

CONSUMERS ENERGY CO  
Form 8-K  
February 21, 2013

**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) February 21, 2013**

<b>Commission</b>	<b>Registrant; State of Incorporation;</b>	<b>IRS Employer</b>
<b>File Number</b> <b>1-9513</b>	<b>Address; and Telephone Number</b> <b>CMS ENERGY CORPORATION</b>  <b>(A Michigan Corporation)</b>  <b>One Energy Plaza</b>  <b>Jackson, Michigan 49201</b>  <b>(517) 788-0550</b>	<b>Identification No.</b> <b>38-2726431</b>
<b>1-5611</b>	<b>CONSUMERS ENERGY COMPANY</b>  <b>(A Michigan Corporation)</b>  <b>One Energy Plaza</b>	<b>38-0442310</b>

Edgar Filing: CONSUMERS ENERGY CO - Form 8-K

**Jackson, Michigan 49201**

**(517) 788-0550**

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))

**Item 2.02. Results of Operations and Financial Condition.**

On February 21, 2013, CMS Energy Corporation issued a News Release, in which it announced its 2012 results and 2013 adjusted earnings guidance. Attached as Exhibit 99.1 to this report and incorporated herein by reference is a copy of the CMS Energy Corporation News Release, furnished as a part of this report.

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 Corporation News Release dated February 21, 2013

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, 2011 and as updated in CMS Energy's and Consumers Energy's Forms 10-Q for the Quarters Ended March 31, 2012, June 30, 2012 and September 30, 2012. 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.

**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: February 21, 2013

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

**CONSUMERS ENERGY COMPANY**

Dated: February 21, 2013

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

**Exhibit Index**

99.1 CMS Energy Corporation News Release dated February 21, 2013