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A GUIDE FOR RESIDENTS AND LOCAL OFFICIALS

Michigan solar, wind, and battery siting

A public guide to PA 233, local review, project standards, and the
evidence that shapes a certificate

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SCOPE

Solar · Wind · Storage · Local process · Participation

EVIDENCE CUTOFF

October 7, 2026

Contents

Begin with the overview. Use the later chapters to find the law, record, and deadline for your project.

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Statutes and public records reviewed through October 7, 2026. Read the later procedural record before acting on a deadline or project status.

PART I

Understand the decision

A public guide to PA 233, local review, project standards, and the evidence that shapes a certificate



Start with the facility and the decision

Michigan's PA 233 of 2023 created a state certificate pathway for specified solar, wind, and energy-storage facilities. It added part 8 to Act 295 of 2008 and took effect November 29, 2024. Size thresholds and local-process conditions both matter. A qualifying capacity does not by itself approve a project or require every project to use the Commission. [1,2,3,8]

Generation and storage do different work

Solar panels and wind turbines generate electricity. A battery stores energy and later delivers power. Megawatts, abbreviated MW, measure power: the rate of producing or delivering electricity. Megawatt-hours, abbreviated MWh, measure energy. A storage project can meet one threshold and miss the other. [1,2]

The statute's size tests are at least 50 MW for solar and at least 100 MW for wind. Storage must have at least 50 MW of nameplate power and at least 200 MWh of energy capacity. Both storage tests apply. A 50 MW, 100 MWh proposal fails the energy test; a 40 MW, 400 MWh proposal fails the power test. [2]

Dividing 200 MWh by 50 MW gives four hours. That arithmetic explains the relationship between power and energy; it does not guarantee four hours of delivery in every operating condition. Use the application's actual design, usable capacity, and operating assumptions. [1,2]

Which renewable facilities meet the size tests?

These thresholds identify a statutory pathway, not automatic project approval.

01 | Solar

Nameplate generating capacity: 50 MW or more

Check the project definition and statutory local-process conditions.

02 | Wind

Nameplate generating capacity: 100 MW or more

Capacity describes the facility, not constant output.

03 | Battery storage

50 MW or more AND 200 MWh or more

MW is power; MWh is stored energy. Both thresholds must be met.

04 | Below the thresholds

Identify the applicable local and other approval pathways

A project label alone does not establish MPSC certificate jurisdiction.

Source: MCL 4601221–4601222. Effective pathway under PA 233 of 2023. October 7, 2026.

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Figure 1: The solar, wind, and storage size tests.

A facility certificate is one decision

A siting case examines the proposed facility, public benefits, impacts, and statutory requirements. Grid interconnection, environmental permissions, land agreements, and utility cost recovery can involve separate records. Read which decision is being requested before assuming a certificate resolves the whole project. [4,5,8,9]

A landowner who leases property to the developer has a different relationship to the project from a non-participating neighbor. The statute uses these distinctions in technical standards and participation provisions. Ask which properties are participating, where the facility boundary lies, and which features establish a setback. [1,5]

What happens before a state filing

Compatible ordinances preserve a local pathway

A compatible renewable energy ordinance, or CREO, is an ordinance satisfying the statutory compatibility definition. It cannot impose requirements more restrictive than section 226(8). The definition also excludes a locality with a moratorium on developing the covered facilities. An ordinance's title does not establish compatibility. [1,5]

The developer must offer in writing to meet the chief elected official of each affected local unit at least 60 days before the required public meeting. Notice to the clerk precedes the public meeting by at least 30 days, and newspaper or comparable digital notice by at least 14 days. These are different steps with different clocks. [3]

The local route applies when the required officials notify the developer of compatible ordinances within the statutory period. A local unit receiving an application under that route must approve or deny it within 120 days. The applicant and local unit may jointly extend that deadline by up to another 120 days. [3]

The May 2026 court decision changes how the clocks are read

The Court of Appeals' May 7, 2026 opinion, as amended, affirmed parts of the Commission's implementation and reversed others. Read the opinion alongside the October 2024 order; older summaries can contain instructions the court rejected. [10,11]

The court held that the affected-local-unit definition includes the local units where a project is located, rather than only those exercising zoning authority. It also held that the 30-day CREO notification period runs from the meeting described in section 223(2), rather than merely from receipt of an offer to meet. The offer and the actual meeting are different events. [3,11]

RECORD THE EVENT, NOT JUST THE DATE

Keep the written offer, actual official meeting, public meeting, ordinance notification, application receipt, and any jointly agreed extension. A calendar without the event that starts each clock can produce the wrong deadline.

