

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE PETITION)
BY GIBSON SOLAR LLC FOR)
CERTAIN DETERMINATIONS BY THE)
COMMISSION WITH RESPECT TO ITS)
JURISDICTION OVER PETITIONER'S)
ACTIVITIES AS A GENERATOR OF)
ELECTRIC POWER)

CAUSE NO. 45500

INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR ("OUCC")

TESTIMONY OF

CYNTHIA M. ARMSTRONG – PUBLIC'S EXHIBIT NO. 1

April 9, 2021

Respectfully submitted,



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

TESTIMONY OF OUCC WITNESS CYNTHIA M. ARMSTRONG
CAUSE NO. 45500
GIBSON SOLAR, LLC.

I. INTRODUCTION

1 **Q: Please state your name and business address.**

2 A: My name is Cynthia M. Armstrong, and my business address is 115 W. Washington
3 St., Suite 1500 South, Indianapolis, IN, 46204.

4 **Q: By whom are you employed and in what capacity?**

5 A: I am employed as a Senior Utility Analyst in the Electric Division for the Indiana
6 Office of Utility Consumer Counselor (“OUCC”). A summary of my qualifications
7 can be found in Appendix A.

8 **Q: Have you previously provided testimony to the Indiana Utility Regulatory**
9 **Commission (“Commission”)?**

10 A: Yes.

11 **Q: What have you done to evaluate issues presented in this Cause?**

12 A: I read and reviewed all materials presented in this docket, including Gibson Solar,
13 LLC’s (“Gibson Solar” or “Petitioner”) Petition initiating this proceeding and its
14 pre-filed verified direct testimony and exhibits. I also participated in a pre-filing
15 video conference with Petitioner on February 9, 2021.

16 **Q: What is the purpose of your testimony in this proceeding?**

17 A: I present my review regarding whether the Commission declining to exercise its
18 jurisdiction over Petitioner’s construction, ownership, and operation of the
19 proposed Gibson Solar electric power generating facility (the “Project”) is
20 appropriate. In analyzing requests for declination of Commission jurisdiction, the
21 OUCC is concerned with ensuring the public interest is served.

1 **Q: How is your testimony organized?**

2 A: First, I summarize the requested relief and the Commission's jurisdiction over
3 Petitioner. Next, I discuss public interest matters possibly affecting the relief
4 requested. I then address Petitioner's use of public rights-of-way, interconnection,
5 and Petitioner's proposed reporting requirements. Lastly, I conclude the OUCC
6 does not oppose Petitioner's request in this proceeding, so long as Petitioner
7 submits reports on the status of the Project's development.

II. PETITIONER'S DECLINATION OF JURISDICTION REQUEST

8 **Q: What is Petitioner requesting in this proceeding?**

9 A: In its Petition initiating this Cause, Gibson Solar requests the Commission enter an
10 order, pursuant to Ind. Code § 8-1-2.5-5, declining to exercise its jurisdiction to (a)
11 require Petitioner to obtain a Certificate of Public Convenience and Necessity
12 ("CPCN") to construct the Project under Ind. Code ch. 8-1-8.5, the "Powerplant
13 Construction Act," and (b) regulate, under Ind. Code ch. 8-1-2, the "Public Service
14 Commission Act," Petitioner's construction, ownership and operation of, and other
15 activities in connection with, the Project to be located in Jasper County, Indiana.
16 Under Ind. Code § 8-1-2.5-5, the Commission may decline jurisdiction if Petitioner
17 is an "energy utility," and if such declination of jurisdiction serves public interest.

18 **Q: Is Petitioner an "energy utility"?**

19 A: Yes. Based on the information presented in this Cause and my reading of relevant
20 statute and previous Commission decisions. Ind. Code § 8-1-2.5-2 defines "energy
21 utility," in part, as a public utility within the meaning of Ind. Code § 8-1-2-1. Both
22 the Petition initiating this Cause and Petitioner's Exhibit 1, witness Tiago S. Dias's

1 Verified Direct Testimony, describes Petitioner's intent to develop, own, and
2 operate a power generating facility in the state of Indiana. Accordingly, Gibson
3 Solar could be considered a "public utility" under the Ind. Code § 8-1-2-1
4 definition.¹ This determination means Petitioner is an "energy utility" under Ind.
5 Code § 8-1-2.5-2.

