



DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. PR25-52-003]

Consumers Energy Company; Notice of Staff Protest to Compliance Filing

1. Commission staff hereby protests pursuant to section 284.123(g)(4)(i) of the Commission's regulations,¹ the compliance filing made by Consumers Energy Company (Consumers Energy) on February 2, 2026, in the above referenced docket. On May 19, 2025, as amended on September 12, 2025, Consumers Energy filed an application under section 7(c) of the Natural Gas Act (NGA) and section 284.224 of the Commission's regulations for a limited jurisdiction blanket certificate to transport and sell natural gas in interstate commerce and requested authority to use its state-approved Transmission only Transportation (TOT) service rate as the rate for service. In an order issued on December 18, 2025, the Commission directed Consumers Energy to revise its TOT service rate to comply with the Commission's rate design policies or provide a reasonable justification as to why it qualifies for an exemption.²

2. On compliance, Consumers Energy states, among other things, that its proposed TOT service rate generally does not include any variable costs and that the majority of its compression infrastructure supports only storage activities, which are not components of the TOT service. Additionally, Consumers Energy states that because its cost of service

¹ 18 CFR 284.123(g)(4)(i) (2025).

² *Consumers Energy Co.*, 193 FERC ¶ 61,212 (2025) (December 18 Order).

employs a forward-looking, projected test year, its forward-looking costs are considered fixed.³

3. Commission staff finds that Consumers Energy has not adequately supported its filing or demonstrated that the TOT service rate is fair and equitable. For instance, while Consumers Energy claims that “the majority of the compression”⁴ facilities support storage activity and that its forward-looking costs are considered fixed, it provides no supporting evidence to substantiate these claims. Furthermore, Consumers Energy does not provide adequate evidence of how it is allocating costs for the minority of its compression facilities that support its Commission-jurisdictional TOT service rather than its storage activity. Without evidence, such as a breakdown of its Operation and Maintenance expenses or projected cost of service, Commission staff is unable to determine whether the TOT service rate is in compliance with the December 18 Order and Commission policy.

Authority: 18 CFR 2.1

Dated: March 20, 2026.

Debbie-Anne A. Reese,

Secretary.

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³ Compliance Filing Transmittal at 3.

⁴ *Id.*