



Foster Swift Files Motion for Preliminary Injunction to Block MPSC's Unlawful October 10 Order

FOR IMMEDIATE RELEASE

Globe Newswire

November 22, 2024

FOR IMMEDIATE RELEASE—November 22, 2024

LANSING, Mich.—Today, on behalf of 79 townships and counties, Foster Swift Collins & Smith, P.C. filed a motion for a preliminary injunction seeking to prevent the Michigan Public Service Commission (MPSC) from implementing its October 10, 2024 Order, which the appellants argue is unlawful and must be blocked during the appeal process.

The motion was filed with the Michigan Court of Appeals and seeks immediate relief from the MPSC's decision, which the appellants assert violates statutory and regulatory provisions that protect public interest and fairness in the state's energy policies. The October 10 Order is currently set to take effect, but the appellants contend that its enforcement would cause immediate, substantial, and irreparable harm to local governments that will be negatively impacted by the Order's provisions.

Foster Swift, representing the appellants, maintains that the MPSC's Order exceeds its authority and undermines essential checks and balances in the regulation of Michigan's rapidly expanding renewable energy mission. The motion asks the Court to issue an injunction to prevent the Order's enforcement while the appeal is ongoing, ensuring that the status quo remains intact and the rights of the appellants and supporting jurisdictions are fully protected.

"We are confident that the Court will recognize the serious legal and public policy concerns raised by this case," said Michael Homier, lead counsel and chair of the Municipal Practice Group at Foster Swift. "Our motion for a preliminary injunction is a necessary step to preserve the integrity of Michigan's regulatory and legal framework and to ensure that the MPSC does not overstep its bounds while this critical matter is resolved."

ATTORNEYS

Michael D. Homier

PRACTICE AREAS

Governmental Relations

Municipal & Public Entity Law

Municipal Litigation

Renewable Energy

Zoning & Land Use



The appeal has garnered significant attention and support from a broad coalition of local governments, and local leaders, who argue that the October 10 Order represents a harmful and unlawful departure from established law and policy. The outcome of this appeal could have wide-reaching implications for future regulatory actions across the state.

Foster Swift will continue to advocate for the interests of its clients and all affected parties throughout the appellate process, with the goal of ensuring that the rights of local communities are heard and protected as the legislature intended.

For more information or media inquiries, please contact:

Michael Homier

Foster Swift Collins & Smith, P.C.

Phone: 616.726.2230

Email: mhomier@fosterswift.com

About Foster Swift Collins & Smith, P.C.

Foster Swift Collins & Smith, P.C. is a Michigan-based law firm with a reputation for providing high-quality legal services to clients across a wide range of industries. With decades of experience in public law, regulatory matters, and litigation, Foster Swift is committed to advocating for its clients and advancing the principles of fairness and justice in Michigan's legal system.
