

CONSUMERS ENERGY CO
Form 8-K
August 06, 2010

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of Report (Date of Earliest Event Reported):

August 6, 2010

CMS Energy Corporation

(Exact name of registrant as specified in its charter)

Michigan

001-09513

38-2726431

(State or other jurisdiction
of incorporation)

(Commission
File Number)

(I.R.S. Employer
Identification No.)

One Energy Plaza, Jackson, Michigan

49201

(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code:

517-788-0550

n/a

Former name or former address, if changed since last report

Consumers Energy Company

(Exact name of registrant as specified in its charter)

Michigan

001-05611

38-0442310

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(State or other jurisdiction
of incorporation)

(Commission
File Number)

(I.R.S. Employer
Identification No.)

One Energy Plaza, Jackson, Michigan

49201

(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code:

517-788-0550

n/a

Former name or former address, if changed since last report

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
 - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
 - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
 - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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Item 7.01. Regulation FD Disclosure.

On August 6, 2010, CMS Energy Corporation (CMS Energy) announced that effective with the dividend payable Nov. 30, it will increase its quarterly common stock dividend to 21 cents per share, up from 15 cents per share. This increase moves up CMS Energy s typical practice of raising its dividend in January, and was made at this time to coincide with an adjustment to its five-year plan.

CMS Energy plans to reduce its investments by about \$1 billion over the next five years, which will moderate future rate increases to its customers. CMS Energy still expects to invest more than \$6 billion over the next five years in the operations of its Michigan electric and natural gas utility, Consumers Energy, and it remains one of the largest investors in the state of Michigan.

Consistent with the change in its capital investment plan, CMS Energy also said it is adjusting its projection for long-term earnings per share growth to 5 percent to 7 percent annually from the previous range of 6 percent to 8 percent per year.

CMS Energy also reaffirmed its guidance for 2010 adjusted earnings of \$1.35 per share.

John Russell, CMS Energy s president and chief executive officer, and Tom Webb, CMS Energy s executive vice president and chief financial officer, will discuss CMS Energy s dividend increase, capital investment plan, and provide a business and financial outlook at 9 a.m. EDT on Tuesday, Aug. 10. The presentation will be available on CMS Energy s website, www.cmsenergy.com.

In accordance with General Instruction B.2 of Form 8-K, the information in this Current Report on Form 8-K, including Exhibit 99.1, shall not be deemed filed for the purposes of Section 18 of the Securities Exchange Act of 1934, as amended, or otherwise subject to the liabilities of that section, nor shall it be deemed incorporated by reference in any filing under the Securities Act of 1933, as amended, except as shall be expressly set forth in such a filing.

Item 9.01. Financial Statements and Exhibits.

(d) Exhibits.

99.1 CMS Energy News Release dated August 6, 2010

This Form 8-K contains forward-looking statements as defined in Rule 3b-6 of the Securities Exchange Act of 1934, as amended, Rule 175 of the Securities Act of 1933, as amended, and relevant legal decisions. The forward-looking statements are subject to risks and uncertainties. They should be read in conjunction with FORWARD-LOOKING STATEMENTS AND INFORMATION and RISK FACTORS sections of CMS Energy Corporation s (CMS Energy) Form 10-K and Consumers Energy Company s (Consumers Energy) Form 10-K each for the Year Ended December 31, 2009 and as updated in CMS Energy s and Consumers Energy s Forms 10-Q for the Quarters Ended March 31, 2010 and June 30, 2010. CMS Energy s and Consumers Energy s FORWARD-LOOKING STATEMENTS AND INFORMATION and RISK FACTORS sections are incorporated herein by reference and discuss important factors that could cause CMS Energy s and Consumers Energy s results to differ materially from those anticipated in such statements.

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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: August 6, 2010

By: /s/ Thomas J. Webb

Thomas J. Webb
Executive Vice President
and Chief Financial
Officer

CONSUMERS ENERGY COMPANY

Dated: August 6, 2010

By: /s/ Thomas J. Webb

Thomas J. Webb
Executive Vice President
and Chief Financial
Officer

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Exhibit Index

| <u>Exhibit No.</u> | <u>Description</u> |
|---------------------------|----------------------------------------------|
| 99.1 | CMS Energy News Release dated August 6, 2010 |