6 **Q: May the Commission enter an order declining to exercise jurisdiction over**
7 **Petitioner?**

8 A: Yes. Under Ind. Code § 8-1-2.5-5, "on the request of an energy utility ... the
9 commission may enter an order, after notice and hearing, that the public interest
10 requires the commission to commence an orderly process to decline to exercise, in
11 whole or in part, its jurisdiction over either the energy utility..." Absent a
12 proceeding under Ind. Code § 8-1-2.5-5, Petitioner's status as a public utility could
13 trigger other regulatory obligations (such as needing a CPCN per Ind. Code ch. 8-
14 1-8.5 *et seq.*). The immediate proceeding is a request for such relief and for the
15 Commission to determine whether the public interest warrants it declining
16 jurisdiction (per Ind. Code § 8-1-2.5-5(b)).

III. PUBLIC INTEREST

17 **Q: What must the Commission consider in determining whether public interest**
18 **warrants it decline jurisdiction?**

19 A: In determining whether the public interest will be served, the Commission shall
20 consider the following:

¹ In Cause No. 43068 (Benton County Wind Farm), the Commission determined a business that only generates electricity and then sells that electricity directly to public utilities is itself a public utility. The Commission has also found numerous recent wholesale solar power facilities to be public utilities. See Cause Nos. 45230 (Speedway Solar, LLC.), 45254 (Fairbanks Solar Energy Center, LLC.), and 45255 (Lone Oak Solar Energy, LLC.).

- 1 1. Whether technological or operating conditions, competitive forces, or the
- 2 extent of regulation by other state or federal regulatory bodies render the
- 3 exercise, in whole or in part, of jurisdiction unnecessary or wasteful;
- 4 2. Whether declining to exercise, in whole, or in part, its jurisdiction will be
- 5 beneficial for the energy utility, the energy utility's customers, or the state;
- 6 3. Whether declining to exercise, in whole or in part, its jurisdiction will
- 7 promote energy utility efficiency; and
- 8 4. Whether the exercise of jurisdiction inhibits an energy utility from
- 9 competing with other providers of functionally similar energy services or
- 10 equipment.²

11 **Q: Has Petitioner made a showing it meets all the above factors?**

12 A: Yes. Petitioner has shown it meets the above factors. Essentially, Gibson Solar will
13 fall under the regulation of other state and federal regulatory bodies that will protect
14 the public interest regarding the Project's future operation and wholesale energy
15 transactions. Further, the Commission's regulation would be duplicative of other
16 regulatory bodies, could impede Gibson Solar's ability to compete with other
17 wholesale solar providers, and would waste the Commission's resources. So long
18 as Gibson Solar commits and follows through with the reporting requirements it
19 proposes,³ the OUCC does not oppose the Commission declining to exercise its
20 jurisdiction over Gibson Solar.

² Ind. Code § 8-1-2.5-5(b).

³ Petitioner's Exhibit 1, Direct Testimony of Tiago Sabino Dias, pp. 27-29.

1 **Q: What other regulatory bodies will be overseeing the Project?**

2 A: There are several regulatory bodies which review environmental, wildlife,
3 reliability, safety, and land use concerns. These regulatory bodies include: the U.S.
4 Fish and Wildlife Service, the Indiana Department of Environmental Management
5 ("IDEM"), the Indiana Department of Natural Resources, the U.S. Army Corps of
6 Engineers, the Indiana Department of Transportation ("INDOT"), the Federal
7 Energy Regulatory Commission ("FERC"), and the Midcontinent Independent
8 System Operator ("MISO").

