

Michigan Office of Administrative Hearings and Rules
MOAHR-Rules@michigan.gov

**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

Licensing and Regulatory Affairs

Division/Bureau/Office:

Public Service Commission

Name of person completing this form:

Leah Arendt

Phone number of person completing this form:

517-284-8093

E-mail of person completing this form:

ArendtL@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Elizabeth Arasim

2. Rule Set Information

MOAHR assigned rule set number:

2023-51 LR

Title of proposed rule set:

Electrical Supply and Communication Lines and Associated Equipment

3. Purpose for the proposed rules and background:

The current rule adopts by reference the 2017 edition of the National Electrical Safety Code (NESC). Since 2017, a number of NESC rules have been introduced, revised, deleted, or clarified. Thus, the most current version, 2023 NESC, that was published August 1, 2022, with an effective date of February 1, 2023, should be adopted to ensure the practical safeguarding of persons during installations, operations, or maintenance of electrical supply and communications lines.

4. Summary of proposed rules:

The proposed rule changes in this matter propose to amend Mich Admin Code, R 460.813, within the Commission's rules governing Electrical Supply and Communication Lines and Associated Equipment, to update the rule to adopt by reference the most current version of the National Electrical Safety Code, being the 2023 edition.

5. List names of newspapers in which the notice of public hearing was published and publication dates:

Grand Rapids Press - September 3, 2024; The Mining Journal - September 4, 2024; The Oakland Press - September 4, 2024.

6. Date of publication of rules and notice of public hearing in Michigan Register:

9/1/2024

Agency Report to JCAR-Page 2

7. Date, time, and location of public hearing:

9/18/2024 01:00 PM at Lake Michigan Hearing Room , 7109 West Saginaw Highway, Lansing, MI 48917

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1478>

9. List of the name and title of agency representative(s) who attended the public hearing:

Alena Clark - Assistant Attorney General for the Michigan Public Service Commission; Nicolas Evans - Manager of the Electric Operations Section within the Michigan Public Service Commission.

10. Persons submitting comments of support:

Consumers Energy Company submitted comments in support with changes requested therein.

11. Persons submitting comments of opposition:

No comments in opposition were received by the Michigan Public Service Commission.

12. Persons submitting other comments:

No other comments were received by the Michigan Public Service Commission.

13. Identify any changes made to the proposed rules based on comments received during the public comment period:

| | Name & Organization | Comments made at public hearing | Written Comments | Agency Rationale for Rule Change and Description of Change(s) Made | Rule number & citation changed |
|---|---------------------|---------------------------------|------------------|--|--------------------------------|
| 1 | | | | | |

14. Date report completed:

11/4/2024