When the applicant can turn to the Commission

The statute identifies circumstances permitting a state application after local review: failure to decide on time, denial despite compliance with section 226(8), or a later ordinance amendment imposing more restrictive requirements. The precise conditions and exemptions must be checked against section 223. A local denial does not automatically resolve every possible legal remedy. [3]

The court decision does not erase the local process. It requires that the process be applied under the court's interpretation. This report is not a complete appellate docket audit; later orders or appellate action must be checked before acting. [11]

What the Commission must evaluate

Public benefits require evidence

The Commission must find that public benefits justify construction. Statutory examples include tax revenue, participating-owner payments, community benefit agreements, local jobs, and contributions to energy, capacity, reliability, or resource adequacy needs. These are potential benefits to be established in the record, rather than a promise that every proposed facility provides each one. [5]

The application must address environmental and natural-resource impacts, including sensitive habitats, wetlands, waterways, floodplains, wildlife corridors, parks, historic and cultural sites, and protected species. Section 226 also incorporates the Michigan Environmental Protection Act standard. Farmland, including prime farmland and identified specialty-crop land, receives an express finding. [4,5]

Illustration: identify the facility, authority, and decision before choosing a participation path.



Construction requirements include registered apprenticeship programs, prevailing wage and fringe-benefit standards, and the statutory labor-agreement provisions to the extent permitted by law. A certificate record must address these requirements as well as the facility layout. [5]

Health and safety standards depend on the technology

Solar setbacks are measured from the nearest edge of the perimeter fence. The statute requires 300 feet to occupied community buildings and dwellings on nonparticipating properties, measured to the nearest point on the outer wall. It requires 50 feet to the nearest edge of public-road right-of-way and 50 feet to a nonparticipating shared property line. These reference points matter as much as the numbers. [5]

Wind uses blade-tip-height multiples for specified features: 1.1 times that height for listed roads, lines, property boundaries, and participating structures, and 2.1 times for occupied nonparticipating buildings. Its standards also address shadow flicker and noise. Use the statute's actual definitions, measurement rules, and exceptions before drawing a setback circle. [5]

Storage has its own applicable setbacks, noise, safety-code, and emergency-response provisions. Solar, wind, and battery facilities are not interchangeable risk profiles. The application's technical documents and section 226(8) determine the applicable requirements. [4,5]

A MAP IS USEFUL ONLY WITH ITS REFERENCE POINTS

Identify the fence, road right-of-way edge, property line, occupied building wall, turbine height, and participating-property status. A distance from a parcel center cannot substitute for the required measurement.

PART II

Read the evidence and act

Statutes, original records, and current procedural status explain what happens next.



Payments, removal, and enforceable commitments

Host payments are not automatically annual payments

Section 227 requires an agreement providing payment of \$2,000 per MW of nameplate capacity located in an affected local unit, upon commencement of operation. The statutory amount is not described as a recurring annual payment. Tax revenue, lease payments, and negotiated community benefits are separate amounts with their own terms. [6]

If a local unit refuses the statutory agreement, the law provides a community-benefits alternative. The Commission enforces the certificate requirement to have the applicable agreement; enforcement of the agreement itself is addressed through the statutory court mechanism. Read the actual agreement before promising how a payment will be used. [6]

End-of-life plans belong at the beginning

The application requirements include a decommissioning plan and financial assurance. Decommissioning means removing the facility and addressing the site when operation ends. A written promise and a funded assurance are different things. Ask about the amount, security instrument, inflation assumptions, review intervals, and responsibility if ownership changes. [4]

An energy-storage application also must include the applicable emergency-response plan. Local responders need facility-specific information and coordination, rather than a generic assertion that batteries are safe. The statute and application requirements supply the actual review framework. [4,5]

A certificate can override conflicting local restrictions

Section 231 addresses the effect of a Commission certificate on conflicting local ordinances and similar restrictions. That effect attaches to the relevant certificate and facility; it is not a general abolition of local government. Other statutory permissions, land rights, and certificate conditions still require attention. [7]

Keep the order, approved plans, conditions, and later compliance submissions together. A revised design can create a different question from the project that originally received approval. [4,5,7,8]

Three facilities, three procedural states

Acceleration Solar: an issued decision

The Commission approved a settlement concerning the 90 MW Acceleration Solar project in U-21932 on August 27, 2026. The project involves three Ingham County townships. Read the original order for the approved arrangement and conditions. An approved certificate is not proof that construction or commercial operation has occurred. [\[12,13\]](#)

Riverbend Wind: an application under review

Riverbend's U-22036 record describes a proposed 300 MW wind facility with 50 turbines in Sanilac County. The notice and current siting inventory establish the proposal and proceeding. They do not establish final approval. Use the docket's later schedule to identify the next evidence deadline. [\[8,14\]](#)

Lakeside: solar and storage in one proposal

The Commission's current inventory describes U-22143 as a 150 MW solar proposal with 150 MW and 600 MWh of storage. At the October 7 cutoff, its application is listed as incomplete. An incomplete application is especially important when interpreting the one-year decision clock: the statutory clock runs after a complete application is filed. [\[5,8\]](#)

STATUS BELONGS BESIDE CAPACITY

Write “proposed,” “complete application,” “incomplete application,” “approved,” or “operating” only when the record supports that status. Megawatts in an application inventory are not operating capacity.

