



Foster Swift Files Appeal on Behalf of Over 70 Michigan Municipalities to Protect Local Control Over Renewable Energy Regulations

FOR IMMEDIATE RELEASE

Meltwater Newswire

November 8, 2024

LANSING, Mich. – Today (November 8, 2024), Foster Swift Collins & Smith, P.C., on behalf of more than 70 municipalities across Michigan, has filed an appeal against the Michigan Public Service Commission's (MPSC) October 10, 2024 decision. The appeal challenges the MPSC's order, which attempts to unlawfully strip local governments of their authority to regulate renewable energy projects within their communities.

The October 10th MPSC decision overrides local ordinances and zoning regulations, threatening to undermine the ability of municipalities to safeguard their residents and preserve the character of their communities in the face of rapidly expanding renewable energy development. The MPSC's ruling is viewed by many local leaders as a direct encroachment on home rule and an attempt to centralize power at the state level, disregarding the preferences and concerns of local communities.

In filing this appeal, Foster Swift represents a diverse coalition of townships and counties across Michigan who are determined to preserve their right to enact sensible, locally tailored regulations for renewable energy projects. These municipalities argue that local governments are best positioned to make decisions that balance the benefits of renewable energy with the need to protect community values, public health, and safety.

"We are deeply concerned that the MPSC's ruling undermines the democratic process by removing the voices of local residents and local officials in decisions that directly impact their communities," said Michael Homier, Chair of the Foster Swift Municipal Practice Group. "Local governments have a longstanding responsibility to ensure that developments align with their unique priorities, and

ATTORNEYS

Leslie A. Abdoo

Laura J. Genovich

Michael D. Homier

PRACTICE AREAS

Administrative Law

Governmental Relations

Municipal & Public Entity Law

Municipal Litigation

Renewable Energy

Zoning & Land Use



this decision threatens to leave them powerless in the face of large-scale renewable energy projects."

The appeal seeks to restore local authority over renewable energy siting decisions promised by the legislature when it adopted PA 233 and will move forward with legal arguments asserting that the MPSC's decision violates both state law and constitutional principles of local governance. Local municipalities, many of which have spent the last year developing and enforcing regulations aimed at balancing renewable energy development with PA 233 and community interests, now fear that the MPSC's decision could pave the way for unrestrained, top-down development that lacks appropriate community input or safeguards.

The coalition of municipalities stands firm in their belief that renewable energy development must respect local needs and conditions. The legal action is expected to draw attention from stakeholders across Michigan as both local governments and renewable energy advocates await the outcome of this appeal.

###

For Media Inquiries, Contact:

Michael Homier, Attorney

Foster Swift Collins & Smith, P.C.

Phone: (616) 726-2230

Email: mhomier@fosterswift.com