

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

Commissioner	Yes	No	Not Participating
Huston	√		
Bennett	√		
Freeman	√		
Veleta	√		
Ziegner	√		

PETITION OF FOUNTAINTOWN GAS)
COMPANY, INC. FOR APPROVAL OF) CAUSE NO. 37913 GCA 141
CHANGES TO ITS GCA RATES IN)
ACCORDANCE WITH INDIANA CODE § 8-1-2-) APPROVED: JUN 28 2023
42(G))

ORDER OF THE COMMISSION

Presiding Officer:

Ann Pagonis, Administrative Law Judge

On, May 1, 2023, Fountaintown Gas Company, Inc. (“Fountaintown” or “Petitioner”) filed its Petition for Gas Cost Adjustment (“GCA”) with attached schedules to be applicable during the July 2023 through September 2023 billing cycles. Also on May 1, 2023, Petitioner prefiled the direct testimony of Emily M. Harlow, Senior Manager of Finance and Regulatory Services of Ohio Valley Gas Corporation and Ohio Valley, Inc. which are affiliates of Petitioner.

On May 19, 2023, Petitioner filed supplemental testimony of Ms. Harlow and a set of revised schedules, including Revised Schedules 1, 6, 8, 11, 12b, and a Revised Appendix A.

On March 31, 2023, the Indiana Office of Utility Consumer Counselor (“OUCC”) prefiled the testimony and exhibits of Jason D. Kohlmann, Utility Analyst in the OUCC’s Natural Gas Division.

The Indiana Utility Regulatory Commission (“Commission”) held an evidentiary hearing in this Cause on June 19, 2023, at 2:30 p.m. in Room 224 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. Petitioner and the OUCC appeared and participated at the hearing at which the testimony and exhibits of Petitioner and the OUCC were admitted into the record without objection.

Based upon the applicable law and the evidence presented, the Commission finds:

1. Notice and Jurisdiction. Notice of the hearing in this Cause was given and published by the Commission as required by law. Petitioner is a public utility as defined in Ind. Code § 8-1-2-1(a). Under Ind. Code § 8-1-2-42(g), the Commission has jurisdiction over changes to Petitioner’s rates and charges related to adjustments in gas costs. Therefore, the Commission has jurisdiction over Petitioner and the subject matter of this Cause.

2. Petitioner’s Characteristics. Petitioner is a corporation organized and existing under Indiana law with its principal office located at 106 East Main Street, Morristown, Indiana. Petitioner renders natural gas utility service to the public in Decatur, Hancock, Henry, Rush, and Shelby Counties and owns, operates, manages, and controls plant and equipment for the distribution and furnishing of such service.

3. Source of Natural Gas. Ind. Code § 8-1-2-42(g)(3)(A) requires Petitioner to make every reasonable effort to acquire long-term natural gas supplies to provide gas to its retail customers at the lowest gas cost reasonably possible. Ms. Harlow testified Petitioner's approach in acquiring natural gas for its customers includes: (a) utilizing storage on a regular basis when gas prices are historically lower; (b) staying apprised of market conditions by regularly reviewing New York Mercantile Exchange ("NYMEX") prices; (c) monitoring customers' usage; (d) using a normal temperature adjustment mechanism to normalize weather based on National Oceanic and Atmospheric Administration data. Ms. Harlow stated these activities help mitigate volatility and assist Petitioner in acquiring a reasonably priced natural gas supply.

The Commission has indicated that Indiana's natural gas utilities should make reasonable efforts to mitigate gas price volatility. This includes a program that considers market conditions and the price of natural gas on a current and forward-looking basis. Based on the evidence offered, we find that Petitioner has demonstrated that it has and continues to follow a policy of securing natural gas supply at the lowest gas cost reasonably possible to meet anticipated customer requirements. Therefore, we find that the requirement of this statutory provision has been fulfilled.

4. Purchased Gas Cost Rates. Ind. Code § 8-1-2-42(g)(3)(B) requires that Petitioner's pipeline suppliers have requested or filed pursuant to the jurisdiction and procedures of a duly constituted regulatory authority the costs proposed to be included in the GCA factors. The evidence indicates the proposed gas costs include transport rates that have been filed by Petitioner's pipeline suppliers as authorized by Federal Energy Regulatory Commission procedures; therefore, we find this statutory provision has been fulfilled.

5. Earnings Test. Ind. Code § 8-1-2-42(g)(3)(C), in effect, prohibits approval of a GCA factor that results in a public utility earning a return in excess of the return authorized by the last Commission Order in which the Petitioner's base rates and charges were approved. Petitioner's current base rates and charges were approved on May 15, 2013, in Cause No. 44292. The Commission authorized Petitioner in Cause No. 44292 to earn a net operating income of \$477,934.

Fountaintown's evidence indicates that for the 12 months ended February 28, 2022, Petitioner's reported net operating income was \$149,259, which is \$328,675 less than its authorized net operating income. Therefore, based on the evidence, we find Petitioner is not earning a return in excess of that authorized in its last rate case.

6. Estimation of Purchased Gas Costs. Ind. Code § 8-1-2-42(g)(3)(D) requires that Petitioner's estimate of its prospective average gas costs for each future recovery period be reasonable. The Commission has determined that a comparison of the variance to the incremental cost of gas on Schedule 6 be used to determine if the prior estimates are reasonable when compared to the corresponding actual costs. A 12-month rolling average comparison helps to eliminate the inherent variances related to cycle billing and seasonal fluctuations. The evidence presented indicates that Petitioner's 12-month rolling average comparison was 30.52% for the period ending February 28, 2023. Based on Petitioner's historical accuracy in estimating the cost of gas, we find that Petitioner's estimating techniques are sound, and Petitioner's prospective average estimate of gas costs are reasonable.