9 **Q: If the Commission declines jurisdiction, will Petitioner still be regulated by**
10 **these entities?**

11 A: Yes.

12 **Q: Has Petitioner evaluated any impacts the Project may have on the local**
13 **environment?**

14 A: While Petitioner has not completed all environmental site studies, it has completed
15 several necessary permits for the Project. Wetland and cultural surveys began in
16 October and November 2020, and Petitioner indicates it has incorporated the input
17 from these surveys in the site design. It expects to complete additional wetland and
18 cultural surveys in May 2021. Petitioner also conducted a hydrology study.
19 Additionally, Petitioner hired Tetra Tech, Inc. to complete a Critical Issues
20 Analysis for the Project. Tetra Tech will also be completing a Phase I
21 Environmental Site Assessment for Petitioner, and this study is anticipated to be
22 completed in May 2021. Petitioner has also obtained a geotechnical study for the
23 Project site.⁴

⁴ Dias Direct, pp. 7-10, and Attachments TSD-3 through TSD-5.

1 Petitioner has not yet secured all necessary permits, but the studies indicate
2 the Project will have a minimal negative impact to the local environment. The
3 Critical Issues Analysis recommends Petitioner site the Project to avoid
4 construction in floodways, wetlands, areas with previously recorded archaeological
5 resources, and habitats that could impact endangered and threatened species.⁵ If
6 Petitioner can avoid building in these areas, it could avoid the need to secure some
7 permits.

8 **Q: Is solar generating structure abandonment a potential issue with the Project?**

9 A: No. The Gibson County Board of Commissioners adopted a new solar energy
10 ordinance on March 16, 2021.⁶ The ordinance requires any entity seeking a permit
11 to construct and operate a solar energy system within Gibson County to submit a
12 Decommissioning Agreement ensuring facilities are properly decommissioned at
13 the end of a project's life. As part of the Decommissioning Agreement, a permittee
14 must provide a Decommissioning Security when beginning construction.⁷ Witness
15 Dias indicates Gibson Solar will provide a Decommissioning Security⁸ to guard
16 against the worst-case possibility that it would be unable to meet its obligation to
17 remove the Project.⁹

⁵ Dias Direct, Attachment TSD-3.

⁶ Howe, Andrea. (March 17, 2021). [The Daily Clarion. Solar, wind energy ordinances adopted.](https://www.pdclarion.com/news/local_news/solar-wind-energy-ordinances-adopted/article_813cdc35-bc45-51f2-a6e6-4bbcab9c15a9.html)
https://www.pdclarion.com/news/local_news/solar-wind-energy-ordinances-adopted/article_813cdc35-bc45-51f2-a6e6-4bbcab9c15a9.html.

⁷ Gibson County Solar Energy Project Ordinance, Ordinance No. 2021-03, Sections 6(a) and 10.
[http://www.gibsoncounty-](http://www.gibsoncounty-in.gov/departments/commissioners/Lists/Ordinances/Attachments/57/Ordinance%20No%202021%20-%202003%20Solar%20Energy.pdf)
[in.gov/departments/commissioners/Lists/Ordinances/Attachments/57/Ordinance%20No%202021%20-](http://www.gibsoncounty-in.gov/departments/commissioners/Lists/Ordinances/Attachments/57/Ordinance%20No%202021%20-%202003%20Solar%20Energy.pdf)
[%202003%20Solar%20Energy.pdf](http://www.gibsoncounty-in.gov/departments/commissioners/Lists/Ordinances/Attachments/57/Ordinance%20No%202021%20-%202003%20Solar%20Energy.pdf).

⁸ Section 10(a) of the Gibson County Solar Energy Project Ordinance (Ordinance No. 2021-03) defines the Decommissioning Security as a "...performance or surety bond, letter of credit or other form financial assurance that is acceptable to the County securing performance of the decommissioning obligations..."

⁹ Dias Direct, p. 12, lines 18-24.

