

CMS ENERGY CORP
Form 8-K
June 04, 2009

**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) June 4, 2009**

**Commission
File Number**
1-9513

**Registrant; State of Incorporation;
Address; and Telephone Number**
CMS ENERGY CORPORATION
(A Michigan Corporation)
One Energy Plaza
Jackson, Michigan 49201
(517) 788-0550

**IRS Employer
Identification No.**
38-2726431

1-5611

CONSUMERS ENERGY COMPANY
(A Michigan Corporation)
One Energy Plaza
Jackson, Michigan 49201
(517) 788-0550

38-0442310

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.

CMS Energy Corporation's (CMS Energy) management will be meeting with investors on Thursday and Friday, June 4-5, 2009. A copy of the CMS Energy handout is furnished as Exhibit 99.1 to this report. In addition, the president and chief operating officer of Consumers Energy Company, principal subsidiary of CMS Energy, will participate in a panel discussion at the Citi Power, Gas and Utilities Conference on Thursday, June 4. The 45-minute panel discussion entitled, Managing Regulatory Risk in a Recessionary Environment, is scheduled to start at 2:30 p.m. EDT. A webcast of the discussion will be available on the CMS Energy 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, Item 7.01, 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

(d) Exhibits.

99.1 CMS Energy handout dated June 2009

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 each found in the MANAGEMENT'S DISCUSSION AND ANALYSIS sections of CMS Energy Corporation's (CMS Energy) Form 10-K and Consumers Energy Company's (Consumers) Form 10-K each for the Year Ended December 31, 2008 and as updated in CMS Energy's Form 10-Q and Consumers' Form 10-Q each for the Quarter Ended March 31, 2009. CMS Energy's and Consumers' 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' 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: June 4, 2009

By: /s/ Thomas J. Webb
Thomas J. Webb
Executive Vice President and Chief Financial
Officer

CONSUMERS ENERGY COMPANY

Dated: June 4, 2009

By: /s/ Thomas J. Webb
Thomas J. Webb
Executive Vice President and Chief Financial
Officer