7. Reconciliations.

A. Variances. Ind. Code § 8-1-2-42(g)(3)(D) also requires that Petitioner reconcile its estimate for a previous recovery period with the actual purchased gas cost for that period. The evidence establishes that the variance for the reconciliation period of December 2022 through February 2023 (“Reconciliation Period”) is an over-collection of \$438,512 from Petitioner’s customers. This amount should be included, based on estimated sales percentages, in this GCA and the next three GCAs. The amount of the Reconciliation Period variance to be included in this GCA as a decrease in the estimated net cost of gas is \$21,527.

The variance from prior recovery periods applicable to the current recovery period is an over-collection of \$15,791. Combining this amount with the Reconciliation Period variance results in a total over-collection of \$37,318 to be applied in this GCA as a decrease in the estimated net cost of gas.

B. Refunds. Petitioner received no refunds during the Reconciliation Period but had a refund in the amount of \$3,129 carried over from Cause No. 37913 GCA-139 to be refunded to customers in this GCA-141 as reflected on Petitioner’s Revised Schedule 12a.

8. Resulting Gas Cost Adjustment Factor. The estimated net commodity cost of gas to be recovered for July 2023 is \$23,853, for August 2023 is \$25,682, and for September 2023 is \$37,402. Adjusting this total for variance and refund amounts yields gas costs to be recovered through the GCA factor of \$10,371 for July 2023, \$12,200 for August 2023 and \$23,920 for September 2023. After dividing that amount by estimated sales, Petitioner’s recommended GCA factors are \$1.8343/Dth for July 2023, \$2.0300/Dth for August 2023, and \$2.6738/Dth for September 2023.

9. Effects on Residential Customers. Petitioner requests authority to approve the GCA factors of \$1.8343/Dth for July 2023, \$2.0300/Dth for August 2023, and \$2.6738/Dth for September 2023. The table below shows the commodity costs a residential customer will incur under the proposed GCA factor based on 10 Dth of usage. The table also compares the proposed gas costs to what a residential customer paid most recently (May 2023 - \$2.0601Dth) and one year ago (July 2022 -- \$7.0679/Dth; August 2022 -- \$9.0779/Dth; September 2022 -- \$9.2059/Dth). The table reflects costs approved through the GCA process. It does not include Petitioner’s base rates or any applicable rate adjustment mechanisms.

Month	Proposed Gas Costs (10 Dth)	Current		Year Ago	
		Gas Costs (10 Dth)	Difference	Gas Costs (10 Dth)	Difference
July 2023	\$18.34	\$20.60	(\$2.26)	\$70.68	(\$52.34)
August 2023	\$20.30	\$20.60	(\$0.30)	\$90.78	(\$70.48)
September 2023	\$26.74	\$20.60	\$6.14	\$92.06	(\$65.32)

10. Interim Rates. The Commission is unable to determine whether Petitioner will earn an excess return while the GCA factors are in effect. Accordingly, the rates approved in this

Order are interim rates subject to refund pending reconciliation in the event an excess return is earned.

11. Monthly Flex Mechanism. The Commission indicated in prior Orders that Indiana's gas utilities should make reasonable efforts to mitigate gas price volatility. Petitioner's approved monthly flex mechanism is designed to address the Commission's concerns. Therefore, Petitioner may utilize a monthly flex mechanism to adjust the GCA factor for the subsequent month. The flex mechanism applies to the mix of volumes between spot, fixed and storage gas purchases as long as the total volumes remain unchanged from the total monthly volume of gas estimated in this GCA proceeding. The flex mechanism also applies to the estimated unit price of spot, fixed, or storage gas purchases. The flex mechanism is to be filed no later than three business days before the beginning of each calendar month during the GCA period. Market purchases in the flex mechanism are to be priced at NYMEX prices on a day no more than ten business days prior to the beginning of said calendar month. Changes in the market price included in the flex mechanism are limited to a maximum adjustment (higher or lower) of \$1.00 from the initial market price in this GCA proceeding. Finally, Petitioner shall file all material which supports its decision to flex or not to flex as outlined in our Order in Cause No. 44374.

12. Other Matters. In the GCA 140 Order, the Commission stated that it is crucial that the accuracy of Fountaintown's GCA filings be prioritized and not regress, given the efforts taken in conjunction with the OUCC's personnel to improve Petitioner's GCA processes and filings. Petitioner was directed to earnestly work toward and demonstrate increased accuracy in its GCA filings. Petitioner complied by providing more accurate information in the current GCA proceeding than in the last. The Commission recognizes Petitioner's improvement and appreciates its efforts.

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

1. The Petition of Midwest Natural Gas Corporation for the gas cost adjustments for natural gas service, as set forth in Paragraph No. 8, is approved, subject to refund in accordance with Paragraph No. 10.

2. Prior to implementing the GCA factors approved above or any future flexed factor, Petitioner shall file the tariff and applicable rate schedules under this Cause for approval by the Commission's Energy Division. Such rates shall be effective on or after the Order date subject to Division review and agreement with the amounts reflected.

3. This Order shall be effective on and after the date of its approval.

HUSTON, BENNETT, FREEMAN, VELETA, AND ZIEGNER CONCUR:

APPROVED: JUN 28 2023

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

**Dana Kosco
Secretary of the Commission**