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STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION OF INDIANAPOLIS POWER & LIGHT)
COMPANY (“IPL”) FOR (1) AUTHORITY TO INCREASE)
RATES AND CHARGES FOR ELECTRIC UTILITY)
SERVICE, (2) APPROVAL OF REVISED DEPRECIATION)
RATES, ACCOUNTING RELIEF, INCLUDING UPDATE)
OF THE MAJOR STORM DAMAGE RESTORATION)
RESERVE ACCOUNT, INCLUSION IN BASIC RATES)
AND CHARGES OF THE COSTS OF CERTAIN)
PREVIOUSLY APPROVED QUALIFIED POLLUTION)
CONTROL PROPERTY AND OTHER INVESTMENT)
INCLUDING THE EAGLE VALLEY COMBINED CYCLE)
GENERATION TURBINE, RATE ADJUSTMENT)
MECHANISM PROPOSALS, COST DEFERRALS,)
AMORTIZATIONS AND (3) APPROVAL OF NEW)
SCHEDULES OF RATES, RULES AND REGULATIONS)
FOR SERVICE.)

CAUSE NO. 44893

APPROVED: MAR 15 2017

DISMISSAL ORDER OF THE COMMISSION

Presiding Officers:

- Sarah E. Freeman, Commissioner**
- Angela Rapp Weber, Commissioner**
- Aaron A. Schmoll, Senior Administrative Law Judge**

On December 22, 2016, Indianapolis Power & Light Company (“IPL” or “Petitioner”) filed its Verified Petition (“Petition”) initiating this Cause. On February 24, 2017, Petitioner filed its Unopposed Verified Motion to Withdraw or Amend Filing without Prejudice (“Motion”).

In its Motion, Petitioner stated that the completion of the Eagle Valley Combined Cycle Gas Turbine (“Eagle Valley CCGT”) has been delayed, and that such delays have extended the expected completion date beyond the proposed June 30, 2017 adjustment period. Rather than request leave to amend the current Petition,¹ IPL proposed withdrawing the current petition and refile at a later date when there is greater certainty concerning the Eagle Valley CCGT. Petitioner also requested that any dismissal of this Cause be without prejudice, specifically in reference to Ind. Code § 8-1-2-42(a), which limits rate case filings to 15 month intervals. IPL also stated that neither the Indiana Office of Utility Consumer Counselor nor any of the intervenors in this Cause objected to IPL’s Motion.

¹ In the event the Commission denied IPL’s preferred approach to refile its case, Petitioner requested leave to amend its Petition as an alternative request for relief.

We note that the Motion indicated that IPL worked with the parties to this Cause to keep them updated on the issue with the Eagle Valley CCGT, and in doing so, the other parties have not yet filed their respective cases. While the parties have likely expended resources in reviewing IPL's case-in-chief, the fact that no party objected to Petitioner's Motion suggests that any prejudice to those parties was minimized. Further, given that Petitioner's case-in-chief would be rendered essentially out-of-date if the Commission were to allow Petitioner to amend its Petition and modify its cut-off date, we find that administrative efficiency warrants the dismissal of this Cause, and IPL may refile its request for rate relief without being limited by Ind. Code § 8-1-2-42(a) as a result of filing this Cause.

Accordingly, the Commission dismisses this Cause, without prejudice. Upon Petitioner's filing a new rate request, any party to this Cause that intends to intervene in the new Cause shall file a petition to intervene in that proceeding.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION THAT:

1. Cause No. 44893, initiated by the Petition filed on December 22, 2016, is hereby dismissed without prejudice.
2. IPL may file a new request for a general increase in its basic rates and charges without being subject to the limitation set forth under Ind. Code § 8-1-2-42(a).
3. This Order shall be effective on and after the date of its approval.

ATTERHOLT, HUSTON, WEBER, AND ZIEGNER CONCUR; FREEMAN ABSENT:

APPROVED: MAR 15 2017

I hereby certify that the above is a true and correct copy of the Order as approved.



Mary M. Becerra
Secretary of the Commission