

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION OF DUKE ENERGY INDIANA, LLC PURSUANT TO )  
IND. CODE §§ 8-1-2-42.7 AND 8-1-2-61, FOR (1) AUTHORITY TO )  
MODIFY ITS RATES AND CHARGES FOR ELECTRIC UTILITY )  
SERVICE THROUGH A MULTI-STEP RATE )  
IMPLEMENTATION OF NEW RATES AND CHARGES USING A )  
FORECASTED TEST PERIOD; (2) APPROVAL OF NEW )  
SCHEDULES OF RATES AND CHARGES, GENERAL RULES )  
AND REGULATIONS, AND RIDERS; (3) APPROVAL OF )  
REVISED ELECTRIC DEPRECIATION RATES APPLICABLE TO )  
ITS ELECTRIC PLANT IN SERVICE, AND APPROVAL OF )  
REGULATORY ASSET TREATMENT UPON RETIREMENT OF )  
THE COMPANY’S LAST COAL-FIRED STEAM GENERATION ) CAUSE NO. 46038  
PLANT; (4) APPROVAL OF AN ADJUSTMENT TO THE )  
COMPANY’S FAC RIDER TO TRACK COAL INVENTORY )  
BALANCES; AND (5) APPROVAL OF NECESSARY AND )  
APPROPRIATE ACCOUNTING RELIEF, INCLUDING )  
AUTHORITY TO: (A) DEFER TO A REGULATORY ASSET )  
EXPENSES ASSOCIATED WITH THE EDWARDSPORT )  
CARBON CAPTURE AND SEQUESTRATION STUDY, (B) )  
DEFER TO A REGULATORY ASSET COSTS INCURRED TO )  
ACHIEVE ORGANIZATIONAL SAVINGS, AND (C) DEFER TO )  
A REGULATORY ASSET OR LIABILITY, AS APPLICABLE, )  
ALL CALCULATED INCOME TAX DIFFERENCES RESULTING )  
FROM FUTURE CHANGES IN INCOME TAX RATES. )

**NUCOR’S OBJECTION TO DUKE ENERGY INDIANA’S COMPLIANCE FILING**

Pursuant to 170 IAC 1-1.1-12(e), Intervenor Nucor Steel-Indiana, a division of Nucor Corporation (“Nucor”), by counsel, hereby files its Objection to Duke Energy Indiana LLC (“DEI”)’s Compliance Filing – Step 1, filed with the Indiana Utility Regulatory Commission (“Commission”) on February 7, 2025. In support of its Motion, Nucor states as follows;

1. The Commission issued its Final Order on January 29, 2025 (“Order”), adjusted by the Nunc Pro Tunc Order on February 3, 2025.

2. Pursuant to the Commission's Final Order, on February 7, 2025, DEI made its Step 1 Compliance Filing, with its new schedule of rates and charges, including trackers and full tariff, for approval by the Commission's Energy Division.
3. On February 11, 2025, Duke filed a Notice of Filing Revised Confidential Information.
4. On February 12, 2025, Nucor received certain confidential information from Duke and made an additional inquiry, pursuant to the Commission's Final Order, regarding Duke's calculations with respect to aspects of Nucor's special contract.
5. On February 13, 2025, Nucor requested from Duke that its estimated rate calculations be provided with the formulas intact - unhidden/unlocked. Nucor also requested other information related to billing determinants in Duke's estimated rate impacts.
6. On February 14, 2025, Nucor inquired as to the status of its requests and learned that one of Duke's counsel was ill and unable to timely respond to Nucor's requests.
7. On February 17, 2025, Nucor finally received certain information it had requested the previous week including receipt of the unlocked information.
8. To date, Nucor has been unable to verify and confirm the rationale for the Approved Rate set forth in *Attachment C\_Highly Confidential Special Contract 1&2 Compliance, Rate Design Comparison Tab, Column O, Lines 21*, which notably differs from Duke's Proposed Rate set forth in *Confidential Workpaper RAF-4 Special Contract 1 2, Rate Design Comparison Tab, Column O, Line 21 (As submitted by Duke in its Case in Chief)*. It is necessary for Nucor to independently confirm Duke's Compliance Filing as it pertains to Nucor to determine whether Duke's Compliance Filing – Step 1 comports with the Commission's finding that no

specific rate class, e.g., Nucor, experiences an increase that is no more than 25% higher than the overall increase per the *Order of the Commission* issued January 29, 2025. (Final Order, p. 101)

9. Additionally, given that Nucor only received its unlocked confidential information today, it is also unable to verify at this time that Duke's Compliance Filing – Step 1 is accurate and complete with respect to Nucor including Duke's implementation of rates and charges. Additional emails exchanged late afternoon this date are insufficient, incomplete and raise new questions for Nucor's verification. Nucor continues to make additional inquiries to Duke for clarification.
10. Nucor objects to Duke's Compliance Filing in order to preserve Nucor's ability to challenge Duke's Compliance filing if Duke's calculated and filed rates do not comport with the Commission's Order.

Accordingly, Nucor respectfully objects to Duke's Step 1 Compliance Filing and requests an additional 14 days to independently verify Duke's "as filed" rates contained in its Step 1 Compliance Filing.

Respectfully submitted,

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## **CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that a copy of the foregoing document was served via electronic mail, this 17<sup>th</sup> day of February, 2025:

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