These examples illustrate different technologies and procedural stages. They are not a complete inventory of every Michigan renewable project. Open MPSC helps locate filings and orders; official orders and the current court record establish legal effect. [\[8,12,13,14\]](#)

Capacity belongs beside procedural status

Selected renewable proposals and decisions · October 7, 2026

Acceleration Solar 90 MW solar Settlement approved · August 27, 2026 An issued certificate is not proof of operation.	U-21932
Riverbend Wind 300 MW wind proposed Application under review Read the notice, testimony, and current schedule.	U-22036
Lakeside 150 MW solar + 150 MW / 600 MWh storage Listed as incomplete application Completeness matters to the statutory decision clock.	U-22143

Sources: MPSC siting inventory, U-21932 order, and U-22036 notice. Selected cases, not all projects.

Figure 2: Project status: official source snapshot.

Put the right evidence in the right record

Comments and intervention do different work

A public comment identifies a concern. Intervention gives a person or entity a formal role as a party in the contested case, subject to its schedule and procedures. Section 226 gives affected local units and participating and nonparticipating property owners intervention rights. Other requests depend on applicable rules. [5,15]

Upon filing an application, the statutory grant to local units supports participation through a local intervenor compensation fund. The Commission determines the amount, subject to caps of \$75,000 per local unit and \$150,000 total. Section 223 contains exemptions for specified applications following local review, so the grant should not be assumed available in every filing. [3,5]

Start with an answerable question

For a setback concern, identify the measured feature and property status. For a wetland concern, identify the map source and field information. For removal, request the assurance calculation and enforceable instrument. For public benefits, distinguish project claims from evidence and approved commitments. [4,5,6]

Read the application, its completeness determination, the procedural order, and any later amendment. Keep the court interpretation alongside the implementation order. Then identify the decision maker and deadline for the specific relief sought. [3,4,5,10,11,15]

The useful sequence is facility, pathway, standards, evidence, decision, and compliance. Capacity alone cannot tell you where to participate or what the Commission still needs to decide.

Sources and primary authorities

1. Renewable siting definitions, MCL 460.1221 · www.legislature.mi.gov
2. Renewable siting eligibility, MCL 460.1222 · www.legislature.mi.gov
3. Local process and public meetings, MCL 460.1223 · www.legislature.mi.gov
4. Site plan and consultations, MCL 460.1224 · www.legislature.mi.gov
5. Contested case, findings, and facility standards, MCL 460.1226 · www.legislature.mi.gov
6. Community benefit agreement, MCL 460.1227 · www.legislature.mi.gov
7. Certificate effects, MCL 460.1231 · www.legislature.mi.gov
8. MPSC renewable and storage siting register · www.michigan.gov
9. MPSC renewable siting general questions · www.michigan.gov
10. U-21547 October 10, 2024 implementing order · adms.apps.lara.state.mi.us
11. Court of Appeals PA 233 opinion, May 7, 2026, as amended · www.courts.michigan.gov
12. MPSC Acceleration Solar issue brief, U-21932 · www.michigan.gov
13. Acceleration Solar settlement order, August 27, 2026 · mi-psc.my.site.com
14. Riverbend Wind hearing notice, U-22036 · adms.apps.lara.state.mi.us
15. MPSC Get Involved · www.michigan.gov

Scope and methods

Prepared by Bommarito Consulting from public statutes, original Commission records, official judicial opinions, agency guidance, and retained case metadata. Sources are checked through October 7, 2026. Statutes and issued decisions are distinguished from requests, guidance, and analytical illustrations.

Open MPSC is an independent access layer. Official Commission and court records govern. An archive status or order title does not establish current legal effect after judicial review. The selected cases are not a complete citator or compliance review.

Diagrams explain a decision or calculation. Illustrations do not depict surveyed sites or final engineering designs. Later project action, rule adoption, appointments, and court decisions require a fresh check.

Companion website and videos: bommaritollc.com/insights/michigan-renewable-siting.