

**CMS LAND SUBSIDIARY APPLIES FOR DEEP INJECTION WELL PERMIT
AS PART OF EXPLORATION OF LOCAL WATER DISPOSAL OPTIONS
FOR LITTLE TRAVERSE BAY ENVIRONMENTAL PROJECT**

PETOSKEY, Mich., Nov. 2, 2009 – A CMS Land subsidiary has applied for a state permit to install and operate a deep injection well in Emmet County to dispose of nonhazardous water collected by the Little Traverse Bay Environmental Project.

The Beeland Group LLC submitted the application late Friday to the Michigan Department of Environmental Quality (MDEQ). The proposed well location is in Resort Township, approximately 1,200 feet east of Camp Daggett Road and just north of U.S. 31.

The proposed well is one of the local options being explored to dispose of up to 310,000 gallons of water a day collected at Resort Township's East Park and the Bay Harbor development as part of the ongoing CMS Land environmental project.

In evaluating the application, the MDEQ will evaluate whether the proposed well will be able to operate safely and meet environmental standards.

David Mengebier, the president of CMS Land, said there is limited data available about Emmet County geological formations. The company's analysis of the data indicates that there is a low likelihood that a well drilled in the area would be able to meet the project's water disposal needs, he added.

"Although our previous research into an Emmet County disposal well wasn't promising, the Michigan Department of Environmental Quality asked that we revisit that and submit an application for a local well as part of a thorough exploration of all local options," Mengebier said. "We are honoring that request with this application as we continue to research and study other local options for water disposal."

CMS Land has spent about \$90 million over the past five years on the Little Traverse Bay Environmental Project and achieved significant environmental progress.

East Park and Bay Harbor were reclaimed from the site of an abandoned limestone quarry and cement factory covering 1,200 acres and five miles of Lake Michigan shoreline. The brownfield site was redeveloped in 1994 and was the largest reclamation project in North America.

Cleaning our shore. Protecting our bay.

LITTLE TRAVERSE BAY ENVIRONMENTAL PROJECT

Although no longer a partner in the project that redeveloped the abandoned site, CMS Land agreed to address certain environmental issues associated with the cement dust left behind by the cement plant.

CMS Land has installed a variety of remedies to stop groundwater with high alkalinity, or pH, from reaching the Little Traverse Bay. Those remedies, which have been tested and proven effective at other similar sites, have produced excellent environmental results. Plus, the performance of the remedies is expected to improve over time.

The project collects and treats up to 310,000 gallons of water a day. After treatment, the water is trucked – up to 27 large tankers a day – to licensed sites in Johannesburg (50 miles away) and Traverse City (70 miles away).

Mengebier said that continued trucking of the water isn't a realistic long-term remedy, because of traffic and congestion concerns and high cost.

“We need a local solution to a local concern. The U.S. Environmental Protection Agency and the Michigan Department of Environmental Quality are supportive of our efforts to find a local disposal option,” Mengebier said. “We also are encouraged that the public and project stakeholders, most recently the Little Traverse Bay Band of Odawa Indians, support finding a local solution.”

The local water disposal options include enhancing the on-site treatment of the water and releasing it to the lake, sending the water to the City of Petoskey's water treatment system for further treatment and release to the lake, or a combination of the two.

CMS Land is a subsidiary of CMS Energy. CMS Energy is a Michigan-based company that has an electric and natural gas utility, Consumers Energy, as its primary business and also owns and operates independent power generation businesses.

CMS Land is separate from Consumers Energy and no utility funds are used to pay for the Little Traverse Bay Environmental Project.

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For more information about the work done at the park as part of the Little Traverse Bay Environmental Project, please visit: www.protectingourbay.com

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