1 **Q: Is the OUCC aware of public concerns due to renewable energy facilities in**
2 **the area?**

3 A: Yes. As more large solar farms are being developed in Indiana, some local residents
4 and landowners are concerned about solar facilities occupying fertile farmland,
5 impacting land aesthetics, and their safety.¹⁰ The news in the Gibson County area
6 does not indicate opposition to the Project; however, citizen opposition to a
7 proposed wind facility led the developer to abandon its plans to construct a 200
8 MW wind facility in September 2020.¹¹ The Project has recently been announced
9 and is in the preliminary stages of seeking approval from the local government;
10 therefore, it is possible opposition could arise as the Project goes through the local
11 approval process.

12 **Q: Does the OUCC have any concerns regarding local approval of the Project?**

13 A: Yes. While Petitioner has begun the process of applying for a local permit, the
14 Project has not yet received approval from the Gibson County Commission. This
15 process has been further complicated by recent changes in the local zoning laws.
16 The Gibson County Commission approved a new zoning law in August 2020 that
17 would have placed constraints on the siting of new renewable facilities, namely
18 wind generators.¹² The newly elected Commission then repealed the August 2020

¹⁰ See, e.g., Weaver, Greg. (January 10, 2021). *The Republic*. **New cash crop: Industrial-solar-farm boom hits Hoosier backlash.**

http://www.therepublic.com/2021/01/10/new_cash_crop_industrialsolarfarm_boom_hits_hoosier_backlash/
¹¹ Webb, Jon. (September 2, 2020). *Evansville Courier & Press*. **The death of a proposed Southern Indiana wind farm is complicated.** <https://www.courierpress.com/story/opinion/columnists/jon-webb/2020/09/02/death-proposed-southern-indiana-wind-farm-complicated/5696395002/>

¹² Gorman, Evan and Neukam, Makayla. (August 18, 2020) *WFIE Channel 14 News*. **Gibson Co. Commissioners approve new zoning ordinance.** <https://www.14news.com/2020/08/18/gibson-co-commissioners-approve-new-zoning-ordinance/>

1 ordinance in early March 2021,¹³ and subsequently adopted new wind and solar
2 ordinances. While the new zoning ordinances provide a clearer path for developing
3 the solar project, the sudden shifts in policy at the local level could indicate some
4 controversy among county residents as to siting renewable projects. Again, many
5 of these concerns seem targeted more towards wind energy and concerns wind
6 facilities could interfere with the area doppler radar.

7 **Q: Should these concerns prohibit the Project?**

8 A: No. The Gibson County solar ordinance appears to clearly outline all requirements
9 a solar developer must meet to receive approval to construct and operate a solar
10 energy facility within the county. Also, the high level of involvement shows Gibson
11 County is appropriately exercising its jurisdiction over these facilities.
12 Additionally, all three Gibson County Commissioners provided letters of support
13 for the Project.¹⁴ On March 9, 2021, the county council adopted a preliminary
14 resolution confirming designation of an economic revitalization area where the
15 Project is located, as well as a proposed tax abatement.¹⁵ The tax abatement could
16 be approved on April 13, 2021.¹⁶

¹³ Gibson County Board of Commissioners, March 2, 2021, Meeting Minutes. <http://www.gibsoncounty-in.gov/departments/commissioners/Commissioners%20Minutes/Minutes%20for%20March%202%202021.pdf>

See also, Williams, Brady, and Lyman, Jill. (January 5, 2021) *WFIE Channel 14 News*. **Gibson Co. Commissioners vote to repeal zoning ordinance.** <https://www.14news.com/2021/01/05/gibson-commissioners-repeal-zoning-ordinance/>

¹⁴ Petitioner's Attachment TSD-8.

