (a) If a customer is served by the Company either on a time-of-use rate, a demand rate or three-phase service, a second meter must be installed. The customer will be billed for the net amount of energy consumed during the month at the regular applicable rate schedule as a purchaser of energy from the Company. For Conditions affecting interconnection costs, see Conditions of Purchase (8).
- (b) If a customer is served by the Company either on a rate other than a time-of-use rate or a demand rate, or three phase, the customer may request that the electric meter be allowed to run backwards when the customer's generation facilities are producing energy. In this case, the customer would be billed for the net amount of energy consumed during the month at the regular applicable rate schedule as a purchaser of energy from the Company.

For those customers with a renewable generating source, if the amount of energy supplied to the Company exceeds the amount of energy consumed during a billing period, the customer will receive a credit on his bill equal to the net excess kilowatthours of energy received by the Company multiplied by the Appropriate Energy Purchase Rate (shown below) including the applicable power supply cost recovery factor or other mechanism established by the Commission. The customer will receive a check for the amount of the credit whenever it exceeds \$25. Time-of-use customer's on-peak purchase and sales will be netted separately from off-peak purchases and sales.

(Continued on Sheet No. D-46.00)

Issued
 R.A. Draba
 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

M.P.S.C. No. 3 – Electric
 Wisconsin Electric Power Company
 (Administrative Change)

First Revised Sheet No. D-46.00
 Replaces *Original Sheet No. D-46.00*

CUSTOMER GENERATING SYSTEMS 20kW OR LESS RATE Cgs2
 (Continued from Sheet No. D-45.00)

Appropriate Energy Purchase Rate:

Customer's Operation Over the Preceding 12 Months

Net Purchaser	Customer's Energy Rate
Net seller (or zero)	Cgs1 rate (a) or (b) or (c)

- (a) If a customer generation is non-renewable fueled and without Time-of-Use meters, the Customer will be paid a rate equal to 35% of the On-peak plus 65% of the Off-peak Cgs1 rate.
- (b) If a customer is on a non-renewable and Time-of-Use rate, then this customer receives the Cgs1 rate.
- (c) Customers with a renewable generating source and customers operating generating systems by contractual arrangement with Wisconsin Electric under this tariff prior to January 1, 1989, will be paid the Customer's Energy Rate. A renewable energy source is defined as energy generated by solar, wind, geothermal, biomass, including waste-to-energy and landfill gas, or hydroelectric [as provided in 2000 PA 141, section 10g(1)(f)(MCL460.10g(1)(f))].

If a customer has both a renewable and a non-renewable generator on site, in order to collect at the renewable energy rate, the customer must have separate meters installed on the renewable generator(s), and non-renewable generator(s).

Customer's Energy Rate is the rate the customer would be charged for energy if the customer were only a purchaser of energy, and were not on the Cgs rate.

Minimum Charge: The monthly minimum charge is the applicable facilities charge.

Conditions of Purchase: See Sheet Nos. D-47.00 - D-48.00.

(Continued on Sheet No. D-47.00)

Issued
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 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after **July 1, 2009**

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. **U-15812**

SUPPLY DEFAULT SERVICE RATE Ds1

Availability and Prior Notice Requirements:

To customers in all areas served. This service is available, on a best-efforts basis to a customer greater than or equal to 4 MW Maximum Demand returning from supply from an AES (Alternative Electric Supplier) for a transition period of up to 12 months. This service applies to customers taking retail access service under the following Rates: Cg 3, Cp 1, Cp 4, Schedule A, and Cp LC. The Company is not required to build or purchase new capacity or interrupt firm customers to provide service under this schedule.

Hours of Service: Twenty-four

Conditions for Mandatory Default Service:

The Company will, on a best-efforts basis, provide power supply service to the customer. The customer is obligated to pay the Company for all costs associated with the Company providing the customer with Default Service.

Rates:

Delivery Charges:

The delivery charges shall be the delivery charge of the retail access rate that the customer would qualify for, if applying as a new customer.

Power Supply Charges:

The price for each hour of usage under this schedule shall be the greater of:

1. The charge for power supply service under the Company's corresponding full requirements service rate for the customer, or
2. The customer's proportional share of 110% of the Company's cost of obtaining supply for default service customers including losses and any applicable charges.

Renewable Energy Surcharge: *Subject to the Renewable Energy Surcharge shown on Sheet No. D-5.03.*

Subject to power supply cost recovery factor. Applies to all Power Supply charges. See Sheet No. D-3.00

Minimum Charge:

The monthly minimum charge shall be the minimum charge of the retail access rate that the customer would qualify for, if applying as a new customer.

Payment: This rate is net.

Late Payment Charge:

The late payment charge is 1.5%, not compounded, of the portion of the bill, net of taxes, that is delinquent. The late payment charge shall not apply to customers participating in the winter protection plan described in R 460.101-460.169.

Conditions of Delivery:

The conditions of delivery shall be the conditions of delivery of the retail access rate that the customer would qualify for, if applying as a new customer.

Customers taking service under this rate schedule are also subject to the Terms and Conditions contained in the Retail Access Service Tariff rate schedule RAS-1.

Issued
 R.A. Draba
 Vice-President,
 Milwaukee, Wisconsin

Effective for service rendered on and
 after *July 1, 2009*

Issued under authority of the
 Michigan Public Service Commission
 dated
 in Case No. *U-15812*

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M.P.S.C. No. 3 – Electric
 Wisconsin Electric Power Company
 (*Renewable Energy Surcharge*)

Fourth Revised Sheet No. A-8.00
 Replaces *Third* Revised Sheet No. A-8.00

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Issued
 R.A. Draba
 Vice-President,
 Milwaukee, Wisconsin

M.P.S.C. No. 3 – Electric
 Wisconsin Electric Power Company
 (*Renewable Energy Surcharge*)

First Revised Sheet No. D-5.03
Replaces Original Sheet No. D-5.03

RENEWABLE ENERGY SURCHARGE

The following rate schedules shall receive a Power Supply Renewable Energy Surcharge per meter*, per day, as indicated below.

<u>RATE SCHEDULE</u>	<u>RATE</u>
Rg 1	<i>\$0.09863</i>
Rg 2	<i>\$0.09863</i>
Cg 1	<i>\$0.54509</i>
Cg 2	<i>\$0.54509</i>
Cg 3	<i>\$0.54509</i>
Cg3C	<i>\$0.54509</i>
Cg 5	<i>\$0.54509</i>
Cp 1	<i>\$6.16438</i>
Cp 2	<i>\$6.16438</i>
Cp 3	<i>\$6.16438</i>
Cp 4	<i>\$6.16438</i>
A	<i>\$6.16438</i>
Ms 1	<i>\$0.54509</i>
Cp LC	<i>\$6.16438</i>

* Company assumes one meter per service.

The following rate schedules shall receive a Renewable Energy Surcharge as indicated above consistent with the rate schedule under which the customer is served. The Renewable Energy Surcharge is not prorated based on the level of participation selected under rate schedules ERER1, ERER2 or ERER3.

<u>RATE SCHEDULE</u>
ERER1
ERER2
ERER3
Ds1
Cgs2 (only when a net purchaser from the Company)

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 R.A. Draba
 Vice-President,
 Milwaukee, Wisconsin

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