

STATE OF MICHIGAN
COURT OF APPEALS

ASSOCIATION OF BUSINESSES
ADVOCATING TARIFF EQUITY,

Appellant,

v

MICHIGAN PUBLIC SERVICE COMMISSION
and MICHIGAN CONSOLIDATED GAS
COMPANY,

Appellees,

and

ATTORNEY GENERAL,

Intervening Appellee.

UNPUBLISHED
December 21, 1999

No. 211947
Public Service Commission
LC No. 011682

RESIDENTIAL RATEPAYER CONSORTIUM,

Appellant,

v

MICHIGAN PUBLIC SERVICE COMMISSION
and MICHIGAN CONSOLIDATED GAS
COMPANY,

Appellees,

and

ATTORNEY GENERAL,

No. 211949
Public Service Commission
LC No. 011682

Intervening Appellee.

Before: Sawyer, P.J., and Hood and Whitbeck, JJ.

MEMORANDUM.

Appellants appeal as of right from the order of the Public Service Commission approving Michigan Consolidated Gas Company's application for implementation of a voluntary three-year experimental program that would require suspension of its gas cost recovery (GCR) clause from January 1, 1999, through December 31, 2002. We affirm.

Because this case presents the identical issues ruled upon by this Court in *Residential Ratepayers Consortium v Public Service Comm*, ___ Mich App ___, ___ NW2d ___ (Docket Nos. 209014, 209019 and 209069, issued 12/7/99), with regard to the MPSC's authority to suspend the operation of a GCR clause without notice or hearing, and because that case is controlling precedent under MCR 7.215(H)(1), we affirm the order of the MPSC for the reasons set forth in that opinion.

Affirmed.

/s/ David H. Sawyer

/s/ Harold Hood

/s/ William C. Whitbeck