

**Michigan Office of Administrative Hearings and Rules**  
**Administrative Rules Division (ARD)**

MOAHR-Rules@michigan.gov

**REQUEST FOR RULEMAKING (RFR)**

**1. Department:**

Licensing and Regulatory Affairs

**2. Bureau:**

Public Service Commission

**3. Promulgation type:**

Full Process

**4. Title of proposed rule set:**

Uniform System of Accounts for Major and Nonmajor Electric Utilities

**5. Rule numbers or rule set range of numbers:**

R 460.9001 - R 460.9019

**6. Estimated time frame:**

12 months

**Name of person filling out RFR:**

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**7. Describe the general purpose of these rules, including any problems the changes are intended to address.**

The ruleset adopts by reference the federal Uniform System of Accounts (USofA) for Major and Nonmajor Electric Utilities promulgated by the U.S. Federal Energy Regulatory Commission (FERC). On October 23, 2023, FERC issued a final rule amending the USofA to, among other things, create new accounts for wind, solar, and other renewable generating assets. The final rule goes into effect on January 1, 2025.

This Request for Rulemaking seeks to amend the current ruleset to incorporate by reference the updated USofA rules issued by FERC.

**8. Please cite the specific promulgation authority for the rules (i.e. department director, commission, board, etc.).**

The Michigan Public Service Commission

**A. Please list all applicable statutory references (MCLs, Executive Orders, etc.).**

Michigan public service commission by section 5 of 1919 PA 419, MCL 460.55.

**B. Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.**

No, the rules are not mandated.

**9. Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.**

The amended ruleset will adopt by reference the amended federal USofA rules, namely 18 CFR Part 101.

**10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?**

No, the subject matter of the rules is not contained in any guideline, handbook, manual, instructional bulletin, form, or operational memoranda.

**11. Are the rules listed on the department's annual regulatory plan as rules to be processed for the current year?**

No, the proposed ruleset is not listed in LARA's 2023-2024 Regulatory Plan.

**12. Will the proposed rules be promulgated under Section 44 of the Administrative Procedures Act, 1969 PA 306, MCL 24.244, or under the full rulemaking process?**

Full Process

**13. Please describe the extent to which the rules exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.**

The proposed ruleset will amend state rules to adopt by reference federal rules that go into effect on January 1, 2025. The ruleset will, therefore, not exceed these regulatory requirements.

**14. Do the rules incorporate the recommendations received from the public regarding any complaints or comments regarding the rules? If yes, please explain.**

No recommendations were received from the public regarding this ruleset.

**15. If amending an existing rule set, please provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed the regulatory activity covered by the rules since the last evaluation.**

The ruleset was last amended in 2011 to update the adoption by reference of the federal USofA rules to the version that went into effect on April 1, 2010. The regulatory activity associated with the USofA rules has not changed.

**16. Are there any changes or developments since implementation that demonstrate there is no continued need for the rules, or any portion of the rules?**

No, there are no changes or developments that would demonstrate there is no continued need for the rules.

**17. Is there an applicable decision record (as defined in MCL 24.203(6) and required by MCL 24.239(2))? If so, please attach the decision record.**

No

**Based on the information provided in this RFR, MOAHR concludes that there are sufficient policy and legal bases for approving the RFR. The RFR satisfies the requirements of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328, and Executive Order No. 2019-6.**