

**CASE NO. 22A-EX-00389**

# INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR'S MOTION TO DISMISS

1. On January 4, 2023, this Court issued an order requiring Appellants to file a status report within 30 days of the order, or, within 30 days of the date the case of *Indiana Office of Utility Consumer Counselor v. Southern Indiana Gas and Electric Company*, Cause Number 22S-EX-166, reaches final disposition, Appellants are ordered to file a motion to lift the stay or a motion to dismiss this appeal with prejudice.

2. Also on January 4, 2023, the Supreme Court issued an opinion in Cause No. 22S-EX-166.

3. By counsel's calculation, the 30-day period expires on February 3, 2023.

4. The OUCC, an Appellant in this proceeding, files this motion to dismiss this appeal.

5. It is the OUCC's understanding the other Appellants will file a separate notice in accordance with the Court's Order of January 4, 2023.

WHEREFORE, the OUCC respectfully moves to dismiss this appeal and request that the Court grant the request.

Respectfully submitted,



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**VERIFICATION**

The undersigned states under penalty of perjury that the foregoing factual representations are true and correct.

A handwritten signature in blue ink, appearing to read "T. Jason Haas", is positioned above a horizontal line.

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T. Jason Haas, Attorney No. 34983-29  
Deputy Consumer Counselor

## CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2023, I electronically filed the foregoing using the Indiana E-Filing System.

I also certify that on February 3, 2023, the foregoing was served upon the following persons via the IEFS:

<p><b><i>Citizens Action Coalition of Indiana, Inc./ Solar United Neighbors</i></b> Jennifer A. Washburn CITIZENS ACTION COALITION OF INDIANA, INC. <a href="mailto:jwashburn@citact.org">jwashburn@citact.org</a></p> <p><b><i>Indiana Michigan Power Company</i></b> Jenny R. Buchheit Kay E. Pashos ICE MILLER LLP <a href="mailto:jenny.buchheit@icemiller.com">jenny.buchheit@icemiller.com</a> <a href="mailto:kay.pashos@icemiller.com">kay.pashos@icemiller.com</a></p> <p><b><i>Indiana Michigan Power Company</i></b> Tammara D. Avant American Electric Power Company, Inc. <a href="mailto:tdavant@aep.com">tdavant@aep.com</a></p>	<p><b><i>Indiana Utility Regulatory Commission</i></b> Beth E. Helene, General Counsel Jeremy Comeau, Assistant General Counsel Bradford Hines, Assistant General Counsel INDIANA UTILITY REGULATORY COMMISSION <a href="mailto:bhelene@urc.in.gov">bheline@urc.in.gov</a> <a href="mailto:jcomeau@urc.in.gov">jcomeau@urc.in.gov</a> <a href="mailto:bhines@urc.in.gov">bhines@urc.in.gov</a></p> <p><b><i>Indiana Utility Regulatory Commission</i></b> Theodore E. Rokita, Attorney General Angela N. Sanchez, Chief Counsel of Appeals Benjamin M. L. Jones, Deputy Attorney General OFFICE OF THE INDIANA ATTORNEY GENERAL <a href="mailto:efile@atg.in.gov">efile@atg.in.gov</a> <a href="mailto:Angela.Sanchez@atg.in.gov">Angela.Sanchez@atg.in.gov</a> <a href="mailto:Benjamin.Jones@atg.in.gov">Benjamin.Jones@atg.in.gov</a></p>
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*Courtesy copy via email to:*

<p><b><i>Citizens Action Coalition of Indiana, Inc.</i></b> Reagan Kurtz <a href="mailto:rkurtz@citact.org">rkurtz@citact.org</a></p>	<p><b><i>Indiana Utility Regulatory Commission Court Reporters</i></b> Lynda Ruble Amy Tokash <a href="mailto:lruble@urc.in.gov">lruble@urc.in.gov</a> <a href="mailto:atokash@urc.in.gov">atokash@urc.in.gov</a></p>
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