¹⁵ Howe, Andrea. (March 29, 2021). *The Daily Clarion*. **County conducts public hearing on solar farm incentives.** https://www.pdclarion.com/news/local_news/county-conducts-public-hearing-on-solar-farm-incentives/article_d120af4e-e87a-57a4-80e1-4f0e790566a2.html

¹⁶ Howe, Andrea. (March 31, 2021). *The Daily Clarion*. **County may act on solar farm abatement request April 13.** https://www.pdclarion.com/news/local_news/county-may-act-on-solar-farm-abatement-request-april-13/article_2f2b53a3-8788-5cb5-ac7c-3e7b7a64ca63.html

1 **Q: Is there a need for this additional electric generation source?**

2 A: Possibly. As part of its request in Cause No. 45489, NIPSCO plans to enter into a
3 purchase power agreement (PPA) with Gibson Solar. NIPSCO indicates the Gibson
4 Solar PPA will fulfill a portion of its generation replacement plan for its retiring
5 coal assets.

6 Additionally, the State Utility Forecasting Group (“SUFG”) analyzed
7 multiple scenarios to assist the Commission in developing its report to the 21st
8 Century Energy Policy Task Force. In its reference case, which takes into account
9 announced plant retirements over the next three years, the SUFG predicts a need
10 for over 1,500 MW of resource additions by 2024, over 6,000 MW by 2030, and
11 over 11,000 MW by 2037.¹⁷ It is possible Gibson Solar could assist with these future
12 resource needs.

13 **Q: Does Indiana support clean energy development?**

14 A: Yes. The Indiana Voluntary Clean Energy Portfolio Standard Program¹⁸ provides
15 incentives to utilities voluntarily increasing the amount of clean energy resources
16 in their electricity portfolios. Additionally, the OUCC supported and the
17 Commission approved, multiple investor-owned and independent power
18 producers’ renewable energy projects in the past.

19 **Q: Does the Project offer public benefits?**

20 A: Yes. The Project would provide a renewable, emission-free power resource. The
21 Project will not release pollutants such as carbon dioxide (CO₂), sulfur dioxide

¹⁷ State Utility Forecasting Group. (May 2020) *Scenario Analysis for IURC Report to the 21st Century Energy Policy Task Force*. <https://www.purdue.edu/discoverypark/sufg/resources/publications.php>

¹⁸ Authorized by Ind. C. ch. 8-1-37 and implemented by 170 IAC 17.1.

1 (SO₂), nitrous oxide (NO_x), or mercury. The Project will provide economic
2 development benefits and increase tax revenue for Gibson County. Petitioner
3 thoroughly outlines all the Project's benefits in Mr. Dias's direct testimony.¹⁹

IV. PETITIONER'S USE OF PUBLIC RIGHTS-OF-WAY

4 **Q: Is Petitioner seeking the right to use public rights-of-way for the Project?**

5 A: Yes, on a limited basis. Petitioner is seeking the right to use public rights-of-way
6 within the Project area to facilitate installing and using collector lines and
7 transmission lines.²⁰ Retaining the use of the public right-of-way in this limited
8 manner clarifies issues surrounding using public rights-of-way for road crossings.

9 **Q: Do utilities relinquish their rights to use the public rights-of-way when they**
10 **seek declination of jurisdiction?**

11 A: Possibly. It depends on the request. Prior Commission Orders addressing wind farm
12 requests for declination of jurisdiction suggest the Commission determines rights
13 to use the public rights-of-way on a case-by-case basis. As an example, the
14 Commission allowed a limited use of the public rights-of-way:

15 Petitioner shall not exercise an Indiana public utility's rights,
16 powers, and privileges of eminent domain and of exemption from
17 local zoning and land use ordinances in the construction and
18 operation of the Facility. Petitioner specifically retains the rights,
19 powers and privileges of a public utility ... to use public rights-of-
20 way ... for Facility transmission lines.²¹

21 However, the Commission ordered an independent power producer "shall not
22 exercise any of the rights, powers, and privileges of an Indiana public utility in the

¹⁹ Dias Direct, pp. 18-20.

²⁰ Dias Direct, p. 14, lines 14-19.

²¹ *Fowler Ridge Wind Farm, LLC*, Commission Cause No. 43338, November 27, 2007 Order, Ordering Paragraph 4.

