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CMS ENERGY CORP

FORM 8-K
(Current report filing)

Filed 12/19/03 for the Period Ending 12/18/03

Address	ONE ENERGY PLAZA
	JACKSON, MI 49201
Telephone	5177881612
CIK	0000811156
Symbol	CMS
SIC Code	4931 - Electric and Other Services Combined
Industry	Electric Utilities
Sector	Utilities
Fiscal Year	12/31

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CMS ENERGY CORP

FORM 8-K
(Unscheduled Material Events)

Filed 12/19/2003 For Period Ending 12/18/2003

Address	ONE ENERGY PLAZA
	JACKSON, Michigan 49201
Telephone	517-788-1031
CIK	0000811156
Industry	Electric Utilities
Sector	Utilities
Fiscal Year	12/31

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FORM 8-K

CURRENT REPORT

SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C. 20549

PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

DATE OF REPORT (DATE OF EARLIEST EVENT REPORTED) DECEMBER 18, 2003

COMMISSION FILE NUMBER	REGISTRANT; STATE OF INCORPORATION; ADDRESS; AND TELEPHONE NUMBER	IRS EMPLOYER IDENTIFICATION NO.
1-9513	CMS ENERGY CORPORATION (A MICHIGAN CORPORATION) ONE ENERGY PLAZA JACKSON, MICHIGAN 49201 (517) 788-0550	38-2726431
1-5611	CONSUMERS ENERGY COMPANY (A MICHIGAN CORPORATION) ONE ENERGY PLAZA JACKSON, MICHIGAN 49201 (517) 788-0550	38-0442310

ITEM 5. OTHER EVENTS

GAS RATE CASE ORDER

On December 18, 2003, the Michigan Public Service Commission (MPSC) issued an order granting Consumers Energy Company (Consumers) interim gas rate relief in the amount of $19.34 million annually, which is under bond and subject to refund if final rate relief is granted in a lesser amount. Consumers filed a general gas rate case in March 2003 requesting rate relief of approximately $156 million annually and immediate interim rate relief in the same amount in order to meet rising costs to maintain and operate its 25,000-mile natural gas system, including the costs of meeting new federal pipeline safety standards. Consumers subsequently filed several updates to its original request for interim relief. In its latest filing on December 8, 2003, in recognition of the impact of this winter's higher gas prices on customers, Consumers reduced its interim rate request to $33 million annually, subject to MPSC approval of revised depreciation expense for accounting and rate-making purposes. The order adopted a $34 million reduction in depreciation expense and meets Consumers' need for prompt interim rate relief to ensure the safety and reliability of its natural gas system.

The order is conditioned upon Consumers voluntarily agreeing to restrict dividend payments to its parent company, CMS Energy Corporation (CMS Energy), to a maximum of $190 million annually during the period in which Consumers receives the interim relief. The order states that the rate relief will be effective for service rendered on and after the day following Consumers' submission of a letter to the MPSC accepting the dividend restriction. Consumers formally accepted the dividend restriction on December 18, 2003.

The order is available on the MPSC website at www.michigan.gov/mpsc. Consumers' full gas rate case is still before the MPSC, which has not set a date for issuance of a final order.

This Form 8-K contains "forward-looking statements" within the meaning of the safe harbor provisions of the federal securities laws. The "forward-looking statements" are subject to risks and uncertainties. They should be read in conjunction with the "CMS ENERGY FORWARD-LOOKING STATEMENTS, CAUTIONARY FACTORS
AND UNCERTAINTIES" found in Item 1 of CMS Energy's Form 10-K/A filed on July 1, 2003 for the Fiscal Year Ended December 31, 2002 and the "CONSUMERS
FORWARD-LOOKING STATEMENTS, CAUTIONARY FACTORS AND UNCERTAINTIES" found in Item 1 of Consumers' Form 10-K for the Fiscal Year Ended December 31, 2002 (both incorporated herein by reference), that discuss important factors that could cause CMS Energy's and Consumers' results to differ materially from those anticipated in such statements.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrants have duly caused this report to be signed on their behalf by the undersigned hereunto duly authorized.

CMS ENERGY CORPORATION

Dated: December 19, 2003

By: /s/ S. Kinnie Smith
S. Kinnie Smith
Vice Chairman of the Board
and General Counsel

CONSUMERS ENERGY COMPANY

Dated: December 19, 2003

By: /s/ S. Kinnie Smith
S. Kinnie Smith
Vice Chairman of the Board

End of Filing

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