

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION OF INDIANA MICHIGAN POWER)
COMPANY, AN INDIANA CORPORATION,)
FOR AUTHORITY TO INCREASE ITS)
RATES AND CHARGES FOR ELECTRIC)
UTILITY SERVICE THROUGH A PHASE IN)
RATE ADJUSTMENT; AND FOR APPROVAL)
OF RELATED RELIEF INCLUDING: (1))
REVISED DEPRECIATION RATES; (2))
ACCOUNTING RELIEF; (3) INCLUSION IN)
RATE BASE OF QUALIFIED POLLUTION)
CONTROL PROPERTY AND CLEAN)
ENERGY PROJECT; (4) ENHANCEMENTS)
TO THE DRY SORBENT INJECTION)
SYSTEM; (5) ADVANCED METERING)
INFRASTRUCTURE; (6) RATE)
ADJUSTMENT MECHANISM PROPOSALS;)
AND (7) NEW SCHEDULES OF RATES,)
RULES AND REGULATIONS.)

CAUSE NO. 45235

AMENDED PETITION TO INTERVENE

Alliance Coal, LLC ("Alliance"), by counsel, pursuant to 170 I.A.C. 1-1.1-11, respectfully submits this amended petition for leave to intervene in the above-captioned cause.

In support, Alliance states:

1. Alliance is a diversified coal supplier and marketer operating eight underground mining complexes in five states including Indiana.

2. Alliance has historically submitted bids to supply coal to Indiana Michigan Power Company ("I&M"). Most recently, Alliance bid to supply coal to I&M for the period spanning from the fourth quarter of 2014 through the 2015 calendar year. Alliance has a track record of supplying coal and/or bidding to supply coal to other Indiana utilities including NIPSCO and

SIGECO. (*See* IURC Cause Nos. 38706-FAC-114, 115, 116, 120 and IURC Cause Nos. 38708 FAC 81, 100, 101 and 102).

3. Alliance has the present capability to supply coal to I&M. I&M burns approximately 700,000 tons of non-Powder River Basin (“PRB”) coal and Alliance’s Gibson coal is a suitable option for that portion of I&M’s coal supply.

4. Alliance’s interest in this proceeding is of real worth and considerable value. Had I&M accepted Alliance’s 2014-2015 bid, the estimated value of the contract would have been well in excess of \$50 million.

5. Alliance has a substantial interest in staying apprised of I&M’s plans to accelerate depreciation of, invest in and/or retire or otherwise dispose of its coal generation assets and in providing relevant evidence to the Commission supporting or challenging such plans.

6. Several elements of the relief requested by I&M in the caption to this proceeding raise issues that impact the business of Alliance, including the proposed revision to depreciation rates, inclusion in rate base of qualified pollution control property on I&M’s existing coal-fired generation assets, and the DSI system enhancements to I&M’s existing coal-fired generation assets. Alliance’s position is to challenge I&M’s proposals on these issues.

7. Based on the foregoing, Alliance has a substantial interest in the proceeding.

8. Alliance's intervention is for the purpose of responding to issues raised by the parties in this proceeding regarding I&M's request and data in support thereof to revise its depreciation rates and for approval of various accounting treatments and equipment enhancements related to I&M's coal generation facilities and their potential early retirements. While Alliance has not completed an exhaustive analysis of I&M’s evidence which may result in positions on other issues, Alliance’s position is to oppose I&M’s requests related to the

acceleration of depreciation of a coal facility in anticipation of early retirement while I&M simultaneously requests authority to invest in pollution control improvements to the facility. Alliance intends to offer authority for its position that accelerated depreciation for a plant that is still used and useful is imprudent. Additionally, Alliance believes the Commission should evaluate the prudence of I&M's proposed DSI system enhancements in light of other available system enhancement technologies that would allow I&M to fuel Rockport with greater quantities of non-PRB coal, including Indiana coal, to the benefit of ratepayers.

9. This Petition to Intervene is being filed more than five (5) days prior to the evidentiary hearing on the merits in this cause.

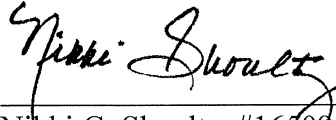
10. The interests of Alliance will not be adequately represented by any other party in this proceeding, and Alliance's participation in this proceeding will not unduly broaden the issues or result in an unreasonable delay.

11. Alliance's counsel, to whom service of all papers should be made, is:

Nikki G. Shoultz
Bose McKinney & Evans LLP
111 Monument Circle, Suite 2700
Indianapolis, IN 46204
(317) 684-5000
(317) 223-0242 (telefax)
nshoultz@boselaw.com

WHEREFORE, Alliance respectfully requests that its Amended Petition to Intervene be granted and for all other appropriate relief.

