Order

Michigan Supreme Court
Lansing, Michigan

May 20, 2026

SC: 168862
COA: 368921
Ingham CC: 23-000539-CB

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

MICHIGAN ELECTRIC TRANSMISSION COMPANY, LLC,
Plaintiff/
Counterdefendant-Appellee,

v

MICHIGAN PUBLIC POWER AGENCY,
Defendant/
Counterplaintiff-Appellant.

On order of the Court, the application for leave to appeal the June 23, 2025 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(I)(1). The parties shall file supplemental briefs in accordance with MCR 7.312(E), addressing: (1) whether the Court of Appeals erred in determining that, under the Transmission Infrastructure Planning Act, MCL 460.591 *et seq*., there must be a "direct physical connection" to an incumbent electric transmission company's facilities to confer upon that incumbent electric transmission company a statutory right of first refusal under MCL 460.593(1); (2) if so, what is the correct interpretation of "interconnect;" and (3) whether, evaluating the evidence in the light most favorable to the defendant Michigan Public Power Agency, a genuine issue of material fact exists regarding whether the regionally cost-shared transmission lines at issue in this case will "interconnect to" the defendant's facilities as required by MCL 460.593(1).

Persons or groups interested in the determination of the issues presented in this case who are not exempt from the motion requirement under MCR 7.312(H) may move the Court for permission to file briefs amicus curiae.

I, Elizabeth Kingston-Miller, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 20, 2026

Clerk