

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION OF DUKE ENERGY INDIANA,)
LLC FOR APPROVAL OF A TARIFF RATE)
FOR THE PROCUREMENT OF EXCESS)
DISTRIBUTED GENERATION PURSUANT) CAUSE NO. 45508
TO INDIANA CODE 8-1-40 ET SEQ.)

PETITION TO INTERVENE OF ENVIRONMENTAL LAW & POLICY CENTER

Environmental Law & Policy Center (“ELPC”), by counsel, respectfully requests, pursuant to 170 I.A.C. 1-1.1-11, the Commission permits it to intervene and become a party to this Cause.

In support of its Petition, ELPC would show the Commission:

1. ELPC is a membership organization with members in Indiana and across the Midwest. ELPC operates as a non-profit corporation under the laws of the State of Illinois and its principal office is at 35 E. Wacker Drive, Suite 1600, Chicago, Illinois 60601. Its telephone number is (312) 673-6500.

2. Attorney Bradley Klein intends to file a Petition for Temporary Admission to appear on behalf of ELPC (and Vote Solar) in this case. The name, address and telephone number for Mr. Klein is as follows:

Bradley Klein
Environmental Law & Policy Center
35 E Wacker Drive, Suite 1600
Chicago, Illinois 60601
Phone: (312) 795-3746
Fax: (312) 795-3730
bklein@elpc.org

The name, address and telephone number of local counsel for ELPC is as follows:

Jennifer A. Washburn, Atty. No. 30462-49
Citizens Action Coalition of Indiana, Inc.
1915 W. 18th Street, Suite C

Indianapolis, Indiana 46202
Phone: (317) 735-7764
Fax: (317) 290-3700
jwashburn@citact.org

Courtesy Copy to:
Reagan Kurtz
rkurtz@citact.org

3. Parties and Commission staff wishing to serve papers on counsel for ELPC in this Cause should use the addresses above.

4. The purpose of this proceeding is for Duke Energy Indiana, LLC (“Duke”, “Petitioner,” or “Company”) to request approval of a rate for the procurement of excess distributed generation, among other things.

5. ELPC has a substantial interest in the subject of this proceeding. ELPC is a not-for-profit public interest environmental organization, which works to achieve cleaner air and advance clean renewable energy and energy efficiency resources, and to improve environmental quality and protect clean water and preserve natural resources in Indiana and the Midwest. Specifically, ELPC and its members will be injured if the Company is allowed to change its distributed generation rates in a manner that discourages customer-investment in clean, renewable generation. The Company’s proposal in this case will reduce the value of rooftop solar and other forms of self-generation.

6. ELPC brings significant experience and regional perspectives on the important rate design policy issues in this case, and ELPC’s participation in the case will help develop a full record for the Commission to benefit the process as a whole. Over the past few years, ELPC has participated in cases in Illinois, Iowa, Michigan, Minnesota, and Wisconsin regarding utility distributed generation rates. ELPC specializes in issues related to net metering and distributed

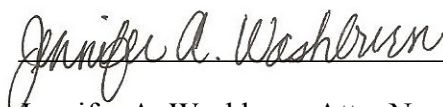
generation, both of which are directly implicated by the Company's rate design proposal in this case.

7. The addition of ELPC as a party to this Cause will not unduly broaden the issues or otherwise burden the proceedings. ELPC understands that it is bound by all rulings and other matters of record prior to the time that this Petition is granted, and will take the case as it stands as of the date of intervention.

8. For the foregoing reasons, ELPC respectfully requests that the Commission grants it leave to intervene and make ELPC a party to this proceeding.

The undersigned Jennifer A. Washburn has been duly authorized to file this petition to intervene with the Commission on behalf of ELPC. Attorney Bradley Klein will file a petition for temporary admission to also appear on behalf of ELPC (and Vote Solar) in this matter.

Respectfully submitted,

A handwritten signature in cursive script, reading "Jennifer A. Washburn".

Jennifer A. Washburn, Atty. No. 30462-49
Citizens Action Coalition of Indiana, Inc.
1915 W. 18th Street, Suite C
Indianapolis, Indiana 46202
Phone: (317) 735-7764
Fax: (317) 290-3700
jwashburn@citact.org

*Counsel for Citizens Action Coalition of
Indiana, Environmental Law & Policy
Center, Solar United Neighbors, and Vote
Solar*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing was served by electronic mail or U.S.

Mail, first class postage prepaid, this 14th day of May, 2021, to the following:

Elizabeth A. Heneghan
Melanie Price
Duke Energy Business Services LLC
1000 East Main Street
Plainfield, IN 46168
beth.heneghan@duke-energy.com
melanie.price@duke-energy.com


Robert M. Glennon
Robert Glennon & Assoc., P.C.
3697 N. Co. Rd. 500 E.
Danville, IN 46122
(317)852-2723
robertglennonlaw@gmail.com

Courtesy Copies to:
Michael A. Mullett
MulletGEN@aol.com

Laura Arnold
laura.arnold@indianadg.net

Randy Helmen
Jason Haas
Indiana Office of Utility Consumer Counselor
115 W. Washington Street, Suite 1500 South
Indianapolis, Indiana 46204
rhelmen@oucc.IN.gov
thaas@oucc.in.gov
infomgt@oucc.IN.gov

Russell Ellis
Solarize Indiana
6144 Glebe Drive
Indianapolis, IN 46237
(317)460-2184
russell_ellis@sbcglobal.net


Jennifer Washburn

*Counsel for CAC, ELPC, SUN, and
Vote Solar*