Respectfully submitted,

A handwritten signature in black ink, reading "Nikki Shoultz". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Nikki G. Shoultz, #16509-41
Bose McKinney & Evans LLP
111 Monument Circle, Suite 2700
Indianapolis, Indiana 46204
(317) 684-5000 (office)
(317) 223-0242 (facsimile)
nshoultz@boselaw.com

Attorneys for Alliance Coal, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Amended Petition to Intervene* has been served upon the following counsel electronically or via regular mail this 17th day of July, 2019:

Teresa Morton Nyhart
Jeffrey M. Peabody
Barnes & Thornburg LLP
11 S. Meridian St.
Indianapolis, IN 46204
tnyhart@btlaw.com
jpeabody@btlaw.com

Matthew S. McKenzie
AMERICAN ELECTRIC POWER
SERVICE CORP.
1 Riverside Plaza, 29th Floor
Columbus, OH 43215
msmckenzie@aep.com

Randall C. Helmen
Lorraine Hitz-Bradley
Tiffany Murray
Office of the Utility Consumer Counselor
PNC Center
115 W. Washington St., Suite 1500 S
Indianapolis, IN 46204
rhelmen@oucc.in.gov
lhitzbradley@oucc.in.gov
timurray@oucc.in.gov
infomgt@oucc.in.gov

John P. Cook
John P. Cook & Associates
900 W. Jefferson Street
Franklin, Indiana 46131
john.cookassociates@earthlink.net

Kevin Higgins
ENERGY STRATEGIES, LLC
Parkside Towers,
215 South State St., Ste. 200
Salt Lake City, Utah 84111
khiggins@energystrat.com

Jennifer A. Washburn
Margo Tucker
Citizens Action Coalition
603 East Washington Street, Suite 502
Indianapolis, Indiana 46204
jwashburn@citact.org
mtucker@citact.org

Kurt J. Boehm
Jody Kyler Cohn
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202
kboehm@bkllawfirm.com
jkylercohn@bkllawfirm.com

J. Christopher Janak
Kristina Kern Wheeler
BOSE MCKINNEY & EVANS LLP
111 Monument Circle, Suite 2700
Indianapolis, Indiana 46204
cjanak@boselaw.com
kwheeler@boselaw.com

Bette J. Dodd
Joseph P. Rompala
Lewis & Kappes, P.C.
One American Square, Suite 2500
Indianapolis, IN 46282
bdodd@lewis-kappes.com
jrompala@lewis-kappes.com

Robert K. Johnson
2454 Waldon Drive
Greenwood, IN 46143
rjohnson@utilitylaw.us

Eric E. Kinder
Spilman Thomas & Battle, PLLC
300 Kanawha Boulevard East
P.O. Box 273
Charleston, WV 25321
ekinder@spilmanlaw.com

Barry A. Naum
Spilman Thomas & Battle, PLLC
1100 Bent Creek Boulevard, Suite 101
Mechanicsburg, PA 17050
bnaum@spilmanlaw.com

Brian C. Bosma
Kevin D. Koons
Ted W. Nolting
Kroger Gardis & Regas, LLP
111 Monument Circle Drive, Suite 900
Indianapolis, IN 46204-5125
bcg@kgrlaw.com
kdk@kgrlaw.com
tw@kgrlaw.com

Randolph G. Holt
Parr Richey
c/o Wabash Valle Power Alliance
6720 Intech Blvd.
Indianapolis, IN 46278
R_holt@wvpa.com

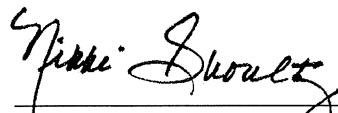
Jeremy L. Fetty
Liane K. Steffes
Parr Richey
251 N. Illinois Street, Suite 1800
Indianapolis, IN 46204
jfetty@parrlaw.com
lsteffes@parrlaw.com

Shaw R. Friedman
Friedman & Associates, P.C.
705 Lincolnway
LaPorte, IN 46350
sfriedman.associates@frontier.com

Keith Beall
Beall & Beall
13238 Snow Owl Drive, Suite A
Carmel, IN 46033
kbeall@indy.rr.com

Anne E. Becker
Lewis & Kappes, P.C.
One American Square, Ste. 2500
Indianapolis, IN 46282
ABecker@Lewis-Kappes.com

Robert M. Glennon
Robert Glennon & Assoc., P.C.
3697 N. Co. Rd. 500 E.
Danville, IN 46122
robertglennonlaw@gmail.com



Nikki G. Shoultz, #16509-41