1 construction and operation of the project, e.g., the power of eminent domain, use of
2 public rights-of-way, exemption from zoning, and land use regulation.”²²

3 **Q: Does the OUCC agree with Petitioner's request to retain the right to use public**
4 **rights-of-way for the Project?**

5 A: Yes. Without the Commission granting this request, it is my understanding
6 Petitioner will not be able to secure a permit from INDOT allowing its facilities to
7 cross roads. The OUCC concurs with Petitioner's request for limited use of public
8 rights-of-way. Petitioner requests use of the rights-of-way to facilitate construction
9 and use of a transmission line much like Fowler Ridge Wind Farm, LLC, in Cause
10 No. 43338.²³

V. INTERCONNECTON

11 **Q: Does the OUCC have any concerns regarding Petitioner's planned MISO**
12 **interconnection it wants to bring to the Commission's attention?**

13 A: Yes. Petitioner has not yet signed an interconnection agreement with MISO, and
14 the Project is in the preliminary stages of MISO's Generator Interconnection
15 Process. The Project's MISO Queue Number is J1295,²⁴ and it is in the Definitive
16 Planning Phase (“DPP”) 2019 Study Cycle.²⁵ The Project is currently in Phase 1 of
17 the DPP System Impact Study, which MISO estimates to complete by May 17,

²² *Benton County Wind Farm, LLC*, Commission Cause No. 43068, December 6, 2006 Order, Ordering Paragraph 4.

²³ The Commission has also approved such limited use of public rights-of-way in previous declination of jurisdiction proceedings. See Cause Nos. 45230 (Speedway Solar, LLC.), 45254 (Fairbanks Solar Energy Center, LLC.), and 45255 (Lone Oak Solar Energy, LLC.).

²⁴ Dias Direct, p. 15, lines 19-20.

²⁵ Petitioner's Confidential Attachment TSD-7. The Project can also be found in a search of MISO's Generator Interconnection Interactive Queue. https://www.misoenergy.org/planning/generator-interconnection/GI_Queue/gi-interactive-queue/

1 2021.²⁶ The current estimated completion dates for the MISO Central Region's
2 2019 Study Cycle is August 8, 2021, for DPP Phase 2 and December 20, 2021, for
3 DPP Phase 3.²⁷ The Generator Interconnection Agreement ("GIA") execution for
4 the Project is not expected until May 19, 2022.²⁸

5 Petitioner has enlisted Quanta Technology, LLC ("Quanta"), to study
6 whether the Project's interconnection would adversely impact system
7 performance.²⁹ After the pre-filing discussion with Petitioner, it is my
8 understanding Quanta uses the same procedures and software to evaluate a project's
9 system impact MISO uses in its DPP studies. Quanta's analysis identified few
10 overloads due to J1295, but indicated these facilities are overloaded due to
11 contributions from other Generators in the Queue. Quanta's analysis indicated the
12 Project has a minimal impact to the system.³⁰

13 The OUCC appreciates Petitioner proactively hiring a third-party to study
14 the Project's possible system impact in response to the DPP Phase 1 study not yet
15 being completed. However, the OUCC notes MISO's study could conclude the
16 Project has a greater impact than Quanta's study indicates.

²⁶ MISO Definitive Planning Phase Schedule, Updated on April 1, 2021.
<https://cdn.misoenergy.org/Definitive%20Planning%20Phase%20Schedule106547.pdf>. Mr. Dias's
testimony states that the DPP Phase 1 is estimated to be complete by May 3, 2021 (Dias Direct, p. 16, lines
8-9), but he submitted testimony prior to the release of this updated schedule.

²⁷ Mr. Dias's testimony states estimated completion dates of July 23, 2021, for DPP Phase 2 and December
6, 2021, for DPP Phase 3. (Dias Direct, p. 16, lines 8-11). However, as noted above, Mr. Dias submitted
testimony prior to MISO's release of the updated schedule.

²⁸ MISO Definitive Planning Phase Schedule, Updated on April 1, 2021.

²⁹ Dias Direct, p. 15, lines 19-23.

³⁰ Dias Direct, p. 16, lines 1-5, and Petitioner's Confidential Attachment TSD-7.

VI. REPORTING REQUIREMENTS AND MATERIAL CHANGE

1 **Q: Does the OUCC agree with Petitioner's proposed reporting requirements and**
2 **additional requirements concerning material change in project output or**
3 **project modification or suspension?**

4 A: Yes. Petitioner outlines proposed reporting requirements and additional
5 requirements concerning material change in project output or project modification
6 or suspension in Mr. Dias's direct testimony.³¹ These requirements are consistent
7 with the OUCC's recommendations in prior dockets and with previous Commission
8 Final Orders regarding renewable energy and declination of jurisdiction.

VII. CONCLUSION

9 **Q: What does the OUCC conclude regarding Petitioner's request?**

10 A: Typically, when developers seek Commission declination of jurisdiction, it is
11 expected the developer will have made reasonable progress toward securing the
12 necessary approvals from local, state, and federal officials prior to filing its request
13 with the Commission. While the Project has not progressed in the pre-development
14 stage as the OUCC generally likes to see before developers seek declination,
15 Petitioner has conducted preliminary site surveys and environmental studies and
16 attempted to determine possible interconnection system impacts. Also, as
17 mentioned previously in my testimony, the Project may receive approval for a tax
18 abatement on April 13, 2021, soon after the OUCC files its testimony, and
19 Petitioner has begun the local approval process, in which it appears Gibson County
20 Commissioners support the Project. Further, if the Commission declines
21 jurisdiction, sufficient local, state, and federal regulatory oversight will remain.

³¹ Dias Direct, pp. 27-29.

1 Therefore, the OUCC does not oppose the Commission declining to exercise full
2 jurisdiction over Gibson Solar constructing, owning, operating, and performing
3 other activities in connection with the Project, so long as Petitioner is required to
4 submit status reports on the Project's development it proposed and outlined in its
5 testimony.

6 **Q: Does this conclude your testimony?**

7 A: Yes.

APPENDIX A

1 **Q: Summarize your professional background and experience.**

2 A: I graduated from the University of Evansville in 2004 with a Bachelor of Science
3 degree in Environmental Administration. I graduated from Indiana University,
4 Bloomington in May 2007 with a Master of Public Affairs degree and a Master of
5 Science degree in Environmental Science. I have also completed internships with
6 the Environmental Affairs Department at Vectren in the spring of 2004, with the
7 U.S. Environmental Protection Agency in the summer of 2005, and with the U.S.
8 Department of the Interior in the summer of 2006. During my final year at Indiana
9 University, I served as a research and teaching assistant for a Capstone course
10 offered at the School of Public and Environmental Affairs. I also have obtained my
11 OSHA Hazardous Operations and Emergency Response ("HAZWOPER")
12 Certification. I have been employed by the OUCC since May 2007. As part of my
13 continuing education at the OUCC, I have attended both weeks of the National
14 Association of Regulatory Utility Commissioners' ("NARUC") seminar in East
15 Lansing, Michigan, completed several 8-hour OSHA HAZWOPER refresher
16 courses to maintain my certification, and attended the Indiana Chamber of
17 Commerce's Environmental Permitting Conference.

18 **Q: Describe some of your duties at the OUCC.**

19 A: I review and analyze utilities' requests and file recommendations on behalf of
20 consumers in utility proceedings. Depending on the case at hand, my duties may
21 also include analyzing state and federal regulations, evaluating rate design and
22 tariffs, examining books and records, inspecting facilities, and preparing various

1 studies. Since my expertise lies in environmental science and policy, I assist in
2 many cases where environmental compliance is an issue.

AFFIRMATION

I affirm, under the penalties for perjury, that the foregoing representations are true.



Cynthia M. Armstrong

Senior Utility Analyst

Indiana Office of Utility Consumer Counselor

April 9, 2021

CERTIFICATE OF SERVICE

This is to certify that a copy of the *OUCC's Testimony of Cynthia M. Armstrong* has been served upon the following parties of record in the captioned proceeding by electronic service on April 9, 2021.

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